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**Changes to legislation:** There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Paragraph 2. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 2

#### ELECTORAL CHANGE IN ENGLAND: CONSIDERATIONS ON REVIEW

**Modifications etc. (not altering text)**

- C1** Sch. 2 applied by 2007 c. 28, s. 8(6D) (as inserted (1.4.2010) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), **ss. 65(2)**, 148(3)(b); S.I. 2009/3318, art. 4(l))

#### *District councils*

- 2 (1) This paragraph applies where the Local Government Boundary Commission for England makes recommendations under section 56 in relation to the electoral arrangements for the area of a district council.
- (2) The recommendations must secure the following results—
- (a) every ward of a parish having a parish council (whether separate or common) must lie wholly within a single electoral area of the district council, and
  - (b) every parish which is not divided into parish wards must lie wholly within a single electoral area of the district council.
- (3) Subject to sub-paragraph (2), in making the recommendations the Local Government Boundary Commission for England must have regard to—
- (a) the need to secure that the ratio of the number of local government electors to the number of members of the district council to be elected is, as nearly as possible, the same in every electoral area of the council,
  - (b) the need to reflect the identities and interests of local communities and in particular—
    - (i) the desirability of fixing boundaries which are and will remain easily identifiable, and
    - (ii) the desirability of fixing boundaries so as not to break any local ties,
  - (c) the need to secure effective and convenient local government, and
  - (d) in the case of a district council that is subject to a scheme for elections by halves or by thirds, or that has resolved to revert to being subject to such a scheme under Chapter 1 of Part 2 of the Local Government and Public Involvement in Health Act 2007 (c. 28), the desirability of securing that each electoral area of the district council returns an appropriate number of members of the council.
- (4) For the purpose of sub-paragraph (3)(a) the Local Government Boundary Commission for England must have regard to any change in the number or distribution of local government electors in the area of the district council which is likely to take place within the period of five years immediately following the making of the recommendations.

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- (5) For the purposes of sub-paragraph (3)(d)—
- (a) a district council is “subject to a scheme of elections by halves” if one half (or as nearly as may be) of its members are to be elected in each year in which it holds ordinary elections of members of the council;
  - (b) a district council is “subject to a scheme of elections by thirds” if one third (or as nearly as may be) of its members are to be elected in each year in which it holds ordinary elections of members of the council;
  - (c) the number of members of the district council returned by an electoral area of the council is “appropriate”—
    - (i) in the case of a scheme for elections by halves, if it is divisible by 2;
    - (ii) in the case of a scheme for elections by thirds, if it is divisible by 3.

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**Commencement Information**

**II** Sch. 2 para. 2 in force at 1.4.2010 by [S.I. 2009/3318](#), [art. 4\(ee\)](#)

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