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DRAFT STATUTORY INSTRUMENTS

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**2008 No.**

**The Cheshire (Structural Changes) Order 2008**

**PART 1**

**GENERAL**

**Citation and commencement**

1. This Order may be cited as the Cheshire (Structural Changes) Order 2008 and shall come into force on the day after that on which this Order is made.

**Interpretation**

2. In this Order—

“the 2007 Act” means the Local Government and Public Involvement in Health Act 2007;

“the 2000 Act” means the Local Government Act 2000(1);

“the 1972 Act” means the Local Government Act 1972(2);

“2008 election” means an election required by article 13(1) to be held in 2008;

“the 2008 election day” means the ordinary day of election of councillors(3) in 2008;

“article 16 functions” means—

(a) in relation to the County Council, the functions referred to in article 16(1) and (2);

(b) in relation to each of the East Cheshire councils, the function referred to in article 16(3);  
and

(c) in relation to each of the West Cheshire councils, the function referred to in article 16(4);

“Cheshire”, unless immediately preceded or followed by “East” or “West”, means the non-metropolitan county of Cheshire as constituted immediately before 1st April 2009;

“Cheshire East”, except in references to the county of Cheshire East, means the district constituted by article 3;

“the Cheshire East Council” means the council constituted by article 3(2);

“the Cheshire East Joint Committee” means the committee established (whether before or after the coming into force of this Order) as mentioned in article 17(1)(a);

“Cheshire West and Chester”, except in references to the county of Cheshire West and Chester, means the district constituted by article 4;

“the Cheshire West and Chester Council” means the council constituted by article 4(2);

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(1) 2000 c.22. Parts 2 and 3 of that Act were amended by Part 3 of the Local Government and Public Involvement in Health Act 2007 (c.28).

(2) 1972 c.70.

(3) See section 37 of the Representation of the People Act 1983 (c.2).

“the Cheshire West and Chester Joint Committee” means the committee established (whether before or after the coming into force of this Order) as mentioned in article 17(1)(b);

“the County Council” means Cheshire County Council;

“the East Cheshire councils” means Congleton Borough Council, Crewe and Nantwich Borough Council and Macclesfield Borough Council;

“the East Cheshire districts” means the boroughs of Congleton, Crewe and Nantwich, and Macclesfield;

“electoral division” means a division created by article 2 of the County of Cheshire (Electoral Changes) Order 2000(4);

“the proper officer”, in relation to any purpose and any council, means the officer appointed for that purpose by that council;

“shadow authority” means an authority (not being a local authority) which will become a local authority on 1st April 2009;

“shadow executive” has the meaning given by article 7(2);

“the shadow period” means the period beginning with the fourth day after the 2008 election day and ending immediately before 1st April 2009;

“the West Cheshire councils” means Chester City Council, Ellesmere Port and Neston Borough Council and Vale Royal Borough Council; and

“the West Cheshire districts” means the city of Chester and the boroughs of Ellesmere Port and Neston, and Vale Royal.