

**Changes to legislation:** Policing and Crime Act 2017, Cross Heading: Local Government Act 1972 (c. 70) is up to date with all changes known to be in force on or before 19 April 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) View outstanding changes

## SCHEDULES

### SCHEDULE 2

#### THE LONDON FIRE COMMISSIONER

#### PART 2

#### AMENDMENTS TO OTHER ACTS

#### *Local Government Act 1972 (c. 70)*

35 The Local Government Act 1972 is amended as follows.

#### Commencement Information

- I1** Sch. 2 para. 35 in force for specified purposes at Royal Assent, see s. 183  
**I2** Sch. 2 para. 35 in force at 22.3.2018 in so far as not already in force by S.I. 2018/227, reg. 3(1)(d)(i)

36 In section 70 (restriction on promotion of Bills for changing local government areas etc) for subsection (2) substitute—

“(2) Subsection (1) above shall have effect as if the reference to a joint authority included a reference to the London Fire Commissioner.”

#### Commencement Information

- I3** Sch. 2 para. 36 in force for specified purposes at Royal Assent, see s. 183  
**I4** Sch. 2 para. 36 in force at 1.4.2018 in so far as not already in force by S.I. 2018/227, reg. 4(c)

37 (1) Section 100J (application of provisions about access to meetings and documents) is amended as follows.

(2) In subsection (1) (bodies to which provisions about access to meetings and documents apply) omit paragraph (bb).

(3) In subsection (2) omit “, (bb)”.

(4) In subsection (3) omit “(bb),”.

(5) Omit subsection (4A).

#### Commencement Information

- I5** Sch. 2 para. 37 in force for specified purposes at Royal Assent, see s. 183  
**I6** Sch. 2 para. 37 in force at 1.4.2018 in so far as not already in force by S.I. 2018/227, reg. 4(c)

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38 (1) Section 101 (arrangements for discharge of functions by local authorities) is amended as follows.

(2) In subsection (13) omit “the London Fire and Emergency Planning Authority”.

(3) After subsection (13) insert—

“(13A) In this section “local authority” includes the London Fire Commissioner; but nothing in this section authorises functions of the Commissioner to be discharged by a committee or sub-committee of the Commissioner.”

**Commencement Information**

**I7** [Sch. 2 para. 38](#) in force for specified purposes at Royal Assent, see [s. 183](#)

**I8** [Sch. 2 para. 38](#) in force at 1.4.2018 in so far as not already in force by [S.I. 2018/227, reg. 4\(c\)](#)

39 In section 104 (disqualification for membership of committees and joint committees) omit subsection (5) (application to the London Fire and Emergency Planning Authority).

**Commencement Information**

**I9** [Sch. 2 para. 39](#) in force for specified purposes at Royal Assent, see [s. 183](#)

**I10** [Sch. 2 para. 39](#) in force at 1.4.2018 in so far as not already in force by [S.I. 2018/227, reg. 4\(c\)](#)

40 In section 138 (powers of principal councils with respect to emergencies or disasters) in subsection (5) (power of London Fire and Emergency Planning Authority to incur expenditure in connection with planning by principal councils) for “the London Fire and Emergency Planning Authority” substitute “the London Fire Commissioner”.

**Commencement Information**

**I11** [Sch. 2 para. 40](#) in force for specified purposes at Royal Assent, see [s. 183](#)

**I12** [Sch. 2 para. 40](#) in force at 1.4.2018 in so far as not already in force by [S.I. 2018/227, reg. 4\(c\)](#)

41 In section 138C(1) (other authorities to which provisions about prayer and other religious observance apply) for paragraph (d) substitute—

“(d) the London Fire Commissioner but only for the purposes of section 138B;”.

**Commencement Information**

**I13** [Sch. 2 para. 41](#) in force for specified purposes at Royal Assent, see [s. 183](#)

**I14** [Sch. 2 para. 41](#) in force at 1.4.2018 in so far as not already in force by [S.I. 2018/227, reg. 4\(c\)](#)

42 In section 142 (provision of information etc relating to matters affecting local government) for subsection (4) substitute—

“(4) This section shall have effect as if any reference to a local authority included a reference to the London Fire Commissioner.”

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#### Commencement Information

**I15** Sch. 2 para. 42 in force for specified purposes at Royal Assent, see s. 183

**I16** Sch. 2 para. 42 in force at 1.4.2018 in so far as not already in force by S.I. 2018/227, reg. 4(c)

- 43 (1) Section 146A (application of miscellaneous provisions about local authorities to other authorities) is amended as follows.
- (2) In subsection (1)—
- (a) for “or (1ZE)” substitute “, (1ZE) or (1ZF)”, and
  - (b) for “the London Fire and Emergency Planning Authority” substitute “ the London Fire Commissioner ”.
- (3) In subsection (1ZC) for “the London Fire and Emergency Planning Authority” substitute “ the London Fire Commissioner ”.
- (4) After subsection (1ZE) insert—
- “(1ZF) The London Fire Commissioner is not to be treated as a local authority for the purposes of section 135.”

#### Commencement Information

**I17** Sch. 2 para. 43 in force for specified purposes at Royal Assent, see s. 183

**I18** Sch. 2 para. 43(1)(2)(b) in force at 22.3.2018 in so far as not already in force by S.I. 2018/227, reg. 3(1)(d)(i)

**I19** Sch. 2 para. 43(2)(a)(3)(4) in force at 1.4.2018 in so far as not already in force by S.I. 2018/227, reg. 4(c)

- 44 In section 175 (allowances for attending conferences and meetings) in subsection (3B) (application to the London Fire and Emergency Planning Authority etc) for “the London Fire and Emergency Planning Authority, an economic prosperity board, a combined authority or” substitute “ an economic prosperity board, a combined authority or ”.

#### Commencement Information

**I20** Sch. 2 para. 44 in force for specified purposes at Royal Assent, see s. 183

**I21** Sch. 2 para. 44 in force at 1.4.2018 in so far as not already in force by S.I. 2018/227, reg. 4(c)

- 45 In section 176 (payment of expenses of official and courtesy visits) in subsection (3) (application to the London Fire and Emergency Planning Authority etc)—
- (a) after “board,” insert “ and ”, and
  - (b) omit “and the London Fire and Emergency Planning Authority”.

#### Commencement Information

**I22** Sch. 2 para. 45 in force for specified purposes at Royal Assent, see s. 183

**I23** Sch. 2 para. 45 in force at 1.4.2018 in so far as not already in force by S.I. 2018/227, reg. 4(c)

- 46 In section 222 (power of local authority to prosecute or defend legal proceedings) in subsection (2) (application to the London Fire and Emergency Planning Authority

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etc) for “and the London Fire and Emergency Planning Authority” substitute “ and the London Fire Commissioner ”.

**Commencement Information**

- I24** [Sch. 2 para. 46](#) in force for specified purposes at Royal Assent, see [s. 183](#)
- I25** [Sch. 2 para. 46](#) in force at 1.4.2018 in so far as not already in force by [S.I. 2018/227](#), [reg. 4\(c\)](#)

47 For section 244A substitute—

**“244A Application of this Part to the London Fire Commissioner**

This Part shall have effect as if any reference to a joint authority included a reference to the London Fire Commissioner.”

**Commencement Information**

- I26** [Sch. 2 para. 47](#) in force for specified purposes at Royal Assent, see [s. 183](#)
- I27** [Sch. 2 para. 47](#) in force at 1.4.2018 in so far as not already in force by [S.I. 2018/227](#), [reg. 4\(c\)](#)

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing S.I. 2017/1139, reg. 2 by [S.I. 2017/1162 reg. 2](#)