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STATUTORY INSTRUMENTS

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**2019 No. 423**

**LOCAL GOVERNMENT, ENGLAND**

**The Tonbridge & Malling (Electoral Changes) Order 2019**

*Made - - - - 4th March 2019  
Coming into force in accordance with article 1(2),(3)  
and (4)*

Under section 92(2) of the Local Government and Public Involvement in Health Act 2007<sup>(1)</sup>, Tonbridge & Malling Borough Council (“the Council”) made recommendations in a review to the Local Government Boundary Commission for England<sup>(2)</sup> for the related alteration of the boundaries of district wards and county electoral divisions within the Council’s area.

The Local Government Boundary Commission for England has decided to give effect to the recommendations and makes the following Order in exercise of the power conferred by section 92(3) of that Act.

**Citation and commencement**

- 1.—(1) This Order may be cited as the Tonbridge & Malling (Electoral Changes) Order 2019.
- (2) This article and article 2 come into force on the day after the day on which this Order is made.
- (3) Article 3 comes into force—
  - (a) for the purpose of proceedings preliminary or relating to the election of councillors, on the day after the day on which this Order is made;
  - (b) for all other purposes, on the ordinary day of election of councillors in England<sup>(3)</sup> in 2019.
- (4) Article 4 comes into force—
  - (a) for the purpose of proceedings preliminary or relating to the election of councillors, on the day after the day on which this Order is made;
  - (b) for all other purposes, on the ordinary day of election of councillors in England in 2021.

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(1) 2007 c. 28. Section 92 was amended by paragraph 32 of Schedule 4 to the Local Democracy, Economic Development and Construction Act 2009 (c. 20) (“the 2009 Act”).

(2) The Local Government Boundary Commission for England was established on 1st April 2010 by section 55(1) of the 2009 Act. The functions of the Electoral Commission under Chapter 3 of Part 4 of the Local Government and Public Involvement in Health Act 2007 (c. 28) (“the 2007 Act”) were transferred under section 60 of the 2009 Act to the Local Government Boundary Commission for England on 1st April 2010.

(3) The ordinary day of election of councillors in England is prescribed by section 37(1) of the Representation of the People Act 1983 (c. 2), as amended by section 18(2) of the Representation of the People Act 1985 (c. 50) and section 6(16) of the Wales Act 2017 (c. 4).

### **Interpretation**

2. In this Order “the 2017 Order” means the Tonbridge & Malling Borough Council (Reorganisation of Community Governance) Order 2017(4).

### **Alteration of district ward boundary**

3. The area that ceases to be part of the parish of East Malling & Larkfield and becomes part of the parish of Kings Hill in consequence of the 2017 Order, ceases to be part of the East Malling district ward and becomes part of the Kings Hill district ward.

### **Alteration of county electoral division boundary**

4. The area that ceases to be part of the parish of East Malling & Larkfield and becomes part of the parish of Kings Hill in consequence of the 2017 Order, ceases to be part of the Malling Central county electoral division and becomes part of the Malling Rural East county electoral division.

Sealed with the seal of the Local Government Boundary Commission for England



4th March 2019

*Jolyon Jackson*  
Chief Executive  
Local Government Boundary Commission for  
England

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(4) The Tonbridge & Malling Borough Council (Reorganisation of Community Governance) Order 2017 was made by Tonbridge & Malling Borough Council under section 86 of the Local Government and Public Involvement in Health Act 2007 (c. 28). Orders of this kind are not required to be made by statutory instrument.

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order gives effect to recommendations made by Tonbridge & Malling Borough Council to the Local Government Boundary Commission for England for related alterations of the boundaries of a district ward and a county electoral division.

These alterations are a consequence of changes to a parish boundary introduced by the Tonbridge & Malling Borough Council (Reorganisation of Community Governance) Order 2017 (accessible at <http://www.lgbce.org.uk/resources/database-of-local-government-orders/south-east/kent>). That Order was made under section 86 of the Local Government and Public Involvement in Health Act 2007.

The change to the district ward boundary under article 3 applies in respect of elections to be held on and after the ordinary day of election of councillors in England in 2019.

The change to the county division boundary under article 4 applies in respect of elections to be held on and after the ordinary day of election of councillors in England in 2021.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.