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STATUTORY INSTRUMENTS

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**2008 No. 2113**

**The Local Government (Structural Changes)  
(Transitional Arrangements) Regulations 2008**

**PART 3**

**GOVERNANCE**

**Establishment of parishes and parish councils under the 2007 Act**

7.—(1) This regulation applies—

- (a) in relation to recommendations or proposals made, or a petition received, by a predecessor council under Part 2 of the Local Government and Rating Act 1997 which by virtue of the Schedule to the 2008 Order are to be treated as recommendations made in a community governance review under Part 4 of the 2007 Act; or
- (b) where a predecessor council undertakes, or has undertaken, a community governance review under Part 4 of the 2007 Act,

where the predecessor council has not exercised its powers under section 86 of the 2007 Act to give effect to the review's recommendations before the beginning of the transitional period.

(2) Sections 86 and 96 to 100 of the 2007 Act shall have effect as if the successor council were the principal council.

(3) Where a predecessor council undertakes a community governance review during the transitional period and its successor council is a shadow council—

- (a) section 79(3) of the 2007 Act shall have effect as if the requirement for a district council to notify the county council were a requirement to notify both the county council and the shadow council; and
- (b) section 92 of that Act shall have effect as if the shadow council were a principal council.

(4) In this regulation, “the 2008 Order” means the Local Government and Public Involvement in Health Act (Commencement No.3, Transitional and Saving Provisions and Commencement No.2 (Amendment)) Order 2008(1).