



# 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

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

- (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(1)(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)

**Status:**

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**Changes to legislation:**

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