



# Fire Precautions Act 1971 (repealed)

## 1971 CHAPTER 40

### *Consultation between fire and other authorities*

#### **16 Duty of local authority to consult fire authority in certain cases before passing plans.**

- (1) Where it is proposed to erect a building or to make any extension of or structural alteration to a building and, in connection with the proposals, plans are, in accordance with building regulations, deposited with a local authority, then, if it appears to the local authority likely—
- (a) that the first use to which any premises constituting or comprised in the building or, as the case may be, the building as extended will be put after the proposals are carried out will be a use which at the time of the deposit of the plans was a designated use; or
  - (b) that the first use to which any such premises will be put after the proposals are carried out will be use as a dwelling, and that one or more of the conditions set out in section 3(1)(a) and (b) of this Act will then be fulfilled as regards those premises,

the local authority, if they are not the [<sup>F1</sup>fire and rescue authority], shall consult the [<sup>F1</sup>fire and rescue authority] before passing the plans.

- (2) Where it is proposed to change the use to which a building or part of a building is put and, in connection with that proposal, plans are, in accordance with building regulations, deposited with a local authority, then, if it appears to the local authority likely—
- (a) that the first use to which any premises constituting or comprised in the building will be put after the time when that change of use occurs will be a use which at the time of the deposit of the plans was a designated use; or
  - (b) that the first use to which any such premises will be put after the time when that change of use occurs will be use as a dwelling, and that one or more of the conditions set out in section 3(1)(a) and (b) of this Act will then be fulfilled as regards those premises,

the local authority, if they are not the [<sup>F2</sup>fire and rescue authority], shall consult the [<sup>F2</sup>fire and rescue authority] before passing the plans.

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*Status: Point in time view as at 10/11/2004. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Fire Precautions Act 1971 (repealed), Section 16. (See end of Document for details)*

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(3) This section does not extend to Scotland.

**Textual Amendments**

**F1** Words in s. 16(1) substituted (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\), s. 61, Sch. 1 para. 28\(1\)\(2\)\(q\)](#); S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2

**F2** Words in s. 16(2) substituted (1.10.2004 except in relation to W., 10.11.2004 for W.) by [Fire and Rescue Services Act 2004 \(c. 21\), s. 61, Sch. 1 para. 28\(1\)\(2\)\(q\)](#); S.I. 2004/2304, art. 2; S.I. 2004/2917, art. 2

**Modifications etc. (not altering text)**

**C1** S. 16 applied (with modifications) (1.12.1997) by [S.I. 1997/1840, reg. 17\(1\)\(2\)\(3\)\(a\)](#)

**Status:**

Point in time view as at 10/11/2004. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Fire Precautions Act 1971 (repealed), Section 16.