

## SCHEDULES

### SCHEDULE 7

Modification of enactments in their application to the Combined Authority as fire and rescue authority

### PART 1

#### Primary legislation

#### **Fire and Rescue Services Act 2004**

6.—(1) The 2004 Act is modified as follows.

(2) Section 4A (power to provide for police and crime commissioner to be fire and rescue authority)(1) has effect as if at the end of subsection (3)(b) there were inserted—

“, and

(c) outside the Area.”;

(3) Section 4B(1) (changes to existing fire and rescue authorities) has effect as if the reference to fire and rescue authorities in England outside Greater London did not include the Combined Authority.

(4) Section 28 (inspectors) of the 2004 Act applies as if for subsections (A6) to (A8)(2) there were substituted—

“(A6) When carrying out an inspection under subsection (A3) of the Combined Authority as fire and rescue authority, an English 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.

(A7) For the purposes of section (A6), the following are excluded functions—

- (a) the function of preparing the priorities and objectives of the community risk management plan and the fire and rescue declaration;
- (b) the function of allocating budget for fire and rescue functions;
- (c) any function specified in article 26 of the Fire and Rescue Authority (Police and Crime Commissioner) (Application of Local Policing Provisions, Inspection, Powers to Trade and Consequential Amendments) Order 2017(3).

(A8) In subsection (A7), “community risk management plan” has the meaning given in article 2 of the York and North Yorkshire Combined Authority Order 2023.”.

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(1) Sections 4A to 4M were inserted by paragraph 5 of Schedule 1 to the Policing and Crime Act 2017.

(2) Paragraphs (A1) to (A9) of section 28 were inserted by section 11(2) of the Policing and Crime Act 2017.

(3) [S.I. 2017/863](#).

**Changes to legislation:** There are currently no known outstanding effects for the The York and North Yorkshire Combined Authority Order 2023, Paragraph 6. (See end of Document for details)

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**Commencement Information**

**II** Sch. 7 para. 6 in force at 20.12.2023, see [art. 1\(2\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The York and North Yorkshire Combined Authority Order 2023, Paragraph 6.