



Fire and Rescue Services Act 2004

2004 CHAPTER 21

PART 1

FIRE AND RESCUE AUTHORITIES

4 Combined authorities under the Fire Services Act 1947

- (1) This section applies to a scheme approved under section 5 of the Fire Services Act 1947 (c. 41) (voluntary schemes for combining fire authorities), or made under section 6 of that Act (combination schemes made by the Secretary of State), which is in force immediately before the repeal of those sections by this Act.
- (2) A scheme to which this section applies continues to have effect despite that repeal.
- (3) The combined authority constituted by a scheme to which this section applies is the fire and rescue authority for the area for which it is constituted.
- (4) The Secretary of State may by order vary or revoke a scheme to which this section applies.
- (5) Before making an order under subsection (4) in relation to a scheme the Secretary of State must consult—
 - (a) any fire and rescue authority which appears to him likely to be affected,
 - (b) any other authority which would, apart from the scheme, be a fire and rescue authority under section 1 and which appears to him likely to be affected,
 - (c) any local authority all or part of whose area forms part of the combined area or would, under the scheme as varied, form part of the combined area, and
 - (d) any other persons he considers appropriate.
- (6) Before making an order under subsection (4) varying or revoking a scheme the Secretary of State must cause an inquiry to be held.
- (7) The Secretary of State is not required to cause an inquiry to be held under subsection (6) (but may do so) if—

Status: This is the original version (as it was originally enacted).

- (a) the combined authority and any other authority which would, apart from the scheme, be a fire and rescue authority under section 1 and which would be affected by the variation or revocation, agree to the variation or revocation,
- (b) it appears to the Secretary of State that the scheme is to be varied or revoked solely for the purpose of giving effect to an order made under Part 4 of the Local Government Act 1972 (c. 70), Part 2 of the Local Government Act 1992 (c. 19) or section 17 of the Regional Assemblies (Preparations) Act 2003 (c. 10), or
- (c) the Secretary of State considers that, in the interests of public safety, the scheme should be varied or revoked without delay.