Draft Regulations laid before Parliament under section 235(6) of the Localism Act 2011 for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2012 No. XXXX

LOCAL GOVERNMENT, ENGLAND

The Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012

Made - - - - 2012

Coming into force in accordance with regulation 1

A draft of these Regulations was laid before and approved by a resolution of each House of Parliament in accordance with section 235(6) of the Localism Act 2011(**1**).

The Secretary of State for Communities and Local Government makes these Regulations in exercise of the powers conferred by sections 81(2)(d), 83(11) and 235(2)(a) of the Localism Act 2011.

Citation and commencement

1. These Regulations may be cited as the Community Right to Challenge (Fire and Rescue Authorities and Rejection of Expressions of Interest) (England) Regulations 2012 and shall come into force on the day after the day on which they are made.

Interpretation

2.—(1) In these Regulations "NHS body" has the meaning defined for the purposes of the National Health Service Act 2006(**2**), apart from in Schedule 15(**3**) to that Act.

(2) Any reference in these Regulations to a section is a reference to a section of the Localism Act 2011 unless otherwise stated.

Relevant authorities

3. Each of the following bodies in England is specified as a relevant authority for the purposes of section 81(2)(d)—

(**1**) 2011 c.20.
(**2**) 2006 c.41.
(**3**) There are amendments to Schedule 15 that are not relevant to these Regulations.

(a) a metropolitan county fire and rescue authority established under section 26 of the Local Government Act 1985(**4**),

(b) the London Fire and Emergency Planning Authority,

(c) a fire and rescue authority that is constituted by a scheme under section 2 of the Fire and Rescue Services Act 2004(**5**), or

(d) a fire and rescue authority that is constituted by a scheme to which section 4 of that Act applies.

Grounds for rejection of expression of interest

4. The grounds listed in the Schedule are specified for the purposes of section 83(11) (grounds for rejection of expression of interest).

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

Name
Parliamentary Under Secretary of State
Department for Communities and Local Government

Date

(**4**) 1985 c.51; section 26 was amended by the Civil Contingencies Act 2004 (c.36), section 32(1) and Schedule 2, Part 1, paragraph 10(1).

(**5**) 2004 c. 21; sections 2 and 4 were amended by the Local Government and Public Involvement in Health Act 2007 (c. 28), section 22 and Schedule 1, Part 2, paragraph 22(1), (2) and (3) and by the Local Democracy, Economic Development and Construction Act 2009 (c. 20), section 146(1) and Schedule 7, Part 4.