

Status: Point in time view as at 31/01/2017.

Changes to legislation: Policing and Crime Act 2017, Cross Heading: Local Government and Housing Act 1989 (c. 42) is up to date with all changes known to be in force on or before 20 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 1

PROVISION FOR POLICE AND CRIME COMMISSIONER TO BE FIRE AND RESCUE AUTHORITY

PART 2

AMENDMENTS TO OTHER ACTS

Local Government and Housing Act 1989 (c. 42)

60 The Local Government and Housing Act 1989 is amended as follows.

Commencement Information

II Sch. 1 para. 60 in force for certain purposes at Royal Assent, see s. 183

61 In section 1(9) (meaning of politically restricted post under a local authority) at the end insert “, and every member of staff of a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004.”

Commencement Information

I2 Sch. 1 para. 61 in force for certain purposes at Royal Assent, see s. 183

62 (1) Section 4 (designation and reports of head of paid service) is amended as follows.

(2) In subsection (4) after paragraph (a) insert—

“(aa) in the case of a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004, to the authority and to the police and crime panel for the police area—
(i) which corresponds to the authority's area, or
(ii) within which the area of the authority falls;”.

(3) After subsection (5A) insert—

“(5B) It shall be the duty of a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 to consider any report under this section by the head of the authority's paid service and to do so no later than three months after the authority is sent a copy of the report.”

(4) In subsection (6)(a) for “and an elected local policing body” substitute “, an elected local policing body and a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004”.

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Commencement Information

I3 Sch. 1 para. 62 in force for certain purposes at Royal Assent, see s. 183

- 63 (1) Section 5 (designation and reports of monitoring officer) is amended as follows.
- (2) In subsection (3) after the second paragraph (a) insert—
- “(aa) in the case of a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004, to the authority and to the police and crime panel for the police area—
- (i) which corresponds to the authority's area, or
- (ii) within which the area of the authority falls;”.
- (3) In subsection (5)(a) after sub-paragraph (i) insert—
- “(ia) in the case of a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004, no later than three months after the authority is sent a copy of the report;”.
- (4) In subsection (8)—
- (a) in the definition of “chief finance officer” after “Schedule 1 to the Police Reform and Social Responsibility Act 2011” insert “, section 4D(4) of the Fire and Rescue Services Act 2004”, and
- (b) in paragraph (a) of the definition of “relevant authority” for “and an elected local policing body” substitute “, an elected local policing body and a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004”.

Commencement Information

I4 Sch. 1 para. 63 in force for certain purposes at Royal Assent, see s. 183

- 64 In section 21 (interpretation of Part 1) after subsection (1) insert—
- “(1A) In section 7 references to a local authority include a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004.
- (1B) In the application of section 1(1) to a fire and rescue authority created by an order under section 4A of the Fire and Rescue Services Act 2004 by virtue of subsection (1A) the reference to being or remaining a member of a local authority is to be read as a reference to becoming or remaining such an authority.”

Commencement Information

I5 Sch. 1 para. 64 in force for certain purposes at Royal Assent, see s. 183

- 65 In section 152(2) (meaning of “relevant authority” for the purposes of sections 150 and 151) after paragraph (f) insert—
- “(fa) a fire and rescue authority created by an order under section 4A of that Act;”.

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Commencement Information

I6 [Sch. 1 para. 65](#) in force for certain purposes at Royal Assent, see [s. 183](#)

66 In section 155(4) (emergency financial assistance to local authorities: meaning of “local authority”) after paragraph (h) insert—

“(ha) a fire and rescue authority created by an order under section 4A of that Act;”.

Commencement Information

I7 [Sch. 1 para. 66](#) in force for certain purposes at Royal Assent, see [s. 183](#)

67 Until the coming into force of the repeal of section 67 of the Local Government and Housing Act 1989 (application of provisions about companies in which local authorities have interests) by the Local Government and Public Involvement in Health Act 2007, subsection (3) of that section has effect as if after paragraph (h) there were inserted—

“(ha) a fire and rescue authority created by an order under section 4A of that Act;”.

Commencement Information

I8 [Sch. 1 para. 67](#) in force for certain purposes at Royal Assent, see [s. 183](#)

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