

SCHEDULE 4

Application, with Modification, of other Acts and Subordinate Legislation

PART 2

The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004

1. The Representation of the People (Combination of Polls) (England and Wales) Regulations 2004 ^{M1} have effect subject to the following modifications.

Marginal Citations

M1 [S.I. 2004/294](#).

2. In regulation 2 (interpretation)—

- (a) in paragraph (1), in the definition of “referendum”, after “[^{F1}the Local Authorities (Conduct of Referendums) (England) Regulations 2012]” insert “ or a referendum held under Schedule 4B to the Town and Country Planning Act 1990 ”;
- (b) in paragraph (2) after “[^{F1}the Local Authorities (Conduct of Referendums) (England) Regulations 2012]” insert “ or regulation 2 of the Neighbourhood Planning (Referendums) Regulations 2012 (as the case may be) ”.

F1 Words in Sch. 4 Pt. 2 para. 2 substituted (6.4.2014) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2014 \(S.I. 2014/333\)](#), reg. 1(6), **11** (with reg. 1(7))

3. For regulation 4(8) substitute—

“(8) Subject to paragraph (9), where the polls at two or more referendums or polls at an election and referendum are taken together under section 15(3AA) of the 1985 Act—

- (a) the returning officer for each election or referendum shall decide which returning officer shall discharge those functions of the other (or others) which are specified in regulation 5^{F2}...; and
- (b) the only polling stations which shall be used at each election or referendum are the polling stations used at the election or referendum for which the returning officer who discharges the functions referred to in sub-paragraph (a) above acts as returning officer.”.

F2 Words in Sch. 4 para. 3 revoked (31.12.2020) by [The European Parliamentary Elections Etc. \(Repeal, Revocation, Amendment and Saving Provisions\) \(United Kingdom and Gibraltar\) \(EU Exit\) Regulations 2018 \(S.I. 2018/1310\)](#), reg. 1, **Sch. 1 Pt. 2** Table 1 (as amended by S.I. 2019/1389, reg. 1, **2(2)**)

4.—(1) Regulation 5 (functions at combined polls) is amended as follows.

(2) In paragraph (1), after sub-paragraph (e) insert—

- “(f) at a referendum held under Schedule 4B to the Town and Country Planning Act 1990, by those rules in regulations made under paragraph 16 of Schedule 4B to that Act which correspond to the rules specified in paragraph (2);”.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

(3) In paragraph (3), after sub-paragraph (b) insert—

“(c) that regulation and that Part as applied by regulations made under paragraph 16 of Schedule 4B to the Town and Country Planning Act 1990.”.

5.—(1) In regulation 6(3) and (4) (modification of provisions about expenses in the 1983 Act) for “15(1) or (2)” substitute “ 15(1), (2) or (3AA) ”.

(2) In regulation 6(5)—

(a) omit “and” at the end of sub-paragraph (a), and

(b) at the end of sub-paragraph (a) insert—

“(ab) the provisions in regulations made under paragraph 16 of Schedule 4B to the Town and Country Planning Act 1990 which correspond to that provision; and”.

6. In regulation 8 (modification of parliamentary elections rules)—

(a) omit “or” at the end of sub-paragraph (a); and

(b) after sub-paragraph (b) insert—

“or

(c) the poll at a referendum held under Schedule 4B to the Town and Country Planning Act 1990,”.

7. In Schedule 2 (modifications to parliamentary elections rules)—

(a) in paragraph 2, in the definition of “referendum” after “[^{F3}the Local Authorities (Conduct of Referendums) (England) Regulations 2012]” insert “ or a referendum held under Schedule 4B to the Town and Country Planning Act 1990 ”;

(b) in paragraph 3(a) after “[^{F3}the Local Authorities (Conduct of Referendums) (England) Regulations 2012]” insert “ or regulation 2 of the Neighbourhood Planning (Referendums) Regulations 2012 (as the case may be) ”;

(c) in paragraph 22, in substituted sub-paragraph (1AC)(b), after “ the Local Government Act 2000 ” insert “ or regulations made under paragraph 16 of Schedule 4B to the Town and Country Planning Act 1990 ”.

F3 Words in Sch. 4 Pt. 2 para. 7 substituted (6.4.2014) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2014 \(S.I. 2014/333\)](#), regs. 1(6), **11** (with reg. 1(7))

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Neighbourhood Planning (Referendums) Regulations 2012. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 3 rule 22(1)(ba) inserted by [S.I. 2023/1225 reg. 9\(2\)\(a\)](#)
- Sch. 3 rule 37(3)(e) and word inserted by [S.I. 2023/1225 reg. 9\(2\)\(b\)\(ii\)](#)
- Sch. 3 rule 25 modified (temp.) by [S.I. 2023/1147 Sch. 2 para. 28\(2\)\(3\)](#)
- Sch. 3 rule 37(3)(c) word omitted by [S.I. 2023/1225 reg. 9\(2\)\(b\)\(i\)](#)
- Sch. 3 rule 25(1)(b) words inserted by [S.I. 2023/1147 reg. 18\(3\)\(a\)](#)
- Sch. 3 rule 25 table words omitted by [S.I. 2023/1147 reg. 18\(3\)\(b\)\(ii\)](#)
- Sch. 3 rule 25 table words substituted by [S.I. 2023/1147 reg. 18\(3\)\(b\)\(i\)](#)
- Sch. 3 rule 25(2) words substituted by [S.I. 2023/1147 reg. 18\(3\)\(c\)](#)
- Sch. 5 rule 22(1)(ba) inserted by [S.I. 2023/1225 reg. 9\(4\)\(b\)](#)
- Sch. 5 rule 37(5)(e) and word inserted by [S.I. 2023/1225 reg. 9\(4\)\(c\)\(ii\)](#)
- Sch. 5 rule 25 modified (temp.) by [S.I. 2023/1147 Sch. 2 para. 28\(2\)\(3\)](#)
- Sch. 5 rule 37(5)(c) word omitted by [S.I. 2023/1225 reg. 9\(4\)\(c\)\(i\)](#)
- Sch. 5 rule 25(1)(b) words inserted by [S.I. 2023/1147 reg. 18\(7\)\(a\)](#)
- Sch. 5 rule 25 table words omitted by [S.I. 2023/1147 reg. 18\(7\)\(b\)\(ii\)](#)
- Sch. 5 rule 25 table words substituted by [S.I. 2023/1147 reg. 18\(7\)\(b\)\(i\)](#)
- Sch. 5 rule 25(2) words substituted by [S.I. 2023/1147 reg. 18\(7\)\(c\)](#)
- Sch. 5 rule 18(10) words substituted by [S.I. 2023/1225 reg. 9\(4\)\(a\)](#)
- Sch. 7 rule 27(3A) inserted by [S.I. 2023/1225 reg. 9\(5\)\(b\)\(ii\)](#)
- Sch. 7 rule 27A-27D inserted by [S.I. 2023/1225 reg. 9\(5\)\(c\)](#)
- Sch. 7 rule 30A-30E inserted by [S.I. 2023/1225 reg. 9\(5\)\(e\)](#)
- Sch. 7 rule 41(1)(g) inserted by [S.I. 2023/1225 reg. 9\(5\)\(f\)](#)
- Sch. 7 rule 49(1)(ba) inserted by [S.I. 2023/1225 reg. 9\(5\)\(h\)](#)
- Sch. 7 rule 64(3)(e) and word inserted by [S.I. 2023/1225 reg. 9\(5\)\(i\)\(ii\)](#)
- Sch. 7 rule 27(5) substituted by [S.I. 2023/1225 reg. 9\(5\)\(b\)\(iv\)](#)
- Sch. 7 rule 64(3)(c) word omitted by [S.I. 2023/1225 reg. 9\(5\)\(i\)\(i\)](#)
- Sch. 7 rule 2(1) words inserted by [S.I. 2023/1225 reg. 9\(5\)\(a\)](#)
- Sch. 7 rule 27(3) words inserted by [S.I. 2023/1225 reg. 9\(5\)\(b\)\(i\)\(bb\)](#)
- Sch. 7 rule 27(4) words inserted by [S.I. 2023/1225 reg. 9\(5\)\(b\)\(iii\)](#)
- Sch. 7 rule 42(1)(a) words inserted by [S.I. 2023/1225 reg. 9\(5\)\(g\)](#)
- Sch. 7 rule 27(3) words substituted by [S.I. 2023/1225 reg. 9\(5\)\(b\)\(i\)\(aa\)](#)
- Sch. 7 rule 30 words substituted by [S.I. 2023/1225 reg. 9\(5\)\(d\)](#)