

## 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

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument: The Local Government (Structural Changes) (Areas and Membership of Public Bodies in Bedfordshire and Cheshire) Order 2009 No. 119

(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.