

[^{F1}SCHEDULE 7

THE NEIGHBOURHOOD PLANNING BUSINESS REFERENDUMS RULES

F1 Sch. 7 inserted (6.4.2013) by [The Neighbourhood Planning \(Referendums\) \(Amendment\) Regulations 2013 \(S.I. 2013/798\)](#), regs. 1, 7, **Sch. 2**

PART 3

General Provisions

Consistency of ballot papers and documents

5. The counting officer, and, where there is one, the Chief Counting Officer, must ensure, as far as practicable, that any ballot paper or other document issued in relation to the business referendum is in the same form (except for necessary changes) as for the corresponding residential referendum.

Notice of business referendum

6. The counting officer must publish notice of the business referendum, stating the date of the poll.

Poll to be taken by ballot

7. A poll must be taken at the business referendum and the votes at the poll must be given by ballot.

The ballot papers

- 8.—(1) The ballot of every named voter in the business referendum must consist of a ballot paper.
- (2) Every ballot paper to be used in the business referendum must be in the form set out in Form 1 or 2 in the Appendix of Forms at Part 10 of this Schedule (as the case may be).
- (3) The ballot paper must be of a colour different from that of the ballot papers used for—
- (a) the corresponding residential referendum; and
 - (b) any poll combined with the corresponding residential referendum.
- (4) Every ballot paper—
- (a) must be capable of being folded up; and
 - (b) must have a number and other unique identifying mark printed on the back.

The corresponding number list

- 9.—(1) The counting officer must prepare a list containing the numbers and other unique identifying marks of all of the ballot papers to be issued by the counting officer in pursuance of rule 14(1) or provided by that person in pursuance of rule 46(1).
- (2) The list must be in the form set out in Form 3 in the Appendix or a form to like effect.

The official mark

- 10.—(1) Every ballot paper must contain an appropriate security marking (the official mark).

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

- (2) The official mark must be kept secret.
- (3) The counting officer may use a different official mark for different purposes at the same business referendum.

Prohibition of disclosure of vote

11. No named voter who has voted at the business referendum is, in any legal proceeding to question the business referendum, to be required to state for which answer the named voter has voted.

Use of schools and public rooms

12.—(1) The counting officer may use, free of charge, for the purpose of taking the poll or counting the votes—

- (a) a room in a school maintained or assisted by a local authority (as defined in the Education Act 1996) or a school in respect of which grants are made out of moneys provided by Parliament to the person or body of persons responsible for the management of the school;
- (b) a room the expense of maintaining which is payable out of any rate.

(2) The counting officer must make good any damage done to, and defray any expense incurred by the persons having control over, any such room as mentioned above by reason of its being used for the purpose of taking the poll or counting the votes.

Cross-boundary referendum areas

13.—(1) This rule applies where the referendum area comprises any part of the area of more than one relevant council.

(2) Where this rule applies, the Chief Counting Officer must ensure, as far as practicable, that any ballot paper or other document issued in relation to the business referendum is in the same form (except for necessary changes) and is issued on the same date in respect of each relevant council.]

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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\(5\)\(d\)](#)