
STATUTORY INSTRUMENTS

2023 No. 1432

The York and North Yorkshire Combined Authority Order 2023

PART 10

Fire and rescue functions

Fire and rescue functions excluded from the power to make arrangements

- 45.—**(1) This article applies to the following fire and rescue functions—
- (a) functions under the following provisions of the 2004 Act—
 - (i) section 13 (reinforcement schemes);
 - (ii) section 15 (arrangements with other employers of fire-fighters);
 - (iii) section 16 (arrangements for discharge of functions by others);
 - (b) the functions of—
 - (i) appointing, suspending or dismissing the chief fire officer;
 - (ii) approving the terms of appointment of the chief fire officer;
 - (iii) holding the chief fire officer to account for managing the fire and rescue service;
 - (c) approving—
 - (i) the community risk management plan;
 - (ii) the fire and rescue declaration;
 - (d) approving plans, modifications to plans and additions to plans for the purpose of ensuring that—
 - (i) as far as reasonably practicable, the Combined Authority is able to perform its fire and rescue functions if an emergency occurs, and
 - (ii) the Combined Authority is able to perform its functions so far as is necessary or desirable for the purpose of preventing an emergency or reducing, controlling or mitigating the effects of an emergency, or taking other action in connection with it;
 - (e) approving any arrangements for the co-operation of the Combined Authority in relation to its fire and rescue functions with other Category 1 responders and Category 2 responders in respect of—
 - (i) the performance of the Combined Authority’s duty as a fire and rescue authority under section 2 of the Civil Contingencies Act 2004 (duty to assess, plan and advise);
 - (ii) any duties under subordinate legislation made in exercise of powers under that Act.
- (2) In paragraph (1)(d) “emergency” has the meaning given in section 1 of the Civil Contingencies Act 2004 (meaning of “emergency”)(1).

Changes to legislation: There are currently no known outstanding effects for the The York and North Yorkshire Combined Authority Order 2023, Section 45. (See end of Document for details)

(3) In paragraph (1)(e) “Category 1 responder” and “Category 2 responder” have the meanings given in section 3 of the Civil Contingencies Act 2004 (section 2: supplemental)(2).

Commencement Information

II Art. 45 in force at 20.12.2023, see [art. 1\(2\)](#)

(2) Section 3 was amended by [S.I. 2018/644](#). There are other amendments not relevant to this instrument.

Changes to legislation:

There are currently no known outstanding effects for the The York and North Yorkshire Combined Authority Order 2023, Section 45.