

Status: Point in time view as at 19/05/1997. This version of this provision has been superseded.

Changes to legislation: Local Government Act 1972, Paragraph 10 is up to date with all changes known to be in force on or before 09 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3 **E+W**

ESTABLISHMENT OF NEW AUTHORITIES IN ENGLAND

Parish councillors

- 10 (1) Until provision is made to the contrary under Part I ^[F1] of this Act, Part II of the Local Government Act 1992 or Part II of the Local Government and Rating Act 1997]—
- (a) the number of councillors for a parish which immediately before the passing of this Act was a borough included in a rural district, not being a borough divided into wards, shall be the same as the number of councillors for that borough;
 - (b) where any such borough was immediately before the passing of this Act divided into wards for the purpose of elections to the council of the borough, the parish shall be divided into those wards for the purpose of elections of parish councillors and the number of councillors to be elected for each parish ward shall be the same as the number to be elected for the corresponding ward of the borough;
 - (c) the number of councillors for a parish which immediately before the passing of this Act was co-extensive with a rural district which is not divided into wards shall be the same as the number of councillors for that rural district; and
 - (d) where a rural district which is co-extensive with a parish was immediately before the passing of this Act divided into wards for the purpose of elections to the council of the rural district, the parish shall be divided into those wards for the purpose of elections of parish councillors and the number of councillors to be elected for each parish ward shall be the same as the number to be elected for the corresponding ward of the rural district.
- (2) Until provision is made to the contrary under Part I ^[F1] of this Act, Part II of the Local Government Act 1992 or Part II of the Local Government and Rating Act 1997], the provisions of this sub-paragraph shall have effect with respect to the number of councillors for a parish constituted under Part V of Schedule 1 above and having an area co-extensive with that of an existing borough or urban district, that is to say—
- (a) if the area of the parish is co-extensive with that of a borough not divided into wards, the number of councillors for the parish shall be the same as the total number of councillors and aldermen for the borough;
 - (b) if the area of the parish is co-extensive with that of a borough which is divided into wards, the parish shall be divided into the same wards for the purpose of elections of parish councillors and the number of councillors to be elected for each parish ward shall be four-thirds of the number of councillors for the corresponding ward of the borough;

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- (c) if the area of the parish is co-extensive with that of an urban district not divided into wards, the number of councillors for the parish shall be the same as the number of councillors for the urban district;
- (d) if the area of the parish is co-extensive with that of an urban district which is divided into wards, the parish shall be divided into the same wards for the purpose of elections of parish councillors and the number of councillors to be elected for each parish ward shall be the same as the number of councillors for the corresponding ward of the urban district;

and the numbers referred to in paragraphs (a) to (d) above shall be determined by reference to the electoral arrangements in the borough or urban district at the date on which the parish is constituted.

- (3) In the case of a parish constituted under Part V of Schedule 1 above and having an area co-extensive with part only of an existing borough or urban district, the Secretary of State shall by order make such provision with respect to—
 - (a) the number of councillors for the parish as a whole,
 - (b) the division of the parish into wards, and
 - (c) if the parish is so divided, the number of councillors for each ward,

as appears to him to correspond, in relation to the part of the existing borough or urban district concerned, to the provision made by paragraphs (a) to (d) of sub-paragraph (2) above in the case of a parish the area of which is co-extensive with that of the whole of an existing borough or urban district; and the provision made by any such order shall have effect until provision is made to the contrary under Part I [^{F1} of this Act, Part II of the Local Government Act 1992 or Part II of the Local Government and Rating Act 1997].

Textual Amendments

F1 Words in [Sch. 3 para. 10\(1\)\(2\)\(3\)](#) substituted (19.5.1997) by [1997 c. 29, ss. 33\(1\), 34\(2\)](#), [Sch. 3 para. 10](#)

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