STATUTORY INSTRUMENTS

2015 No. 435

FIRE AND RESCUE SERVICES, ENGLAND

The Dorset and Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015

Made - - - -	*2nd March 2015*
Laid before Parliament	*4th March 2015*
Coming into force in accordance with article 1	

The Secretary of State makes this Order in exercise of the powers conferred by sections 2, 3, 4 and 60(2) of the Fire and Rescue Services Act 2004(**1**).

It appears to the Secretary of State that in the interests of economy, efficiency and effectiveness there should be a single fire and rescue authority for the combined area of the Dorset Fire Authority and the Wiltshire and Swindon Fire Authority.

This Order is made to give effect to a draft Scheme submitted to the Secretary of State by the existing authorities in question and includes modifications to the draft Scheme which seem appropriate to the Secretary of State after consulting the existing authorities in question.

This Order also revokes the Schemes ("the existing Schemes") given effect by the Dorset Fire Services (Combination) Scheme Order 1996(**2**) and the Wiltshire and Swindon Fire Services (Combination Scheme) Order 1996(**3**).

In accordance with section 4(5) of the Fire and Rescue Services Act 2004, before making the Order the Secretary of State consulted—

(a) the fire and rescue authorities which appear to him likely to be affected,

(b) any other authority which would, apart from the Order be a fire and rescue authority under section 1 of that Act and which appears to him likely to be affected,

(c) any local authority all or part of whose area forms part of the combined area, and

(d) any other persons he considers appropriate.

The Dorset Fire Authority and the Wiltshire and Swindon Fire Authority and any other authority which would apart from the existing Schemes be a fire and rescue authority under section 1 of the

(**1**) 2004 c. 21 ("the 2004 Act"). Section 4 of the 2004 Act applies to a scheme which was made under section 6 of the Fire Services Act 1947 (c. 41) which was in force immediately before the repeal of that section by the 2004 Act. By virtue of section 4(2) of the 2004 Act, a scheme to which section 4 applies continues to have effect despite that repeal. The power of the Secretary of State under section 2 and 4 is, in relation to Wales, exercisable by Welsh Ministers by virtue of section 62 of the 2004 Act and paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(**2**) S.I. 1996/2920 amended by the Local Government Act 2003 (c. 26), Schedule 8.

(**3**) S.I. 1996/2916 amended by the Local Government Act 2003, Schedule 8.

Fire and Rescue Services Act 2004, and which would be affected by the revocation of those Schemes, have agreed to the revocation(**4**).

Citation and commencement

1.—(1) This Order may be cited as the Dorset and Wiltshire Fire and Rescue Authority (Combination Scheme) Order 2015 and shall come into force in accordance with paragraphs (2) and (3).

(2) This article, article 2 and the Schedule come into force on 1st April 2015.

(3) Article 3 comes into force on 1st April 2016.

Combination scheme

2. The Scheme set out in the Schedule to this Order has effect.

Revocations

3. The Dorset Fire Services (Combination Scheme) Order 1996 and the Wiltshire and Swindon Fire Services (Combination Scheme) Order 1996 are revoked.

Signed by authority of the Secretary of State for Communities and Local Government

Penny Mordaunt
Parliamentary Under Secretary of State
Department for Communities and Local Government

2nd March 2015

(**4**) See section 4(7). The Secretary of State is, accordingly, not required to cause an inquiry to be held.

SCHEDULE Article 2

The Dorset and Wiltshire Fire and Rescue Authority Combination Scheme

PART 1

Commencement and interpretation

Commencement

1. This Scheme comes into force—

(a) for the purposes of constituting the Dorset and Wiltshire Fire and Rescue Authority as the fire and rescue authority for the combined area constituted by the Scheme solely for the performance by that authority of any functions necessary for bringing the Scheme into full operation on 1st April 2016, on 1st April 2015;

(b) for all other purposes, on 1st April 2016.

Interpretation

2. In this Scheme—

"the Authority" means the fire and rescue authority constituted for the combined area by paragraph 4;

"the combined area" means the fire and rescue authority area comprising the areas referred to in paragraph 3;

"constituent authorities" means Bournemouth Borough Council, Dorset County Council, the Borough of Poole, Swindon Borough Council and Wiltshire Council.

PART 2

General

The combined area

3. The areas of the Dorset Fire Authority and the Wiltshire and Swindon Fire Authority shall be combined and shall become the combined area.

The combined fire and rescue authority

4.—(1) There shall be constituted as the fire and rescue authority for the combined area a body corporate to be known as the Dorset and Wiltshire Fire and Rescue Authority.

(2) The Authority shall be constituted in accordance with the provisions of Part 3 of this Scheme.

Financial provision

5.—(1) The Dorset Fire Authority and the Wiltshire and Swindon Fire Authority ("the existing authorities") must meet the costs of the Authority incurred for the purposes of bringing the Scheme into full operation on 1st April 2016.

(2) The amount payable by the existing authorities is to be determined by apportioning the costs of the Authority equally between the existing authorities.