Local Government and Elections (Wales) Act 2021

2021 asc 1

PART 9

MISCELLANEOUS

Fire and rescue authorities

166 Combined fire and rescue authorities: inquiries

(1) The Fire and Rescue Services Act 2004 (c. 21) is amended as follows.

(2) In section 2 (power to create combined fire and rescue authorities)—

(a) in subsection (8)—

(i) omit "must cause an inquiry to be held";

(ii) in paragraph (a), at the beginning insert " must cause an inquiry to be held ";

(iii) at the end of paragraph (a), omit "or";

(iv) for paragraph (b) substitute—

"(b) where a scheme constituted a fire and rescue authority for an area in England, must cause an inquiry to be held before varying or revoking the scheme under this section, or";

(v) after that paragraph insert—

"(c) where a scheme constituted a fire and rescue authority for an area in Wales, must cause an inquiry to be held before—

(i) varying the scheme in a way which changes the combined area (and may cause an inquiry to be held before varying the scheme in any other way), or

(ii) revoking the scheme.";

(b) in subsection (9)—

(i) in paragraph (b), after "(8)(b)" insert " or (c) ";

(ii) in paragraph (c), for "either" substitute " any ";

(iii) in that paragraph, after "2007" insert " or Part 3 of the Local Government (Democracy) (Wales) Act 2013, or to regulations under Part 7 of the Local Government and Elections (Wales) Act 2021 ";

(iv) in paragraph (d), for "either" substitute " any ";

(c) in subsection (10), after "2007" insert " or Part 3 of the Local Government (Democracy) (Wales) Act 2013, or regulations are made under Part 7 of the Local Government and Elections (Wales) Act 2021, ".

(3) In section 4 (combined authorities under the Fire Services Act 1947 (c. 41))—

(a) in subsection (6), for "must cause an inquiry to be held" substitute "—

(a) where the scheme constituted a fire and rescue authority for an area in England, must cause an inquiry to be held, and

(b) where the scheme constituted a fire and rescue authority for an area in Wales, must cause an inquiry to be held if under the order—

(i) the scheme would be varied in a way which changes the combined area (and may cause an inquiry to be held if the scheme would be varied in any other way), or

(ii) the scheme would be revoked.";

(b) in paragraph (b) of subsection (7), after "2007" insert " or Part 3 of the Local Government (Democracy) (Wales) Act 2013, or to regulations under Part 7 of the Local Government and Elections (Wales) Act 2021 ".

(4) In section 34(3) of the 2013 Act (pre-review procedure: mandatory consultees), after paragraph (b) insert—

"(ba) any fire and rescue authority (constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004 (c. 21), or a scheme to which section 4 of that Act applies) for an area in Wales which may be affected by the review,".

Commencement Information

I1 S. 166(3)(a) in force at 20.3.2021, see s. 175(3)(r)

I2 S. 166(3)(b) in force at 21.1.2021, see s. 175(l)(i)

I3 S. 166(4) in force at 20.3.2021, see s. 175(3)(r)

I4 S. 166(1)(2)(a)(b)(i)(ii) in force at 20.3.2021, see s. 175(3)(r)

I5 S. 166(2)(b)(iii)(c) in force at 21.1.2021, see s. 175(1)(i)

I6 S. 166(2)(b)(iv) in force at 20.3.2021, see s. 175(3)(r)

Changes to legislation:
There are currently no known outstanding effects for the Local Government and Elections (Wales) Act 2021, Section 166.