



# Local Government (Miscellaneous Provisions) Act 1982

## 1982 CHAPTER 30

### PART V

#### FIRE PRECAUTIONS

*Provisions as to consultations.*

#### 8 Consultation between authorities.

(1) In the <sup>M1</sup>Public Health Act 1936—

(a) ..... <sup>F1</sup>

(i) in subsections (1) and (2), the words “, after consultation with the fore authority, deem satisfactory, regard being had” shall be substituted for the words “ deem satisfactory, regard being had by them ” ; and

(ii) in subsection (4), after the word “authority” there shall be inserted the words “ after consultation with the fire authority, ” ;

(b) in subsection (1) of section 60 (means of escape from fire in the case of certain high buildings) after the word “authority”—

(i) in the first place where it occurs, there shall be inserted the words “ , after consultation with the fire authority, ” ; and

(ii) in the second place where it occurs, there shall be inserted the words “ , after such consultation ” ; and

(c) in section 343 (interpretation) the following definition shall be inserted after the definition of “factory”— “ “fire authority” has the meaning assigned to it by section 43(1) of the Fire Precautions Act 1971. ”

(2) In the <sup>M2</sup>Caravan Sites and Control of Development Act 1960—

(a) the following subsections shall be inserted after subsection (3) of section 5 (power of local authority attach conditions to site licences)—

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**Changes to legislation:** There are currently no known outstanding effects for the Local Government (Miscellaneous Provisions) Act 1982, Section 8. (See end of Document for details)

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“(3A) The local authority shall consult the fire authority as to the extent to which any model standards relating to fire precautions which have been specified under subsection (6) of this section are appropriate to the land.

(3B) If—

- (a) no such standards have been specified ; or
- (b) any standard that has been specified appears to the fire authority to be inappropriate to the land,

the local authority shall consult the fire authority as to what conditions relating to fire precautions ought to be attached to the site licence instead.” ;

(b) the following subsections shall be added after subsection (6) of that section—

“(7) The duty imposed on a local authority by subsection (6) of this section to have regard to standards specified under that subsection is to be construed, as regards standards relating to fire precautions which are so specified, as a duty to have regards to them subject to any advice given by the fire authority under subsection (3A) or (3B) of this section.

(8) In this section “fire precautions” means precautions to be taken for any of the purposes specified in paragraph (e) of subsection (1) of this section for which conditions may be imposed by virtue of that subsection.” ;

(c) the following subsection shall be added at the end of section 8 (powers of local authority to alter conditions attached to site licences)—

“(5) The local authority shall consult the fire authority before exercising the powers conferred upon them by subsection (1) of this section in relation to a condition attached to a site licence for the purposes set out in section 5(1)(e) of this Act.” ;

(d) the following subsection shall be inserted after subsection (2) of section 24 (power of local authorities to provide sites for caravans)—

“(2A) Before exercising the power to provide a site conferred on them by subsection (1) of this section the local authority shall consult the fire authority, if they are not themselves the fire authority,—

- (a) as to measures to be taken for preventing and detecting the outbreak of fire on the site ; and
- (b) as to the provision and maintenance of means of fighting fire on it.” ; and

(e) the following definition shall be inserted in section 29 (interpretation of Part I) after the definition of “existing site”— “ “fire authority” , in relation to any land, means the authority discharging in the area in which the land is situated the functions of fire authority under the Fire Services Act 1947 ; ”.

#### Textual Amendments

**F1** S. 8(1)(a) repealed by [Building Act 1984 \(c. 55, SIF 15\)](#), s. 133(2), [Sch. 7](#)

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

- C1** The text of s. 8 (except para. (1)(a)) is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Marginal Citations**

**M1** 1936 c. 49.

**M2** 1960 c. 62.

**Changes to legislation:**

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