

## SCHEDULES

### SCHEDULE 3

#### AMENDMENTS CONSEQUENTIAL ON PART II

##### *The Fire Services Act 1947 (c. 41)*

- 1 In section 6 of the Fire Services Act 1947 (power of the Secretary of State to make combination schemes)—
- (a) in subsection (2), after the word “thereto” there shall be inserted the words “or subsection (2A) of this section applies”; and
  - (b) after that subsection there shall be inserted the following subsection—
    - “(2A) If, in a case where the authorities to whom notice of a proposed scheme has been given under subsection (2) of this section do not assent thereto—
      - (a) it appears to the Secretary of State that the proposed scheme contains only such provision as is appropriate in consequence of an order under Part II of the Local Government Act 1992 containing provision for giving effect to a structural change (within the meaning of that Part); and
      - (b) the period (if any) that has elapsed between the making of that order and the giving of that notice does not exceed twelve months,the Secretary of State shall be under a duty to consider any representations made by those authorities with respect to the proposed scheme within such period as may have been specified in the notice, but shall not be required under that subsection to cause a public local inquiry to be held.”
- 2 In section 10 of that Act (schemes for combination of fire areas in advance of alterations of local government areas)—
- (a) for the words from “constituting” to “a county” there shall be substituted the words “or Part II of the Local Government Act 1992 affecting any area”;
  - (b) for the words “that date” there shall be substituted the words “the date on which that order gives effect to any transfer of functions or alteration of boundaries in relation to that area”;
  - (c) for the words from “as if” onwards there shall be substituted the words “as if—
    - (a) references to the area of a fire authority included references to any area which (apart from any combination scheme under this section) would become such an area by virtue of such an order or which, in accordance with such an order, is to be treated, for the purposes of the making of

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*Status: This is the original version (as it was originally enacted).*

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- any combination scheme, as an area which would become the area of a fire authority by virtue of that order; and
- (b) references, in relation to such an area, to the fire authority were references to the fire authority for any area the whole or any part of which will be included in that area.”