EXPLANATORY MEMORANDUM TO THE

LOCAL GOVERNMENT (BEST VALUE AUTHORITIES) (POWER TO TRADE) (ENGLAND) (AMENDMENT NO. 2) ORDER 2004

2004 No.2573

1. This explanatory memorandum has been prepared by the Office of the Deputy Prime Minister and is laid before Parliament by Command of Her Majesty.

2. Description

The instrument amends SI 2004 2307 which used the power in section 95(1) of the Local Government Act 2003 to make provision for fire and rescue authorities to charge up to full cost recovery for specified services. It includes a further service category for one Fire and Rescue Authority that was omitted from the previous order.

3. Matters of special interest to the Joint Committee on Statutory Instruments *or* the Select Committee on Statutory Instruments

None.

4. Legislative Background

This was laid down in the Explanatory Memorandum for S.I. 2004. 2307

5. Extent

This instrument applies to England.

6. European Convention on Human Rights

Not applicable

7. Policy background

7.1 This was laid down in the Explanatory Memorandum for S.I. 2004. 2307.

7.2 Due to an administrative oversight the entry for the Essex Fire Authority was missing a category of service of 'Vehicle maintenance

and repair.' This needs to be added so that the Authority can continue to trade in this function.

8. Impact

A Regulatory Impact Assessment has not been prepared for this instrument as it has no additional impact on business, charities or voluntary bodies or the public sector.

9. Contact

Phillip Smith at the Office of the Deputy Prime Minister Tel: 020 7944 0055 or e-mail: phillip.smith@odpm.gsi.gov.uk can answer any queries regarding the instrument.