

*These notes refer to the Deregulation Act 2015 (c.20)
which received Royal Assent on 26 March 2015*

DEREGULATION ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Schedule 22: Removal of consultation requirements

Part 1: Measures affecting England only

Fire and Rescue Services Act 2004: schemes for combining fire and rescue authorities

877. *Paragraph 16* removes the duty of the Secretary of State to consult where proposing to vary or revoke a scheme to combine fire and rescue authorities made under the Fire and Rescue Services Act 2004 (the “2004 Act”), or a scheme to combine fire authorities made under the Fire Services Act 1947 (the “1947 Act”), where such variation or revocation has been proposed by the fire (and rescue) authority concerned.
878. Currently, section 2(6) of the 2004 Act requires the Secretary of State to consult when varying or revoking (whether on his own initiative or to give effect to proposals submitted by the authority) a combination scheme made under section 2 of that Act. This amendment disapplies that consultation requirement (in England) in circumstances where the authority concerned has proposed such changes. The amendment does not affect the duty on the Secretary of State to consult where he wishes, on his own initiative, to make a new combination scheme, or to vary or revoke an existing such scheme made under this section.
879. Under section 4(5) of the 2004 Act, the Secretary of State must consult affected authorities and other persons as appropriate when he intends (whether on his own initiative or to give effect to changes proposed by the authority) to vary or revoke a combination scheme approved or made under the 1947 Act. This amendment disapplies that consultation requirement (in England) in circumstances where the authority concerned has proposed such changes. It does not affect the duty on the Secretary of State to consult where he wishes to make such changes on his own initiative.
880. The amendments form part of the law of England and Wales but affect England only. They come into force at the end of the period of 2 months beginning with the day on which the Act is passed.