



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART IX

#### ENVIRONMENTAL FUNCTIONS

##### *Air quality*

**362**    **[<sup>F1</sup>The London Environment Strategy: air quality].**

- <sup>F2</sup>(1) .....
- (2) The [<sup>F3</sup>provisions of the London Environment Strategy dealing with air quality] shall contain the Mayor’s proposals and policies—
- (a) for the implementation in Greater London of the policies contained in the strategy prepared and published by the Secretary of State in accordance with section 80 of the <sup>M1</sup>Environment Act 1995 (national air quality strategy), and
  - (b) for the achievement in Greater London of the air quality standards and objectives prescribed in regulations made under section 87(2)(a) and (b) of that Act,
- and may contain such other proposals and policies relating to the improvement of air quality in Greater London as the Mayor considers appropriate.
- (3) The [<sup>F3</sup>provisions of the London Environment Strategy dealing with air quality] shall also contain information about—
- (a) the air quality in Greater London and the likely future air quality in Greater London,
  - (b) the measures which are to be taken by the Authority [<sup>F4</sup>and Transport for London] for the purpose of the implementation of the [<sup>F3</sup>provisions of the London Environment Strategy dealing with air quality],
  - (c) the measures which other persons or bodies are to be encouraged by the Mayor to take for the purpose of the implementation of the [<sup>F3</sup>provisions of the London Environment Strategy dealing with air quality].

**Changes to legislation:** Greater London Authority Act 1999, Cross Heading: Air quality is up to date with all changes known to be in force on or before 21 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

- (4) In preparing or revising the [<sup>F3</sup>provisions of the London Environment Strategy dealing with air quality] the Mayor shall have regard—
- (a) to reviews and assessments of air quality made by local authorities in Greater London in accordance with section 82 of the <sup>M2</sup>Environment Act 1995,
  - (b) to any designation by a local authority in Greater London of an air quality management area in accordance with section 83 of that Act,
  - (c) to any plan prepared for the purposes of the achievement of air quality standards by a local authority in Greater London in accordance with section 84(2)(b) of that Act, and
  - (d) to any guidance about the content of the [<sup>F3</sup>provisions of the London Environment Strategy dealing with air quality] given to him by the Secretary of State for the purposes of the implementation of the strategy prepared and published by the Secretary of State in accordance with section 80 of that Act, (national air quality strategy).

<sup>F5</sup>(5) .....

<sup>F5</sup>(6) .....

<sup>F5</sup>(7) .....

#### Textual Amendments

- F1** S. 362 heading substituted (3.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 23 para. 12\(2\)](#); [S.I. 2012/1008](#), art. 3(e) (with arts. 7, 9-11)
- F2** S. 362(1) repealed (3.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 23 para. 12\(4\)](#), [Sch. 25 Pt. 33](#); [S.I. 2012/1008](#), art. 3(e)(f) (with arts. 7, 9-11)
- F3** Words in s. 362(2)-(4) substituted (3.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 23 para. 12\(3\)](#); [S.I. 2012/1008](#), art. 3(e) (with arts. 7, 9-11)
- F4** Words in s. 362(3)(b) substituted (31.3.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 20 para. 7](#); [S.I. 2012/628](#), art. 4(c)
- F5** S. 362(5)-(7) repealed (3.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 23 para. 12\(4\)](#), [Sch. 25 Pt. 33](#); [S.I. 2012/1008](#), art. 3(e)(f) (with arts. 7, 9-11)

#### Marginal Citations

- M1** 1995 c.25.
- M2** 1995 c. 25.

### 363 Directions by the Secretary of State.

- (1) Where the Secretary of State considers that [<sup>F6</sup>the condition] specified in subsection (2) below is satisfied, he may give the Mayor a direction about the content of the London air quality strategy.
- (2) The conditions mentioned in subsection (1) above are—
- <sup>F7</sup>(a) .....
  - (b) that a direction about the content of the [<sup>F8</sup>provisions of the London Environment Strategy dealing with air quality] is required for the purposes of the implementation of the policies contained in the strategy prepared and published by the Secretary of State in accordance with section 80 of the <sup>M3</sup>Environment Act 1995 (national air quality strategy).

**Changes to legislation:** Greater London Authority Act 1999, Cross Heading: Air quality is up to date with all changes known to be in force on or before 21 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

- (3) The power of the Secretary of State to give a direction to the Mayor under subsection (1) above—
- (a) may be exercised either generally or specially, and
  - (b) may only be exercised after consultation with the Mayor.
- (4) Where the Secretary of State gives the Mayor a direction under subsection (1) above, the Mayor shall comply with the direction.

#### Textual Amendments

- F6** Words in s. 363(1) substituted (3.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 23 para. 13\(2\)](#); [S.I. 2012/1008](#), [art. 3\(e\)](#) (with [arts. 7, 9-11](#))
- F7** S. 363(2)(a) repealed (3.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 23 para. 13\(3\)\(a\)](#), [Sch. 25 Pt. 33](#); [S.I. 2012/1008](#), [art. 3\(e\)\(f\)](#) (with [arts. 7, 9-11](#))
- F8** Words in s. 363(2)(b) substituted (3.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 23 para. 13\(3\)\(b\)](#); [S.I. 2012/1008](#), [art. 3\(e\)](#) (with [arts. 7, 9-11](#))

#### Marginal Citations

- M3** [1995 c. 25](#).

### 364 Duty of local authorities in Greater London.

In exercising any function under Part IV of the <sup>M4</sup>Environment Act 1995 (air quality) a local authority in Greater London shall have regard to the [<sup>F9</sup>provisions of the London Environment Strategy dealing with air quality].

#### Textual Amendments

- F9** Words in s. 364 substituted (3.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 23 para. 14](#); [S.I. 2012/1008](#), [art. 3\(e\)](#) (with [arts. 7, 9-11](#))

#### Marginal Citations

- M4** [1995 c.25](#).

### 365 Directions by the Mayor.

- (1) The Mayor may give a direction to any local authority in Greater London requiring the authority to provide him with such information, advice and assistance as he may require in the preparation and revision of the [<sup>F10</sup>provisions of the London Environment Strategy dealing with air quality].
- (2) The power of the Mayor to give a direction to an authority under subsection (1) above may be exercised either generally or specially.
- (3) Where the Mayor gives an authority a direction under subsection (1) above, the authority to whom the direction is given shall comply with the direction.

**Changes to legislation:** Greater London Authority Act 1999, Cross Heading: Air quality is up to date with all changes known to be in force on or before 21 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

### Textual Amendments

- F10** Words in s. 365 substituted (3.5.2012) by [Localism Act 2011 \(c. 20\)](#), s. 240(2), [Sch. 23 para. 15](#); [S.I. 2012/1008](#), [art. 3\(e\)](#) (with [arts. 7, 9-11](#))

## 366 Interpretation of sections 362 to 365.

For the purposes of sections 362 to 365 above “local authority” has the meaning given to it by section 91(1) of the Environment Act 1995.

## 367 Directions under the Environment Act 1995.

- (1) Section 85 of the <sup>M5</sup>Environment Act 1995 (reserve powers of the Secretary of State in relation to air quality) shall be amended in accordance with [<sup>F11</sup>subsections (2) to (5)]below.
- (2) In subsection (1) (definition of “appropriate authority” for the purposes of the section)
  - (a) in paragraph (a), for “England and Wales, the Secretary of State; and” there shall be substituted “ local authorities in England and Wales other than local authorities in Greater London, the Secretary of State; ”, and
  - (b) after that paragraph there shall be inserted—
    - “(aa) in relation to local authorities in Greater London, the Mayor of London; and”.
- (3) After subsection (4) there shall be inserted—
  - “(4A) The powers of the Mayor of London to give directions under this section to a local authority in Greater London may only be exercised after consultation with the local authority concerned.
  - (4B) In exercising any function under subsection (2), (3) or (4) above the Mayor of London shall have regard to any guidance issued by the Secretary of State to local authorities under section 88(1) below.”
- (4) In subsection (5) (power of the Secretary of State to give directions relating to obligations under the [<sup>F12</sup>EU] Treaties or to international obligations) after “local authorities” there shall be inserted “, other than local authorities in Greater London, ”.
- (5) After subsection (6) (publishing of directions under the section) there shall be inserted—
  - “(6A) The Mayor of London shall send a copy of any direction he gives under this section to the Secretary of State.”

### Textual Amendments

- F11** Words in s. 367(1) substituted (27.5.2000) by [S.I. 2000/1435](#), [art. 2](#), [Sch 1 Pt. I para. 9](#)
- F12** Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), [arts. 2, 3, 6](#) (with [art. 3\(2\)\(3\), 4\(2\), 6\(4\)\(5\)](#))

**Changes to legislation:** Greater London Authority Act 1999, Cross Heading: Air quality is up to date with all changes known to be in force on or before 21 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](#)

#### Marginal Citations

M5 1995 c. 25.

### 368 Duty of the Mayor in relation to air quality action plans.

After section 86 of the <sup>M6</sup>Environment Act 1995 (functions of county councils in relation to district councils) there shall be inserted—

#### “86A Functions exercisable by the Mayor of London.

- (1) Where a local authority in Greater London is preparing an action plan, the Mayor of London (referred to in this section as “the Mayor”) shall, within the relevant period, submit to the authority proposals for the exercise (so far as relating to the designated area) by the Mayor, in pursuit of the achievement of air quality standards and objectives, of any powers exercisable by the Mayor.
- (2) Where the Mayor submits proposals to a local authority in pursuance of subsection (1) above, he shall also submit a statement of the time or times by or within which he proposes to implement each of the proposals.
- (3) An action plan shall include a statement of—
  - (a) any proposals submitted pursuant to subsection (1) above; and
  - (b) any time or times set out in the statement submitted pursuant to subsection (2) above.”

#### Marginal Citations

M6 1995 c. 25.

### 369 Consultation with the Mayor.

In paragraph 1 of Schedule 11 to the <sup>M7</sup>Environment Act 1995 (duty of local authorities to consult certain persons in the exercise of their functions under Part IV of that Act), after sub-paragraph (2) there shall be inserted—

- “(2A) A local authority specified in sub-paragraph (2B) below shall in carrying out the functions falling within sub-paragraph (1)(a) to (c) above also consult the Mayor of London.
- (2B) The local authorities mentioned in sub-paragraph (2A) above are—
  - (a) any local authority in Greater London,
  - (b) any local authority whose area is contiguous to the area of Greater London.”

#### Marginal Citations

M7 1995 c. 25.

**Changes to legislation:**

Greater London Authority Act 1999, Cross Heading: Air quality is up to date with all changes known to be in force on or before 21 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.

[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 334(2A)-(2E) substituted for s. 334(2)-(6) by [2023 c. 55 s. 95\(2\)](#)
- s. 334(9)-(11) inserted by [2023 c. 55 s. 95\(3\)](#)
- s. 337(1A) inserted by [2023 c. 55 s. 96\(1\)\(c\)](#)
- s. 337(2)(ca) inserted by [2023 c. 55 Sch. 6 para. 15](#)
- Sch. 23 para. 1(3A) inserted by [2023 c. 55 s. 244\(2\)](#)
- Sch. 23 para. 3A3B and cross-heading inserted by [2023 c. 55 s. 244\(3\)](#)
- Sch. 23 para. 4(2A)(2B) inserted by [2023 c. 55 s. 244\(4\)](#)
- Sch. 23 para. 4A and cross-heading inserted by [2023 c. 55 s. 244\(6\)](#)