

SCHEDULE 1

Article 8

Transitional provision in relation to fire and rescue authorities

Appointment of representatives to Bedfordshire and Luton Combined Fire Authority

1.—(1) As soon as reasonably practicable after the coming into force of this Order, Bedford Borough Council and the shadow council for Central Bedfordshire shall appoint persons from amongst their own members to represent them on the Bedfordshire and Luton Combined Fire Authority.

(2) The representatives appointed under sub-paragraph (1) shall—

- (a) be appointed in accordance with articles 11 and 12 of the Bedfordshire Fire Order;
- (b) subject to paragraph 3, hold office during the transitional period in accordance with articles 13 to 16(1) of the Bedfordshire Fire Order,

as if article 2 of this Order (which makes Bedford Borough and Central Bedfordshire part of the combined area) were in force.

(3) From 1st April 2009, the representatives appointed in accordance with sub-paragraph (1) shall become members of the Bedfordshire and Luton Combined Fire Authority.

Members of the Cheshire Fire Authority

2.—(1) As soon as reasonably practicable after the coming into force of this Order, the shadow councils for Cheshire East and for Cheshire West and Chester shall appoint persons from amongst their own members to represent them on the Cheshire Fire Authority.

(2) The representatives appointed under sub-paragraph (1) shall—

- (a) be appointed in accordance with articles 11 and 12 of the Cheshire Fire Order;
- (b) subject to paragraph 3, hold office during the transitional period in accordance with articles 13 to 16(1) of the Cheshire Fire Order,

as if article 5 of this Order (which makes Cheshire East and Cheshire West and Chester part of the combined area) were in force.

(3) From 1st April 2009, the representatives appointed in accordance with sub-paragraph (1) shall become members of the Cheshire Fire Authority.

Status of representatives during transitional period

3.—(1) This paragraph makes provision about the status during the transitional period of a representative appointed in accordance with paragraph 1 or 2.

(2) Subject to sub-paragraph (5), a representative may attend meetings of the fire and rescue authority of which the representative will become a member from 1st April 2009, but may not vote at those meetings.

(3) A fire and rescue authority must have regard to a representative's views in relation to—

- (a) the issue of a precept under section 40 of the 1992 Act; and
- (b) the calculation of its budget requirement under section 43 of the 1992 Act.

(4) Subject to sub-paragraph (5), the payment of any allowance to a representative shall be a matter for the local authority or shadow council of which the representative is a member in accordance with its scheme for allowances.

(5) A person who is both—

- (a) a representative appointed in accordance with paragraph 1 or 2; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(b) an existing member of a fire and rescue authority, may in the capacity of member continue to vote and to receive payments by way of reimbursement from the fire and rescue authority.

SCHEDULE 2

Article 9

Transitional provisions in relation to police authorities

Establishment of shadow joint committee

1.—(1) Within 14 days of the coming into force of this Schedule, a joint committee shall be established—

- (a) in relation to the Bedfordshire police area, by the councils of the non-metropolitan districts of Bedford and Luton, and the shadow council for Central Bedfordshire;
- (b) in relation to the Cheshire police area, by the non-metropolitan districts of Halton and Warrington, and the shadow councils for Cheshire East and Cheshire West and Chester.

(2) The joint committee established under sub-paragraph (1) shall be established in accordance with the Police Regulations as if articles 3 and 6 of this Order (which provide for changes to the Bedfordshire and Cheshire police areas) were in force.

(3) From 1st April 2009, a joint committee established under sub-paragraph (1) shall be treated as a joint committee established under regulation 7 of the Police Regulations.

Appointment of police authority members

2.—(1) As soon as reasonably practicable after its establishment, a joint committee established under paragraph 1 shall appoint persons—

- (a) in relation to Bedfordshire, from amongst the members of Bedford Borough Council and Central Bedfordshire Council to act as the representatives of those councils on the Bedfordshire Police Authority;
- (b) in relation to Cheshire, from amongst the members of Cheshire East Council and Cheshire West and Chester Council to act as the representatives of those councils on the Cheshire Police Authority.

(2) The representatives appointed under sub-paragraph (1)—

- (a) shall be appointed; and
- (b) subject to paragraph 3, hold office during the transitional period,

in accordance with the Police Regulations as if articles 3 and 6 of this Order were in force.

(3) From 1st April 2009, a representative appointed under sub-paragraph (1) shall become a member of the police authority for the area.

Status of representatives during transitional period

3.—(1) This paragraph makes provision about the status during the transitional period of a representative appointed in accordance with paragraph 2.

(2) Subject to sub-paragraph (5), a representative may attend meetings of the police authority of which the representative will become a member from 1st April 2009, but may not vote at those meetings.

(3) A police authority must have regard to the representative's views in relation to—

- (a) the issue of a precept under section 40 of the 1992 Act;
 - (b) the calculation of its budget requirement under section 43 of the 1992 Act; and
 - (c) the policing plan it intends to issue in accordance with section 6ZB of the Police Act 1996.
- (4) Subject to sub-paragraph (5), the payment of any allowance shall be a matter for the local authority or shadow council of which the representative is a member in accordance with its scheme for allowances.
- (5) A person who is both—
- (a) a representative appointed in accordance with paragraph 2; and
 - (b) an existing member of a police authority,
- may in the capacity of member continue to vote and to receive payments by way of reimbursement from the police authority.