



Fire and Rescue Services Act 2004

2004 CHAPTER 21

PART 3

ADMINISTRATION

Fire and Rescue National Framework

24 Best value

- (1) Sections 10 to [^{F1}13A] of the Local Government Act 1999 (c. 27) (best value inspections) apply in relation to a fire and rescue authority's compliance with section 21(7) as they apply in relation to a best value authority's compliance with the requirements of Part 1 of that Act.
 - (2) As applied by subsection (1), those sections have effect as if, in [^{F2}sections 13(2)(b) and (4) and 13A(2)(b) and (4)], for "give a direction under section 15" there were substituted "make an order under section 22 of the Fire and Rescue Services Act 2004".
- [^{F3}(2A) When carrying out an inspection under section 10 of the Local Government Act 1999 as applied by subsection (1) of a fire and rescue authority created by an order under section 4A, an inspector must not review or scrutinise decisions made, or other action taken, by the fire and rescue authority in connection with the discharge of an excluded function.
- (2B) In subsection (2A) "excluded function", in relation to a fire and rescue authority, means a function which is an excluded function in relation to that authority for the purposes of subsection (A6) of section 28 (inspections by English inspectors) (see subsections (A7) and (A8) of that section).]
- [^{F4}(3) Subsection (1) does not apply to a fire and rescue authority in Wales.
- (4) Sections 21, 22, 26 and 27 of the Local Government (Wales) Measure 2009 apply in relation to a fire and rescue authority in Wales' compliance with section 21(7) as they

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apply in relation to a Welsh improvement authority's compliance with the requirements of Part 1 of that Measure.

- (5) As applied by subsection (4), those sections have effect as if—
- (a) in section 21(1), paragraphs (a) and (b) and the word “if” preceding paragraph (a) were omitted;
 - (b) sections 21(2)(b), (3), (5), (8) and (10) and 22(4) were omitted;
 - (c) in section 22(1), for the words “a special inspection” there were substituted “an inspection under section 21”;
 - (d) in section 22(2)(b), for the words “do either or both of the following” to the end there were substituted “make an order under section 22 of the Fire and Rescue Services Act 2004”;
 - (e) in section 26(11), the words “or an inspection under section 21 as applied by section 24(4) of the Fire and Rescue Services Act 2004” were inserted at the end;
 - (f) in section 27(1), the words “or inspections under section 21 as applied by section 24(4) of the Fire and Rescue Services Act 2004” were inserted at the end.]

Textual Amendments

- F1** Word in s. 24(1) substituted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 8 para. 26\(2\)](#); S.I. 2008/917, art. 2(1)(e)
- F2** Words in s. 24(2) substituted (1.4.2008) by [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#), s. 245(5), [Sch. 8 para. 26\(3\)](#); S.I. 2008/917, art. 2(1)(e)
- F3** S. 24(2A)(2B) inserted (22.2.2018) by [The Policing and Crime Act 2017 \(Consequential Amendments\) Regulations 2018 \(S.I. 2018/226\)](#), regs. 1, [10\(2\)](#)
- F4** S. 24(3)-(5) inserted (1.4.2010) by [Local Government \(Wales\) Measure 2009 \(nawm 2\)](#), s. 53(2), [Sch. 1 para. 33](#); S.I. 2009/3272, art. 3(1), Sch. 2

Commencement Information

- I1** S. 24 in force at 7.9.2004 for specified purposes except in relation to W. and 1.10.2004 otherwise except in relation to W. by [S.I. 2004/2304](#), [art. 2](#) (with [art. 3](#))
- I2** S. 24 in force at 10.11.2004 for W. by [S.I. 2004/2917](#), [art. 2](#)

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Changes and effects yet to be applied to :

- s. 24(3) substituted for s. 24(3)-(5) by [2021 asc 1 s. 168\(3\)](#)