Greater London Authority Act 2007

2007 CHAPTER 24

An Act to make further provision with respect to the Greater London Authority; to amend the Greater London Authority Act 1999; to make further provision with respect to the functional bodies, within the meaning of that Act, and the Museum of London; and for connected purposes. [23rd October 2007]

BE IT ENACTED by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

PART 1

GENERAL FUNCTIONS OF THE AUTHORITY

Payments on loss of office

1 Payments on ceasing to hold office as Mayor or Assembly member

(1) After section 26 of the GLA Act 1999 (pensions) insert—

"**26A Payments on ceasing to hold office**

(1) The Authority may establish and administer such schemes as it may from time to time determine for the making of payments to or in respect of persons on their ceasing to hold office as the Mayor or as an Assembly member.

(2) The power conferred by subsection (1) above includes power to make different provision for different cases.

(3) The Authority's functions under subsection (1) above are exercisable by the Mayor and the Assembly acting jointly on behalf of the Authority.

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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(4) The standing orders of the Assembly must include provision for the publication of every determination under this section.

(5) A determination under this section does not affect benefits in payment under this section before the making of the determination.".

(2) In section 27 of the GLA Act 1999 (publication of information relating to sums paid under sections 24 and 26) for "and 26" substitute " , 26 and 26A ".

(3) In consequence of the amendments made by this section, the italic heading preceding section 24 of the GLA Act 1999 becomes " Salaries, expenses, pensions and other payments ".

Commencement Information

I1 S. 1 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

The Mayor's strategies

2 Consultation

(1) In section 42 of the GLA Act 1999 (consultation) for subsection (5) (duty to consult Assembly and functional bodies first) substitute—

"(5) Section 42A below supplements subsection (1) above (but see subsection (6) below).".

(2) After section 42 of the GLA Act 1999 insert—

"**42A Consultation: supplementary provision**

(1) This section supplements section 42(1) above.

(2) The Mayor must consult the Assembly and the functional bodies under section 42(1)(a) and (b) above before consulting other bodies or persons under section 42(1)(c) to (e) above.

(3) The Mayor must have regard to any comments submitted to him in response by the Assembly or any of the functional bodies.

(4) Before consulting under section 42(1)(c) to (e) above, the Mayor must—

(a) prepare a statement in accordance with the following provisions of this section, and

(b) submit that statement to the Chair of the Assembly.

(5) The statement must—

(a) identify which of the comments submitted by the Assembly are accepted by the Mayor for implementation in the strategy, and

(b) set out the reasons why any comments so submitted are not so accepted.

(6) The statement must be in writing.".

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(3) In section 376 of the GLA Act 1999 (the Mayor's culture strategy) in subsection (8)(b) (which refers to section 42(5)) for "reference in subsection (5) of that section" substitute " references in subsections (2) and (3) of section 42A above ".

Commencement Information

I2 S. 2 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

The Assembly

3 The Mayor's periodic report to the Assembly

(1) Section 45 of the GLA Act 1999 (the Mayor's periodic report to the Assembly) is amended as follows.

(2) In subsection (1) (which requires the Mayor to submit a report at least three days before the first, and each monthly, meeting of the Assembly) for "three", in both places, substitute " 5 ".

Commencement Information

I3 S. 3 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

4 Confirmation hearings etc for certain appointments by the Mayor

(1) After section 60 of the GLA Act 1999 (general functions of the Assembly: proposals to the Mayor) insert—

"**60A Confirmation hearings etc for certain appointments by the Mayor**

(1) Schedule 4A to this Act (confirmation hearings etc) has effect in any case where this section applies.

(2) This section applies in any case where the Mayor proposes to make an appointment to any of the offices specified in subsection (3) below.

(3) The offices are—

chairman, or deputy chairman, of Transport for London (see section 154 and paragraph 3 of Schedule 10);

chairman, or deputy chairman, of the London Development Agency (see section 2 of the Regional Development Agencies Act 1998, as amended by section 304 below);

chairman, or vice chairman, of the Metropolitan Police Authority (but see subsection (4) below);

chairman of the London Fire and Emergency Planning Authority (see section 328 and paragraph 3 of Schedule 28);

chair of the Cultural Strategy Group (see section 375 and paragraph 3 of Schedule 30);

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chairman, or deputy chairman, of the London Pensions Fund Authority (see section 403).

(4) Any reference in subsection (3) above to the chairman, or vice chairman, of the Metropolitan Police Authority has effect only in relation to appointments falling to be made after the function of making the appointment has become a function of the Mayor.

(5) The Secretary of State may by order amend this section for the purpose of specifying further offices in subsection (3) above.

(6) The Secretary of State must consult—

(a) the Mayor, and

(b) the Assembly,

before making an order under subsection (5) above.".

(2) After Schedule 4 to the GLA Act 1999 insert the Schedule 4A set out in Schedule 1 to this Act.

(3) In section 420 of the GLA Act 1999 (regulations and orders) in the list of provisions in subsection (8) (orders subject to negative resolution Parliamentary procedure) insert each of the following at the appropriate place— " section 60A(5); "; " paragraph 8(2) of Schedule 4A; ".

Commencement Information

I4 S. 4 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

5 Power to require attendance at Assembly meetings: time limits

(1) Section 61 of the GLA Act 1999 (power to require attendance at Assembly meetings) is amended as follows.

(2) In each of the provisions specified in subsection (3) below (which describe persons who may be required to attend, and which mention a period of three years prior to the date of the requirement) for "three years" substitute " 8 years ".

(3) The provisions are—

(a) subsection (2)(c) (chairman or member of functional body within that period);

(b) subsection (3)(a) and (b) (persons, or members or staff of bodies, that had contractual relationships with the Authority within that period);

(c) subsection (4)(a) and (b) (persons, or members or staff of bodies, that received grants from the Authority within that period);

(d) subsection (5)(b) and (c) (persons who have been Assembly members or Mayor within that period).

Commencement Information

I5 S. 5 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

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6 Annual report by the Assembly

After section 65 of the GLA Act 1999 insert—

"Annual report

65A Annual report by the Assembly

(1) As soon as reasonably practicable after the end of each financial year the Assembly shall prepare a report on the exercise of its functions during the year (an "annual report").

(2) An annual report shall include a statement of what the Assembly considers that it has achieved during the year.

(3) As soon as reasonably practicable after preparing an annual report, the Assembly —

(a) shall send a copy of the report to the Mayor, and

(b) when it has done that, shall publish the report.

(4) A copy of the annual report sent to the Mayor shall be kept available for the appropriate period by the Assembly for inspection by any person on request free of charge at the principal offices of the Authority at reasonable hours.

(5) A copy of the annual report sent to the Mayor, or any part of that report, shall be supplied to any person on request during the appropriate period for such reasonable fee as the Assembly may determine.

(6) In this section "the appropriate period" in the case of an annual report is the period of six years beginning with the date of publication of that report pursuant to this section.".

Commencement Information

I6 S. 6 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

Officers and staff

7 Staff appointed under section 67(2) of the GLA Act 1999

(1) In section 67 of the GLA Act 1999 (appointment of staff) for subsection (2) substitute—

"(2) The head of the Authority's paid service, after consultation with the Mayor and the Assembly, and having regard, in particular, to—

(a) the resources available, and

(b) the priorities of the Authority,

may appoint such staff as he considers necessary for the proper discharge of the functions of the Authority.".

(2) In section 70(2) of the GLA Act 1999 (terms and conditions of employment of persons appointed under section 67(2)) for "as the Assembly, after consultation with

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the Mayor, thinks fit" substitute " as the head of the Authority's paid service, after consultation with the Mayor and the Assembly, thinks fit ".

(3) In section 72(5)(a) of the GLA Act 1999 (head of paid service: discharge of duty as to provision of staff) for "shall be discharged by the Assembly" substitute " shall be discharged by the head of the Authority's paid service after consultation with the Mayor and the Assembly ".

(4) In section 73(5)(a) of the GLA Act 1999 (monitoring officer: discharge of duty as to provision of staff) for "shall be discharged by the Assembly" substitute " shall be discharged by the head of the Authority's paid service after consultation with the Mayor and the Assembly ".

(5) Where this section amends any provision relating to the appointment of a person as a member of the staff of the Authority, appointments made under that provision before the commencement day and in force on that day have effect on and after that day as if made under the provision as amended.

(6) Where this section amends any provision relating to the terms and conditions of employment of any such person, the terms and conditions of employment of the person that are in force on the commencement day have effect on and after that day as if imposed under the provision as amended.

(7) In this section "the commencement day" means the day on which the amendment in question comes into force.

Commencement Information
I7 S. 7 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

8 Head of paid service

(1) Section 72 of the GLA Act 1999 (head of paid service) is amended as follows.

(2) For subsection (1) substitute—

"(1) The Mayor and the Assembly, acting jointly, shall appoint a person to be head of the Authority's paid service.

(1A) Section 4 of the Local Government and Housing Act 1989 (designation and reports of head of paid service) shall apply in relation to the Authority as if—

(a) the person appointed under subsection (1) above were a person designated under subsection (1)(a) of that section;

(b) the Authority were a relevant authority for the purposes of that section; and

(c) the Mayor and Assembly members were members of that authority.

(1B) Any appointment under subsection (1) above is an appointment as an employee of the Authority and—

(a) section 7 of the Local Government and Housing Act 1989 (staff to be appointed on merit) shall apply in relation to any such appointment as if the Authority were a local authority;

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(b) section 8 of that Act (duty to adopt standing orders with respect to staff) shall apply in relation to a person appointed under subsection (1) above as if the Authority were a relevant authority.

(1C) The terms and conditions of employment of the person appointed under subsection (1) above (including conditions as to remuneration) are to be such as the Mayor and the Assembly acting jointly think fit.".

(3) For subsection (2) substitute—

"(2) A person must not at the same time be both—

(a) the head of the Authority's paid service appointed under subsection (1) above, and

(b) a member of staff appointed under section 67(1) above.".

(4) In subsection (3) for "subsection (1)" substitute " subsection (1A) ".

(5) Omit subsection (4) (appointment).

(6) After subsection (10) insert—

"(11) The head of the Authority's paid service may arrange for a member of staff of the Authority, other than a member of staff appointed under section 67(1) above, to exercise on his behalf any function exercisable by the head of paid service under section 67(2) or 70(2) above.".

(7) Where this section amends any provision relating to the appointment of a person as head of the Authority's paid service, any appointment made under the provision before the commencement day and in force on that day has effect on and after that day as if made under the provision as amended.

(8) Where this section amends any provision relating to the terms and conditions of employment of any such person, the terms and conditions of employment of the person that are in force on the commencement day have effect on and after that day as if imposed under the provision as amended.

(9) In this section "the commencement day" means the day on which the amendment in question comes into force.

Commencement Information

I8 S. 8 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

9 Monitoring officer

(1) Section 73 of the GLA Act 1999 (monitoring officer) is amended as follows.

(2) For subsection (1) substitute—

"(1) The Mayor and the Assembly, acting jointly, shall appoint a person to be the Authority's monitoring officer.

(1A) Section 5 of the Local Government and Housing Act 1989 (designation and reports of monitoring officer) shall apply in relation to the Authority as if—

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(a) the person appointed under subsection (1) above were a person designated under subsection (1)(a) of that section;

(b) the Authority were a relevant authority for the purposes of that section; and

(c) the Mayor and Assembly members were members of that authority.

(1B) Any appointment under subsection (1) above is an appointment as an employee of the Authority and—

(a) section 7 of the Local Government and Housing Act 1989 (staff to be appointed on merit) shall apply in relation to any such appointment as if the Authority were a local authority;

(b) section 8 of that Act (duty to adopt standing orders with respect to staff) shall apply in relation to a person appointed under subsection (1) above as if the Authority were a relevant authority.

(1C) The terms and conditions of employment of the person appointed under subsection (1) above (including conditions as to remuneration) are to be such as the Mayor and the Assembly acting jointly think fit.".

(3) For subsection (2) substitute—

"(2) A person must not at the same time be both—

(a) the Authority's monitoring officer appointed under subsection (1) above, and

(b) a member of staff appointed under section 67(1) above.".

(4) In subsection (3) for "subsection (1)" substitute " subsection (1A) ".

(5) Omit subsection (4) (appointment).

(6) Where this section amends any provision relating to the appointment of a person as the Authority's monitoring officer, any appointment made under the provision before the commencement day and in force on that day has effect on and after that day as if made under the provision as amended.

(7) Where this section amends any provision relating to the terms and conditions of employment of any such person, the terms and conditions of employment of the person that are in force on the commencement day have effect on and after that day as if imposed under the provision as amended.

(8) In this section "the commencement day" means the day on which the amendment in question comes into force.

Commencement Information

I9 S. 9 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

10 Chief finance officer

(1) In section 127 of the GLA Act 1999 (proper financial administration and chief finance officer) for subsections (5) and (6) substitute—

"(5) Section 127A below makes further provision with respect to the Authority's chief finance officer for the purposes of subsection (2)(b) above.".

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(2) After section 127 insert—

"**127A Chief finance officer of the Authority**

(1) The Mayor and the Assembly, acting jointly, shall appoint a person to be the chief finance officer of the Authority.

(2) Any appointment under subsection (1) above is an appointment as an employee of the Authority and—

(a) section 7 of the Local Government and Housing Act 1989 (staff to be appointed on merit) shall apply in relation to any such appointment as if the Authority were a local authority;

(b) section 8 of that Act (duty to adopt standing orders with respect to staff) shall apply in relation to a person appointed under subsection (1) above as if the Authority were a relevant authority.

(3) The terms and conditions of employment of the person appointed under subsection (1) above (including conditions as to remuneration) are to be such as the Mayor and the Assembly acting jointly think fit.

(4) A person must not at the same time be both—

(a) the Authority's chief finance officer appointed under subsection (1) above, and

(b) a member of staff appointed under section 67(1) above.".

(3) Where this section amends any provision relating to the appointment of a person as the chief finance officer of the Authority, any such appointment made before the commencement day and in force on that day has effect on and after that day as if made under the provision as amended.

(4) Where this section amends any provision relating to the terms and conditions of employment of any such person, the terms and conditions of employment of the person that are in force on the commencement day have effect on and after that day as if imposed under the provision as amended.

(5) In this section "the commencement day" means the day on which the amendment in question comes into force.

Commencement Information

I10 S. 10 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

11 Amendments consequential on sections 8 to 10

(1) The GLA Act 1999 is amended as follows.

(2) In section 45(6) (exemption from requirement to answer questions) after "section 67(1) or (2)" insert " , 72(1), 73(1) or 127A(1) ".

(3) In section 61(10) (exemption from requirement to disclose evidence or documents) after "section 67(1) or (2)" insert " , 72(1), 73(1) or 127A(1) ".

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(4) In section 359(2)(a) (confidential information about waste contracts) after "section 67(1) or (2)" insert " , 72(1), 73(1) or 127A(1) ".

(5) In section 404(1) (duty not to discriminate)—

(a) after "it shall be the duty of" insert " (and of any body or person acting for or on behalf of) any of the following ";

(b) in paragraph (a), omit "(whether acting by the Mayor, the Assembly or the Mayor and Assembly jointly)";

(c) omit "and" at the end of paragraph (b).

(6) In section 424(1) (interpretation), in the definition of "member of staff", after "section 67(1) or (2)" insert " , 72(1), 73(1) or 127A(1) ".

Commencement Information

I11 S. 11 in force at 21.1.2008 by S.I. 2008/113, **art. 2(a)**

The annual budget

12 Separate component budgets for Assembly and Mayor

(1) Section 85 of the GLA Act 1999 (calculation of component budget requirements) is amended as follows.

(2) In subsection (3) (which identifies the constituent bodies) for paragraph (a) (the Authority) substitute—

"(a) the Assembly,

(aa) the Mayor, and".

(3) After subsection (3) insert—

"(3A) In subsection (3) above—

(a) the reference to the Assembly is a reference to the Authority as respects the Assembly's functions (see subsection (14)),

(b) the reference to the Mayor is a reference to the Authority except as respects the Assembly's functions,

and other references in this Chapter to the Mayor or the Assembly, in their capacity as constituent bodies for the purposes of the budgetary provisions, or to their functions (in that capacity), are to be construed accordingly.".

(4) In subsection (4)(a) (expenditure of constituent bodies)—

(a) for "the body will incur" substitute " will be incurred by the body ",

(b) for "will charge" substitute " will be charged ",

(c) at the end insert " (but, in the case of the Mayor or the Assembly, see also subsections (10) to (13)) ".

(5) In subsection (4)(c) (financial reserves of constituent bodies) for "appropriate for the body to raise" substitute " appropriate to be raised by or in respect of the body ".

(6) In subsection (4)(d) (financial reserves to meet revenue account deficit of earlier year not provided for)—

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(a) for "the body's financial reserves" substitute " the financial reserves of, or in respect of, the body ",

(b) for "revenue account deficit of the body" substitute " revenue account deficit of or in respect of the body ".

(7) In subsection (5)(a) (sums payable to constituent bodies) after "payable to" insert " or for ".

(8) In subsection (5)(b) (financial reserves likely to be used by constituent bodies) for "that the body will use" substitute " will be used by or in respect of the body ".

(9) In subsection (9) (expanded meaning of expenditure incurred by a body in a financial year)—

(a) in paragraph (a) (money set aside to meet credit liabilities) for "set aside by the body" substitute " set aside by or in respect of the body ",

(b) in paragraph (b) (money set aside as provision for certain liabilities or losses) for "by the body" substitute " by or in respect of the body ".

(10) After subsection (9) insert—

"(10) Subsections (11) to (13) below have effect for the purposes of the budgetary provisions in their application in relation to the Mayor and the Assembly in their capacity as constituent bodies.

(11) The expenditure that is to be regarded for the purposes of subsection (4)(a) above as incurred by the Assembly in the performance of its functions includes any expenditure by the Authority in the performance of its functions which is incurred in respect of any of the following—

(a) the Assembly members,

(b) the Assembly secretariat (see subsection (14)),

(c) goods or services procured solely for the purposes of the Assembly,

(d) the London Transport Users' Committee (see section 247 and Schedule 18),

but does not include any expenditure falling within subsection (12) below.

(12) That expenditure is expenditure by the Authority in respect of any of the following—

(a) accommodation provided or procured in whole or in part for the conduct of the business of the Assembly or Assembly members,

(b) goods or services provided or procured for the Authority in general.

(13) The expenditure that is to be regarded for the purposes of subsection (4)(a) above as incurred by the Mayor in the performance of his functions is any expenditure—

(a) which is incurred by the Authority in the performance of its functions, and

(b) which does not fall to be regarded for the purposes of subsection (4)(a) above as incurred by the Assembly in the performance of its functions.

(14) In this section—

"the Assembly secretariat" means employees of the Authority who normally work as support staff for the Assembly or Assembly members;

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"the Assembly's functions" means—

(a) such of the functions of the Authority as are exercisable only by the Assembly acting on behalf of the Authority, and

(b) the Assembly's function of acting jointly with the Mayor in the case of those functions of the Authority which are exercisable only by the Mayor and the Assembly acting jointly on behalf of the Authority;

"the budgetary provisions" means sections 85 to 87 of, and Schedule 6 to, this Act.

(15) All such apportionments as may be necessary for the purpose of calculating the aggregates required by subsections (4) and (5) above in the case of the Mayor and the Assembly are to be made on a just and reasonable basis.".

(11) Section 86 (provisions supplemental to section 85) is amended as follows.

(12) In subsection (1) (amounts not to be brought into account in relation to the Authority if brought into account in relation to functional body)—

(a) for "the Authority" substitute " the Mayor or the Assembly ",

(b) after "in its application in relation to" insert " the other of them or ".

(13) After subsection (2) (treatment of levies issued to constituent bodies) insert—

"(2A) For the purposes of subsection (2) above, any levy issued to the Authority shall be treated as a levy issued to the Mayor.".

(14) In subsection (4) (body's estimated future expenditure for section 85(4)(c)) in paragraph (a)—

(a) for "the body will incur" substitute " will be incurred by ",

(b) for "will charge" substitute " will be charged ",

(c) for "will have to defray" substitute " will have to be defrayed ",

(d) in sub-paragraph (i), for "payable to it" substitute " payable to or for it ",

and in paragraph (b), for "the body will incur" substitute " will be incurred by ".

(15) In section 99 (interpretation of Chapter 1 of Part 3) insert the following definition at the appropriate place—

""budgetary provisions" has the meaning given in section 85(14) above;".

(16) In section 424(1) (general definitions)—

(a) in the definition of "the Assembly" insert at the end " (but see also section 85(3A) above) ";

(b) in the definition of "the Mayor" insert at the end " (but see also section 85(3A) above) ".

Commencement Information

I12 S. 12 has effect in relation to financial years beginning on or after an appointed day, see s. 59(6)

13 Procedure for determining Authority's consolidated budget requirement

(1) Schedule 6 to the GLA Act 1999 (procedure for determining the Authority's consolidated budget requirement) is amended as follows.

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(2) In paragraph 2, for sub-paragraph (2) (consultation before preparing draft component budget for the Authority) substitute—

"(2) The Mayor shall consult the Assembly—

(a) before preparing the draft component budget for the Mayor, and

(b) before preparing the draft component budget for the Assembly.".

(3) In paragraph 4 (duty of Assembly if Mayor fails to comply) in sub-paragraph (1) for paragraph (b) substitute—

"(b) prepare a draft component budget for the Mayor;

(bb) prepare a draft component budget for the Assembly; and".

(4) In paragraph 5 (Assembly consideration of Mayor's draft budget) in sub-paragraph (3) (Assembly to approve budgets with or without amendment) after "with or without amendment" insert " (but see paragraph 5A below) ".

(5) After paragraph 5 insert—

5A "**Limit on Assembly's powers to amend Mayor's draft budget for the Assembly**

(1) In exercising its powers of amendment under paragraph 5(3) above, the Assembly must not make amendments affecting the amount of the draft component budget requirement for the Assembly if those amendments, taken together, contravene sub-paragraph (2) below.

(2) Amendments contravene this sub-paragraph if—

(a) the effect of implementing the amendments is to increase the amount of the draft component budget requirement for the Assembly, and

(b) the condition in sub-paragraph (3) below is met.

(3) The condition is that—

(a) the draft component budget requirement for the Assembly, after implementing the amendments,

exceeds

(b) the adjusted previous component budget requirement for the Assembly.

(4) Find the adjusted previous component budget requirement for the Assembly as follows.

(5) Find NM and OM, where—

NM is the draft component budget requirement for the Mayor, before implementing any amendments under paragraph 5(3) above;

OM is the component budget requirement for the Mayor for the previous financial year.

(6) If NM is greater than OM—

(a) find the percentage by which NM is greater than OM, and

(b) increase the amount of the component budget requirement for the Assembly for the previous financial year by the same percentage.

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Greater London Authority Act 2007 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)*

The result is the adjusted previous component budget requirement for the Assembly.

(7) If NM is less than OM—

(a) find the percentage by which NM is less than OM, and

(b) reduce the amount of the component budget requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component budget requirement for the Assembly.

(8) If NM equals OM, then—

(a) the adjusted previous component budget requirement for the Assembly,

equals

(b) the amount of the component budget requirement for the Assembly for the previous financial year.

(9) The Authority's chief finance officer may direct that such amounts as he may specify in the direction are to be left out of account for the purpose of determining the adjusted previous component budget requirement for the Assembly.

(10) The Secretary of State may give the chief finance officer guidance with respect to the exercise of the power to give a direction under sub-paragraph (9) above.

(11) The chief finance officer must have regard to any such guidance.

(12) For the purposes of this Schedule the "draft component budget requirement" for any constituent body is the component budget requirement for the body as stated in the draft component budget for the body.".

(6) In paragraph 8 (approval of Mayor's draft budget by Assembly) in sub-paragraph (3) (Assembly to approve final draft budget with or without amendment) after "with or without amendment" insert " (but see paragraph 8A below) ".

(7) After paragraph 8 insert—

8A "**Limit on Assembly's power to amend Mayor's final draft budget for the Assembly**

(1) In exercising its powers of amendment under paragraph 8 above, the Assembly must not make amendments affecting the amount of the final draft component budget requirement for the Assembly if those amendments, taken together, contravene sub-paragraph (2) below.

(2) Amendments contravene this sub-paragraph if—

(a) the effect of implementing the amendments is to increase the amount of the final draft component budget requirement for the Assembly, and

(b) the condition in sub-paragraph (3) below is met.

(3) The condition is that—

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(a) the final draft component budget requirement for the Assembly, after implementing the amendments,

exceeds

(b) the adjusted previous component budget requirement for the Assembly.

(4) Find the adjusted previous component budget requirement for the Assembly as follows.

(5) Find NM and OM, where—

NM is the final draft component budget requirement for the Mayor, before implementing any amendments under paragraph 8(3) above;

OM is the component budget requirement for the Mayor for the previous financial year.

(6) If NM is greater than OM—

(a) find the percentage by which NM is greater than OM, and

(b) increase the amount of the component budget requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component budget requirement for the Assembly.

(7) If NM is less than OM—

(a) find the percentage by which NM is less than OM, and

(b) reduce the amount of the component budget requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component budget requirement for the Assembly.

(8) If NM equals OM, then—

(a) the adjusted previous component budget requirement for the Assembly,

equals

(b) the amount of the component budget requirement for the Assembly for the previous financial year.

(9) Sub-paragraphs (9) to (11) of paragraph 5A above (power of chief finance officer to direct amounts to be left out of account) also have effect for the purposes of this paragraph.

(10) For the purposes of this Schedule the "final draft component budget requirement" for any constituent body is the component budget requirement for the body as stated in the final draft budget.".

Commencement Information

I13 S. 13 has effect in relation to financial years beginning on or after an appointed day, see s. 59(6)

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Greater London Authority Act 2007 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)*

14 Substitute calculations

(1) Schedule 7 to the GLA Act 1999 (procedure for making of substitute calculations by the Authority) is amended as follows.

(2) After paragraph 4 (Assembly consideration of Mayor's first draft) insert—

4A "**Limit on Assembly's powers to amend Mayor's first draft budget for the Assembly**

(1) In exercising its powers of amendment under paragraph 4(3) above, the Assembly must not make amendments affecting the amount of the first draft component budget requirement for the Assembly if those amendments, taken together, contravene sub-paragraph (2) below.

(2) Amendments contravene this sub-paragraph if—

(a) the effect of implementing the amendments is to increase the amount of the first draft component budget requirement for the Assembly, and

(b) the condition in sub-paragraph (3) below is met.

(3) The condition is that—

(a) the first draft component budget requirement for the Assembly, after implementing the amendments,

exceeds

(b) the adjusted previous component budget requirement for the Assembly (see sub-paragraph (5)).

(4) This paragraph is without prejudice to section 49(2) of the Local Government Finance Act 1992 (substitute amount not to exceed previous amount (but see section 49(6) of that Act)).

(5) Find the adjusted previous component budget requirement for the Assembly as follows.

(6) Find NM and OM, where—

NM is the first draft component budget requirement for the Mayor, before implementing any amendments under paragraph 4(3) above;

OM is the component budget requirement for the Mayor for the previous financial year.

(7) If NM is greater than OM—

(a) find the percentage by which NM is greater than OM, and

(b) increase the amount of the component budget requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component budget requirement for the Assembly.

(8) If NM is less than OM—

(a) find the percentage by which NM is less than OM, and

(b) reduce the amount of the component budget requirement for the Assembly for the previous financial year by the same percentage.

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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The result is the adjusted previous component budget requirement for the Assembly.

(9) If NM equals OM, then—

(a) the adjusted previous component budget requirement for the Assembly,

equals

(b) the amount of the component budget requirement for the Assembly for the previous financial year.

(10) Sub-paragraphs (9) to (11) of paragraph 5A of Schedule 6 to this Act (power of chief finance officer to direct amounts to be left out of account) also have effect for the purposes of this paragraph.

(11) For the purposes of this Schedule—

(a) "component budget" has the same meaning as in Schedule 6 to this Act;

(b) the "first draft component budget" for any constituent body is the draft component budget for that body comprised in the first draft;

(c) the "first draft component budget requirement" for any constituent body is the component budget requirement for the body as stated in the first draft component budget for the body.".

(3) After paragraph 7 (approval of Mayor's final draft by Assembly) insert—

7A "**Limit on Assembly's power to amend Mayor's final draft budget for the Assembly**

(1) In exercising its powers of amendment under paragraph 7 above, the Assembly must not make amendments affecting the amount of the final draft component budget requirement for the Assembly if those amendments, taken together, contravene sub-paragraph (2) below.

(2) Amendments contravene this sub-paragraph if—

(a) the effect of implementing the amendments is to increase the amount of the final draft component budget requirement for the Assembly, and

(b) the condition in sub-paragraph (3) below is met.

(3) The condition is that—

(a) the final draft component budget requirement for the Assembly, after implementing the amendments,

exceeds

(b) the adjusted previous component budget requirement for the Assembly (see sub-paragraph (5)).

(4) This paragraph is without prejudice to section 49(2) of the Local Government Finance Act 1992 (substitute amount not to exceed previous amount (but see section 49(6) of that Act)).

(5) Find the adjusted previous component budget requirement for the Assembly as follows.

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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(6) Find NM and OM, where—

NM is the final draft component budget requirement for the Mayor, before implementing any amendments under paragraph 7(3) above;

OM is the component budget requirement for the Mayor for the previous financial year.

(7) If NM is greater than OM—

(a) find the percentage by which NM is greater than OM, and

(b) increase the amount of the component budget requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component budget requirement for the Assembly.

(8) If NM is less than OM—

(a) find the percentage by which NM is less than OM, and

(b) reduce the amount of the component budget requirement for the Assembly for the previous financial year by the same percentage.

The result is the adjusted previous component budget requirement for the Assembly.

(9) If NM equals OM, then—

(a) the adjusted previous component budget requirement for the Assembly,

equals

(b) the amount of the component budget requirement for the Assembly for the previous financial year.

(10) Sub-paragraphs (9) to (11) of paragraph 5A of Schedule 6 to this Act (power of chief finance officer to direct amounts to be left out of account) also have effect for the purposes of this paragraph.

(11) For the purposes of this Schedule the "final draft component budget requirement" for any constituent body is the component budget requirement for that body as stated in the final draft.".

Commencement Information

I14 S. 14 has effect in relation to financial years beginning on or after an appointed day, see s. 59(6)

15 Deemed component budget requirements for last old financial year

(1) This section has effect for the purpose of implementing Schedules 6 and 7 to the GLA Act 1999 in the first new financial year.

(2) The Authority's chief finance officer must for that purpose designate for the last old financial year amounts which are respectively to be regarded as—

(a) the component budget requirement for the Mayor for that year, and

(b) the component budget requirement for the Assembly for that year.

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(3) The chief finance officer must consult the Mayor and the Assembly before making any such designation.

(4) The chief finance officer must make the designations required by this section no later than 31st December in the last old financial year.

(5) For the purposes of this section—

"the first new financial year" is the first financial year in relation to which paragraph 5A or 8A of Schedule 6 to the GLA Act 1999 (see section 13) has effect;

"the last old financial year" is the financial year immediately preceding the first new financial year.

Commencement Information

I15 S. 15 in force at 30.10.2007 by S.I. 2007/3107, **art. 2(a)**

16 Exercise of Mayor's functions when temporarily unable to act

(1) Part 3 of Schedule 4 to the GLA Act 1999 (exercise of functions when Mayor temporarily unable to act etc) is amended as follows.

(2) In paragraph 15(1) (exceptions to rule that Deputy Mayor is to exercise Mayor's functions) omit paragraph (a) (functions under Schedule 6 or 7).

(3) For paragraph 16 (setting the budget during the period) substitute—

"16 If and so long as any functions of the Mayor under Schedule 6 or 7 to this Act are exercisable by the Deputy Mayor pursuant to paragraph 14 above, the Deputy Mayor shall not act as an Assembly member in relation to any functions of the Assembly under either of those Schedules.".

(4) Paragraph 18 (exercise of Deputy Mayor's functions by Chair) is amended as follows.

(5) In sub-paragraph (2)(a) (which provides for paragraphs 14 and 15 to have effect with the substitution of references to the Chair of the Assembly) after "Chair of the Assembly" insert " (but see sub-paragraph (2A) below) ".

(6) After sub-paragraph (2) insert—

"(2A) The Chair of the Assembly shall not by virtue of sub-paragraph (2)(a) above exercise any functions of the Mayor under Schedule 6 or 7 to this Act.".

Commencement Information

I16 S. 16 in force at 30.10.2007 by S.I. 2007/3107, **art. 2(b)**

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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PART 2

TRANSPORT

17 Restrictions on disposal of land: method of giving consent

(1) In section 163 of the GLA Act 1999 (restrictions on disposal of land) for subsection (6) (consent to be given by order made by statutory instrument) substitute—

"(6) Any consent under this section must be given in writing.".

(2) The amendment made by this section does not affect the continuing validity of any order made under section 163(6) of the GLA Act 1999 before the coming into force of this section.

Commencement Information
I17 S. 17 in force at 21.1.2008 by S.I. 2008/113, **art. 2(b)**

18 Membership of Transport for London: eligibility of holders of political office

(1) Schedule 10 to the GLA Act 1999 (Transport for London) is amended as follows.

(2) In paragraph 2 (membership) the following provisions shall cease to have effect—

(a) sub-paragraph (4) (holders of certain political offices to be ineligible for membership);

(b) sub-paragraph (5) (cessation of membership on becoming the holder of such an office);

(c) sub-paragraph (5A) (exception allowing up to 2 members under sub-paragraph (2A) to be members of principal councils).

Commencement Information
I18 S. 18 in force at 21.1.2008 by S.I. 2008/113, **art. 2(b)**

19 Remuneration and allowances

(1) Schedule 10 to the GLA Act 1999 (Transport for London) is amended as follows.

(2) In paragraph 2 (membership) in sub-paragraph (6) (terms and conditions of appointment, including remuneration)—

(a) after "remuneration" insert " and allowances ";

(b) at the end insert " (but this is subject to paragraph 3A below) ".

(3) After paragraph 3 (chairman and deputy chairman) insert—

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3A "**Remuneration etc not to be paid to members who are also Assembly members**

(1) Payments by way of remuneration or allowances, other than allowances in respect of travel or subsistence, shall not be made to members of Transport for London who are also Assembly members.

(2) Sub-paragraph (1) above does not prevent the payment of an allowance under paragraph 2(6) above to the chairman or deputy chairman of Transport for London in respect of that office.".

Commencement Information
I19 S. 19 in force at 21.1.2008 by S.I. 2008/113, **art. 2(b)**

PART 3

THE LONDON DEVELOPMENT AGENCY

20 Allowances

(1) In Schedule 2 to the Regional Development Agencies Act 1998 (c. 45) (constitution of the regional development agencies) paragraph 3A (remuneration and allowances not to be paid to members of the London Development Agency who are also Assembly members) is amended as follows.

(2) After sub-paragraph (1) insert—

"(1A) Sub-paragraph (1) above does not prevent the payment of an allowance under paragraph 3(1) above to the chairman or deputy chairman of the London Development Agency in respect of that office.".

Commencement Information
I20 S. 20 in force at 21.1.2008 by S.I. 2008/113, **art. 2(c)**

PART 4

HEALTH

The Health Adviser and the Deputy Health Advisers

21 The Health Adviser and the Deputy Health Advisers

(1) After section 309 of the GLA Act 1999 insert—

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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"**PART 5A**

HEALTH

The Health Adviser and the Deputy Health Advisers

309A The Health Adviser

(1) There shall be an officer to be known as the Health Adviser to the Greater London Authority ("the Health Adviser").

(2) It shall be the function of the Health Adviser to provide any person falling within subsection (3) below with advice in relation to any of the following—

(a) anything that appears to the Health Adviser to be a major health issue,

(b) the performance of any person's functions under or by virtue of this Act, so far as relating to health,

(c) the implementation of the provisions of this Act which impose duties in relation to health inequalities between persons living in Greater London (see, in particular, sections 30, 41 and 309E to 309H).

(3) The persons are—

(a) the Authority,

(b) the Mayor,

(c) any Assembly member,

(d) any functional body.

(4) The Health Adviser shall also have such other functions as may be conferred or imposed on him by or under this Act or any other Act (whenever passed).

(5) Any function exercisable by the Health Adviser is also exercisable by a Deputy Health Adviser (see section 309C) if or to the extent that the Health Adviser so authorises, whether generally or specially, and subject to any conditions imposed by the Health Adviser.

(6) Any authorisation under subsection (5) above—

(a) must be in writing, and

(b) may be varied or revoked, in writing, at any time by the Health Adviser.

309B The Health Adviser: identity and appointment

(1) The person who is the Health Adviser at any time is to be the person who at that time is in the employment of the Civil Service of the State in the post of Regional Director of Public Health for London.

(2) If there ceases to be a post in the Civil Service of the State known as Regional Director of Public Health for London, any reference in this section to that post is to be taken as a reference to that post in the Civil Service of the State which corresponds, or most closely corresponds, to that of Regional Director of Public Health for London.

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(3) If any question arises as to which one of two or more persons is to be the Health Adviser, the Secretary of State may designate one of them to be the Health Adviser.

(4) If there ceases to be any post in the Civil Service of the State which corresponds, or reasonably closely corresponds, to that of Regional Director of Public Health for London, subsection (5) below applies.

(5) In any such case, the Health Adviser is to be such person as the Secretary of State may appoint from among persons who appear to him to meet the conditions in subsection (6) below.

(6) The conditions are that the person—

(a) is in the employment of the Civil Service of the State or is employed in the National Health Service, and

(b) in either case, holds a senior post in which he has strategic responsibilities for public health throughout Greater London.

(7) If at any time a person appointed under subsection (5) above ceases to hold the post mentioned in subsection (6)(b) above, then at that time he also ceases to be the Health Adviser.

(8) Nothing in this section implies that a person who ceases to be the Health Adviser at any time may not again be the Health Adviser at any subsequent time.

(9) The functions of the Health Adviser at any time are functions of his in the course of his employment at that time in the Civil Service of the State or, as the case may be, in the National Health Service.

309C The Deputy Health Advisers

(1) There shall also be one or more officers to be known as Deputy Health Advisers to the Greater London Authority ("Deputy Health Advisers").

(2) The Secretary of State is to appoint one of the Deputy Health Advisers to exercise the functions of the Health Adviser at any time when—

(a) there is a vacancy in the position of Health Adviser, or

(b) the person who is the Health Adviser is incapable of discharging the functions of Health Adviser.

(3) Any of the Deputy Health Advisers may exercise functions of the Health Adviser at any time when he is authorised to do so by virtue of an authorisation given by the Health Adviser under subsection (5) of section 309A above.

(4) Any exercise of a function by a Deputy Health Adviser by virtue only of such an authorisation must be in accordance with the authorisation and any conditions imposed by the Health Adviser under that subsection.

(5) A Deputy Health Adviser shall also have such other functions as may be conferred or imposed on him by or under this Act or any other Act (whenever passed).

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309D Deputy Health Advisers: identity and appointment

(1) The persons who are Deputy Health Advisers at any time are to be the persons who at that time are in the employment of the Civil Service of the State in any of the posts of Deputy Regional Director of Public Health for London.

(2) If there cease to be any posts in the Civil Service of the State known as Deputy Regional Director of Public Health for London, any reference in this section to those posts is to be taken as a reference to the post or posts in the Civil Service of the State which correspond, or most closely correspond, to the posts of Deputy Regional Director of Public Health for London.

(3) If any question arises as to which of two or more persons are to be the Deputy Health Advisers, the Secretary of State may designate one or more of them to be the Deputy Health Advisers.

(4) If there cease to be any posts in the Civil Service of the State which correspond, or reasonably closely correspond, to that of Deputy Regional Director of Public Health for London, subsection (5) below applies.

(5) In any such case, the Deputy Health Advisers are to be such one or more persons as the Secretary of State may appoint from among persons who appear to him to meet the conditions in subsection (6) below.

(6) The conditions are that the person is not the Health Adviser but—

(a) is in the employment of the Civil Service of the State or is employed in the National Health Service, and

(b) in either case, holds a senior post in which he has strategic responsibilities for public health throughout Greater London.

(7) If at any time a person appointed under subsection (5) above ceases to hold the post mentioned in subsection (6)(b) above, then at that time he also ceases to be a Deputy Health Adviser.

(8) Nothing in this section implies that a person who ceases to be a Deputy Health Adviser at any time may not again be a Deputy Health Adviser at any subsequent time.

(9) The functions of a Deputy Health Adviser at any time are functions of his in the course of his employment at that time in the Civil Service of the State or, as the case may be, in the National Health Service.”.

(2) In section 424 of the GLA Act 1999 (interpretation), in subsection (1), insert each of the following definitions at the appropriate place—

““Deputy Health Adviser” is to be read in accordance with sections 309C and 309D above;”,

““Health Adviser” is to be read in accordance with sections 309A and 309B above;”.

Commencement Information

I21 S. 21 in force at 21.1.2008 by S.I. 2008/113, **art. 2(d)**

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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Reduction of health inequalities

22 The health inequalities strategy

(1) In Part 5A of the GLA Act 1999 (health) after section 309D (which is inserted by section 21 of this Act) insert—

"The health inequalities strategy

309E The Mayor's health inequalities strategy

(1) The Mayor shall prepare and publish a document to be known as the "health inequalities strategy".

(2) The strategy shall contain the Mayor's proposals and policies for promoting the reduction of health inequalities between persons living in Greater London.

(3) The proposals and policies are to be addressed to the mitigation of differences in general health determinants (see section 309F(5)).

(4) The strategy must—

(a) identify any issues that appear to the Mayor to be major health issues where there are health inequalities between persons living in Greater London,

(b) identify those inequalities,

(c) specify priorities for reducing those inequalities,

(d) describe the role to be performed by any relevant body or person for the purpose of implementing the strategy.

(5) For the purposes of this section, each of the following are relevant bodies or persons—

(a) the Authority,

(b) any functional body,

(c) any London borough council,

(d) the Common Council,

(e) the Health Adviser,

(f) any Strategic Health Authority established for an area which consists of or includes the whole or part of Greater London (see section 13 of the National Health Service Act 2006),

(g) any Primary Care Trust established for an area in Greater London (see section 18 of the National Health Service Act 2006),

(h) any National Health Service trust any or all of whose hospitals, establishments or facilities are situated in Greater London (see section 25 of the National Health Service Act 2006),

(i) any NHS foundation trust any or all of whose hospitals, establishments or facilities are situated in Greater London (see Chapter 5 of Part 2 of the National Health Service Act 2006),

and any body or person not falling within any of the preceding paragraphs which appears to the Mayor to have responsibilities in relation to Greater London, or any part of Greater London, with respect to any of the matters that are general health determinants.

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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(6) Section 309F makes provision as to the meaning of "health inequalities between persons living in Greater London" for the purposes of this Act.

(7) Section 309G contains supplementary provision with respect to the preparation and revision of the strategy.

(8) Section 309H makes provision for directions by the Secretary of State.

309F "Health inequalities between persons living in Greater London"

(1) Any reference in this Act to health inequalities between persons living in Greater London is to be read in accordance with this section.

(2) For that purpose—

(a) subsection (3) makes provision as to the meaning of "between persons living in Greater London", and

(b) subsection (4), as read with subsection (5), makes provision as to the meaning of "health inequalities".

(3) Any reference to health inequalities "between persons living in Greater London" is a reference to health inequalities between persons, or persons of different descriptions, living in, or in different parts of, Greater London.

(4) "Health inequalities" means inequalities in respect of life expectancy or general state of health which are wholly or partly a result of differences in respect of general health determinants (see subsection (5)).

(5) "General health determinants" are—

(a) standards of housing, transport services or public safety,

(b) employment prospects, earning capacity and any other matters that affect levels of prosperity,

(c) the degree of ease or difficulty with which persons have access to public services,

(d) the use, or level of use, of tobacco, alcohol or other substances, and any other matters of personal behaviour or lifestyle, that are or may be harmful to health,

and any other matters that are determinants of life expectancy or the state of health of persons generally, other than genetic or biological factors.

309G Preparation and revision of the strategy: procedural matters

(1) In preparing or revising the health inequalities strategy the Mayor shall have regard to any guidance given to him by the Secretary of State about the matters which he is to take into account.

(2) It shall be the duty of the Mayor and the Health Adviser to collaborate and co-operate with each other—

(a) generally, for the purposes of the preparation or any revision of the health inequalities strategy, and

(b) in particular, for the purpose of ascertaining the issues that are to be identified in the strategy pursuant to section 309E(4)(a) above.

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(3) For the purpose of discharging the duty imposed on each of them by subsection (2) above, the Mayor and the Health Adviser shall each provide to the other such information as may reasonably be required by the other.

(4) In preparing or revising the strategy, the Mayor must consult such of the relevant bodies or persons (within the meaning given by section 309E(5) above), except the Authority and any functional body, as appear to him to be likely to be affected by the strategy.

This subsection is without prejudice to section 42(1) above (further duties of Mayor as to consultation).

(5) The consultation required by subsection (4) above is consultation about—

(a) the matters to be included, and

(b) the issues to be taken into account.

(6) Where the Mayor revises the health inequalities strategy, he shall publish it as revised.

(7) References in this Act to the health inequalities strategy include a reference to the health inequalities strategy as revised, except where the context otherwise requires.

309H Directions by the Secretary of State

(1) Where the Secretary of State considers that—

(a) the health inequalities strategy (or any part of it) is inconsistent with any national policies of any description, and

(b) the inconsistency would have a detrimental effect on achieving any or all of the objectives of those policies,

he may direct the Mayor to make such revisions of the strategy in order to remove the inconsistency as may be specified in the direction.

(2) Where the Secretary of State gives the Mayor a direction under subsection (1) above, the Mayor shall revise the health inequalities strategy in accordance with the direction.

(3) The Secretary of State must consult the Mayor before giving him a direction under this section.

(4) Apart from subsection (1) (Mayor to have regard to guidance), nothing in section 309G above applies in relation to a revision of the health inequalities strategy in accordance with a direction under this section.".

(2) In section 424 of the GLA Act 1999 (interpretation) insert each of the following definitions at the appropriate place in subsection (1)—

""general health determinants" has the meaning given in section 309F above;";

""health inequalities between persons living in Greater London" is to be read in accordance with section 309F above;".

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Greater London Authority Act 2007 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)*

Commencement Information

I22 S. 22 in force at 21.1.2008 by S.I. 2008/113, **art. 2(d)**

23 The general power of the Authority: duty to have regard

(1) Section 30 of the GLA Act 1999 (the general power of the Authority) is amended as follows.

(2) In subsection (4) (exercise of powers: duty to have regard to effect on health of persons in Greater London etc)—

(a) in the opening words, after "would have on" insert " each of the following ";

(b) for the word "and" at the end of paragraph (a) substitute the following paragraph—

"(aa) health inequalities between persons living in Greater London;".

(3) In subsection (5) (duty to exercise powers in ways best calculated to achieve certain objectives)—

(a) for the word "and" at the end of paragraph (a) substitute the following paragraph—

"(aa) to promote the reduction of health inequalities between persons living in Greater London, and";

(b) in the closing words (exception where action needed by virtue of paragraph (a) or (b) is not reasonably practicable) after "paragraph (a)" insert " , (aa) ".

(4) After subsection (6) insert—

"(6A) In subsection (5)(aa) above, the reference to promoting the reduction of health inequalities includes a reference to mitigating any increase in health inequalities which would otherwise be occasioned by the exercise of the power.".

Commencement Information

I23 S. 23 in force at 21.1.2008 by S.I. 2008/113, **art. 2(d)**

24 General duties of the Mayor with respect to his strategies

(1) Section 41 of the GLA Act 1999 (general duties of the Mayor with respect to his strategies) is amended as follows.

(2) In subsection (1) (the strategies to which the section applies) after paragraph (b) insert—

"(bb) the health inequalities strategy prepared and published under section 309E below,".

(3) In subsection (4) (duty to have regard to certain matters in preparing strategies) in paragraph (b)—

(a) after "would have on" insert " each of the following ";

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(b) for the word "and" at the end of sub-paragraph (i) substitute the following sub-paragraph—

"(ia) health inequalities between persons living in Greater London;".

(4) In subsection (7) (duty to include policies and proposals best calculated to achieve certain objectives)—

(a) for the word "and" at the end of paragraph (a) substitute the following paragraph—

"(aa) to promote the reduction of health inequalities between persons living in Greater London, and";

(b) in the closing words (exception where action needed by virtue of paragraph (a) or (b) is not reasonably practicable) after "paragraph (a)" insert " , (aa) ".

(5) After subsection (8) insert—

"(8A) In subsection (7)(aa) above, the reference to promoting the reduction of health inequalities includes a reference to mitigating any increase in health inequalities which would otherwise be occasioned by the strategy or revision.".

Commencement Information

I24 S. 24 in force at 21.1.2008 by S.I. 2008/113, **art. 2(d)**

PART 5

THE LONDON FIRE AND EMERGENCY PLANNING AUTHORITY

25 Membership

(1) In Schedule 28 to the GLA Act 1999 (the London Fire and Emergency Planning Authority) paragraph 1 (membership) is amended as follows.

(2) In sub-paragraph (1) (membership of seventeen, made up as there described)—

(a) in paragraph (a) (the nine Assembly representatives) for "nine" substitute " 8 ",

(b) for the words from "and" at the end of paragraph (a) to "the remainder" in paragraph (b) (the eight borough representatives) substitute—

"(b) 7",

(c) after paragraph (b) insert ",

(c) 2 ("the Mayoral representatives") shall be persons appointed by the Mayor on his own nomination",

(d) in consequence, in the opening words of the sub-paragraph, "seventeen" accordingly becomes " 17 ".

(3) In sub-paragraph (2) (appointments under sub-paragraph (1)(a) to reflect balance of parties in the Assembly)—

(a) for "sub-paragraph (1)(a)" substitute " paragraph (a) of sub-paragraph (1) ",

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(b) after "for whose appointment he is responsible" insert " under that paragraph ".

(4) In paragraph 8 of that Schedule (filling of vacancies) after sub-paragraph (3) insert—

"(4) Where a Mayoral representative ceases to be a member of the Fire etc Authority, the Mayor shall, as soon as reasonably practicable after the occurrence of the vacancy, exercise his power under sub-paragraph 1(1)(c) above to fill the vacancy.".

Commencement Information
I25 S. 25 in force at 21.1.2008 by S.I. 2008/113, **art. 2(e)**

26 Allowances

(1) In Schedule 28 to the GLA Act 1999 (the London Fire and Emergency Planning Authority) paragraph 4 (allowances not to be paid to members who are also Assembly members) is amended as follows.

(2) After sub-paragraph (2) insert—

"(3) Sub-paragraph (1) above does not prevent the payment of an allowance to a member of the Fire etc Authority if he is the chairman or vice-chairman of the Fire etc Authority and the allowance is in respect of that office.".

Commencement Information
I26 S. 26 in force at 21.1.2008 by S.I. 2008/113, **art. 2(e)**

27 Directions etc by the Mayor

After section 328 of the GLA Act 1999 (reconstitution of the Fire etc Authority) insert—

"**328A Directions etc by the Mayor**

(1) The Mayor may issue to the Fire etc Authority any of the following—
(a) guidance as to the manner in which it is to exercise its functions,
(b) general directions as to the manner in which it is to exercise its functions,
(c) specific directions as to the exercise of its functions.

(2) Directions issued by the Mayor under subsection (1)(c) above may include a direction not to exercise a power specified in the direction.

(3) The guidance or directions which may be issued by the Mayor under subsection (1) above include guidance or directions as to the manner in which the Fire etc Authority—
(a) is to perform any of its duties, or
(b) is to conduct any legal proceedings.

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(4) The Mayor must send to the chief officer of the Fire etc Authority a copy of any guidance or directions issued under subsection (1) above.

(5) In exercising any power conferred by this section, the Mayor must have regard to each of the following—

(a) the Fire and Rescue National Framework (see subsection (6)),

(b) fire safety enforcement guidance (see subsection (6)).

See also section 328B below (directions to the Mayor by the Secretary of State).

(6) In this section—

"the Fire and Rescue National Framework" means the Fire and Rescue National Framework, prepared under section 21 of the Fire and Rescue Services Act 2004;

"fire safety enforcement guidance" means guidance under article 26 (enforcement) of the Regulatory Reform (Fire Safety) Order 2005 given by the Secretary of State to the Fire etc Authority in its capacity as an enforcing authority for the purposes of that Order.

328B Directions to the Mayor by the Secretary of State

(1) This section applies if the Secretary of State considers that any guidance or directions ("the inconsistent guidance or directions") issued under section 328A above by the Mayor are inconsistent with—

(a) the Fire and Rescue National Framework, or

(b) fire safety enforcement guidance.

(2) In order to remove the inconsistency, the Secretary of State may direct the Mayor—

(a) to make such revisions of the inconsistent guidance or directions as may be specified by the Secretary of State in the direction, or

(b) if the inconsistency arises from a specific direction under section 328A(1)(c) above, to revoke the direction.

(3) Any direction given by the Secretary of State under subsection (2) above must specify or otherwise identify the inconsistency in question.

(4) The Mayor must comply with any direction under subsection (2) above.

(5) In this section—

"the Fire and Rescue National Framework" has the same meaning as in section 328A above;

"fire safety enforcement guidance" has the same meaning as in section 328A above.".

Commencement Information

I27 S. 27 in force at 21.1.2008 by S.I. 2008/113, **art. 2(e)**

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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PART 6

HOUSING

28 The London housing strategy

(1) Section 41 of the GLA Act 1999 (general duties of the Mayor in relation to his strategies) is amended as follows.

(2) In subsection (1) (the strategies to which the section applies) after paragraph (bb) (inserted by section 24(2) above) insert—

"(bc) the London housing strategy prepared and published under section 333A below,".

(3) In subsection (9) (targets for implementation of strategies) after "any strategy mentioned in subsection (1) above" insert " , except the London housing strategy, ".

(4) After section 333 of that Act (miscellaneous powers and duties relating to Part 7) insert—

"**PART 7A**

HOUSING

333A The London housing strategy

(1) The Mayor shall prepare and (subject to section 333B(1) below) publish a document to be known as the "London housing strategy".

(2) The London housing strategy shall contain—

(a) the Mayor's assessment of housing conditions in Greater London and of the needs of Greater London with respect to the provision of further housing accommodation;

(b) any proposals or policies of the Mayor to promote the improvement of those conditions and the meeting of those needs;

(c) a statement of the measures which other persons or bodies are to be encouraged by the Mayor to take for the purpose of improving those conditions and meeting those needs;

(d) a statement of the Mayor's spending recommendations for the relevant period.

(3) The Mayor's spending recommendations for any period are—

(a) a recommendation to the Secretary of State as to how much of the money allocated by him during the relevant period for housing in Greater London should be made available to the Housing Corporation for the purpose of making housing grant;

(b) recommendations to the Housing Corporation as to how it should exercise its functions of making housing grant (see subsection (4) below), so far as relating to Greater London (and see also section 333D(1) (duty of Housing Corporation to have regard to the recommendations));

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(c) a recommendation to the Secretary of State as to how much of the money allocated by him during the relevant period for housing in Greater London should be granted to each local housing authority in Greater London.

(4) Recommendations under subsection (3)(b) above may include—

(a) recommendations as to the amount of grant which should be made for the different activities or purposes in respect of which grant may be payable;

(b) recommendations as to the number, type and location of houses which should be provided by means of grant.

(5) The London housing strategy shall contain a statement of the Mayor's expectations as to how local housing authorities will use any money granted to them as mentioned in subsection (3)(c) above.

(6) The London housing strategy shall also contain such other matters relating to housing in Greater London as the Secretary of State may direct.

(7) In preparing or revising the London housing strategy the Mayor shall have regard to—

(a) the effect of his proposals and policies on any region which adjoins Greater London;

(b) any guidance given to him by the Secretary of State regarding the preparation or revision of the strategy.

(8) In preparing or revising the London housing strategy the Mayor shall consult—

(a) the Housing Corporation;

(b) such bodies as appear to him to be representative of registered social landlords.

(9) Where the Mayor revises the London housing strategy, he shall (subject to section 333B(1) below) publish it as revised.

(10) In this section—

"housing accommodation" and "house" are to be construed in accordance with section 56 of the Housing Act 1985;

"housing grant" means grant under section 18 or 27A of the Housing Act 1996;

"local housing authority" has the same meaning as in section 1 of the Housing Act 1985;

"region" has the same meaning as in section 1 of the Regional Development Agencies Act 1998;

"registered social landlord" has the same meaning as in Part 1 of the Housing Act 1996;

"the relevant period" means such period as is specified by the Secretary of State in guidance under subsection (7)(b) above;

and the reference in subsection (4)(b) above to providing houses by means of housing grant is to be construed in accordance with section 63(2) of the Housing Act 1996.

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(11) In this Act, references to the London housing strategy include, except where the context otherwise requires, a reference to the London housing strategy as revised.

333B Submission of draft strategy to Secretary of State before publication

(1) The Mayor shall not publish the London housing strategy under section 333A(1) or (9) above until—

(a) he has submitted to the Secretary of State a draft of the strategy he intends to publish together with a statement of that intention, and

(b) the condition in subsection (2) is met.

(2) The condition is that—

(a) the consideration period has expired without the Secretary of State giving a direction under subsection (4) below, or

(b) the Secretary of State has given such a direction and the Mayor has complied with it.

(3) If the Secretary of State considers that—

(a) the draft strategy is inconsistent with current national policies relating to housing, or

(b) the implementation of the draft strategy would be detrimental to the interests of a region (within the meaning of section 333A above) which adjoins Greater London,

subsection (4) below applies.

(4) If, in any such case, the Secretary of State considers it expedient to do so for the purpose of—

(a) removing the inconsistency mentioned in subsection (3)(a) above, or

(b) avoiding the detriment mentioned in subsection (3)(b) above,

he may direct the Mayor to make such modifications to the draft as are specified in the direction.

(5) If the Secretary of State gives a direction under this section, the Mayor must make the modifications specified in the direction.

(6) The Secretary of State must consult the Mayor before giving him a direction under this section.

(7) The consideration period is—

(a) the period of 6 weeks beginning with the date notified to the Mayor by the Secretary of State as the date on which he received the draft strategy and statement of intention to publish it, or

(b) such longer period beginning with that date as the Secretary of State may specify in any particular case.

333C Reviews of the strategy

(1) If the Secretary of State so directs, the Mayor shall, within such time as the Secretary of State may specify in the direction,—

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(a) review the London housing strategy or such part of it as may be specified in the direction, and

(b) make such revisions of the strategy or that part as he considers necessary in consequence of the review.

(2) The Secretary of State must consult the Mayor before giving him a direction under this section.

(3) Subsection (1) does not affect section 41(2) above.

333D Duties of Housing Corporation and local authorities

(1) In exercising any function under—

(a) section 18 of the Housing Act 1996 (social housing grants), or

(b) section 27A of that Act (grants to bodies other than registered social landlords),

the Housing Corporation shall have regard to the London housing strategy.

(2) Any local housing strategy prepared by a local housing authority in Greater London must be in general conformity with the London housing strategy.

(3) In subsection (2)—

"local housing strategy" means—

(a) any strategy required to be produced under section 87 of the Local Government Act 2003;

(b) any other statement of the local housing authority's policies or proposals relating to housing;

"local housing authority" has the same meaning as in section 333A above.".

(5) If the Secretary of State so directs, the Mayor must submit the draft London housing strategy to the Secretary of State pursuant to section 333B(1) by such date as is specified in the direction.

(6) The Secretary of State must consult the Mayor before giving him a direction under subsection (5).

PART 7

PLANNING

The Mayor's spatial development strategy

29 Duties in relation to consultation

(1) Section 335 of the GLA Act 1999 (the Mayor's spatial development strategy: consultation) is amended as follows.

(2) After subsection (1) (duty to consult the Assembly and the functional bodies about his proposals) insert—

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"(1A) The Mayor must have regard to any comments submitted to him in response by the Assembly or any of the functional bodies.

(1B) The Mayor must prepare, and submit to the Chair of the Assembly, a written statement—

(a) identifying which of the comments submitted by the Assembly are accepted by the Mayor for implementation in the strategy, and

(b) setting out the reasons why any comments so submitted are not so accepted.".

(3) In subsection (2) after "After the consultation required by subsection (1)(c) above" insert " (and the submission of any statement required by subsection (1B) above) ".

Commencement Information

I28 S. 29 in force at 21.1.2008 by S.I. 2008/113, **art. 2(f)**

VALID FROM 27/06/2008

Local development schemes

30 Local development schemes

(1) Section 15 of PCPA 2004 (local development schemes) is amended as follows.

(2) In paragraph (c) of subsection (3) (duty to send copy to RPB or Mayor of London) for the words from "or" to the end of the paragraph substitute " (unless the authority are a London borough) ".

(3) In subsection (3), after paragraph (c) (duty to submit scheme to Secretary of State) insert ";

(d) if the authority are a London borough, submit the scheme to the Mayor of London at such time as is prescribed or as the Mayor of London (in a particular case) directs.".

(4) In subsection (4) (power of Secretary of State to direct amendments to scheme) after "The Secretary of State" insert " or the Mayor of London ".

(5) After subsection (4) insert—

"(4A) The Mayor of London—

(a) may give a direction under subsection (4) only if the local planning authority are a London borough, and

(b) in considering whether to give such a direction, and which amendments to include in the direction, must have regard to any guidance issued by the Secretary of State.".

(6) In subsection (5) (direction to contain reasons)—

(a) for "Such a direction" substitute " A direction under subsection (4) ",

(b) after "the Secretary of State's" insert " , or (as the case may be) the Mayor of London's, ".

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(7) In subsection (6) (local planning authority to comply with direction) at the end insert — " In the case of a direction given by the Mayor of London, this subsection is subject to subsections (6A) to (6E). ".

(8) After subsection (6) insert—

"(6A) If at any time the Mayor of London gives a direction under subsection (4)—

(a) he must at that time send a copy of the direction to the Secretary of State, and

(b) the scheme is not to be brought into effect until such time as may be prescribed.

(6B) The Secretary of State may, within such time as may be prescribed, direct the local planning authority—

(a) to disregard a direction given under subsection (4) by the Mayor of London, or

(b) to give effect to the direction with such modifications as may be specified in the Secretary of State's direction.

(6C) Such a direction must contain the Secretary of State's reasons for giving it.

(6D) If at any time the Secretary of State gives a direction under subsection (6B), the Secretary of State must at that time send a copy of the direction to the Mayor of London.

(6E) The local planning authority must comply with any direction given by the Secretary of State under subsection (6B).".

(9) In subsection (8)—

(a) in paragraph (b) (duty of authority to revise scheme when directed by Secretary of State) after "the Secretary of State" insert " or the Mayor of London ";

(b) at the end of the subsection insert— " In the case of a direction given by the Mayor of London, paragraph (b) is subject to subsections (8B) to (8F). ".

(10) After subsection (8) insert—

"(8A) The Mayor of London—

(a) may give a direction under subsection (8) only if the local planning authority are a London borough, and

(b) in considering whether to give such a direction, must have regard to any guidance issued by the Secretary of State.

(8B) If at any time the Mayor of London gives a direction under subsection (8)(b)—

(a) he must at that time send a copy of the direction to the Secretary of State, and

(b) the scheme is not to be revised until such time as may be prescribed.

(8C) The Secretary of State may, within such time as may be prescribed, direct the local planning authority to disregard a direction given under subsection (8)(b) by the Mayor of London.

(8D) Such a direction must contain the Secretary of State's reasons for giving it.

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(8E) If at any time the Secretary of State gives a direction under subsection (8C), the Secretary of State must at that time send a copy of the direction to the Mayor of London.

(8F) The local planning authority must comply with any direction given by the Secretary of State under subsection (8C).".

(11) After subsection (9) insert—

"(10) Section 38(1) of the Greater London Authority Act 1999 (delegation of functions by the Mayor) does not apply to the Mayor of London's functions under this section of giving a direction.".

Development control

31 Mayor to determine certain applications for planning permission

(1) In section 1 of TCPA 1990 (local planning authorities: general) in subsection (2) (which provides that the council of a London borough is the local planning authority for the borough) at the end insert— " But, in the case of a London borough, see also sections 2A to 2E (Mayor of London). ".

(2) After section 2 of TCPA 1990 (joint planning boards) insert—

"**2A The Mayor of London: applications of potential strategic importance**

(1) Where an application to which this section applies is made to a local planning authority—

(a) for planning permission (see section 70), or

(b) for planning permission without complying with conditions subject to which a previous planning permission was granted (see section 73),

the Mayor of London may direct that he is to be the local planning authority for the purposes of determining the application.

(2) The circumstances in which, and the conditions subject to which, the Mayor may give a direction under subsection (1) may be prescribed by, or by directions given under, an order under this section.

(3) This section applies to an application if—

(a) the land to which the application relates is in Greater London (but is not in an area of Greater London prescribed by an order under this section), and

(b) the application is an application of potential strategic importance.

(4) For the purposes of this section "application of potential strategic importance" is to be construed in accordance with an order under this section.

(5) So far as the context requires, in relation to—

(a) the determination of an application by virtue of this section, or

(b) the determination of a connected application by virtue of section 2B,

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any reference in an enactment to a local planning authority or a hazardous substances authority includes a reference to the Mayor of London.

This subsection is subject to any provision made by an order under this section by virtue of section 2D(2).

(6) An order under this section—

(a) may make different provision for different cases or different areas, and

(b) may make provision for exceptions or exclusions.

(7) Sections 2B to 2D and 2F contain provisions supplementing this section.

2B Section 2A: supplementary provisions

(1) In deciding whether to give a direction under section 2A, the Mayor of London is to have regard to guidance issued by the Secretary of State.

(2) A direction under section 2A must include the Mayor of London's reasons for giving it.

(3) If the Mayor of London gives a direction under section 2A, he must at that time send a copy of the direction to the applicant and to the Secretary of State.

(4) Subsection (5) applies where the Mayor of London—

(a) gives a direction under section 2A in the case of any application, and

(b) considers that an application falling within subsection (6) (the "connected application") is connected with that application.

(5) Where this subsection applies, the Mayor of London is to be—

(a) the local planning authority for the purposes of determining the connected application (in the case of an application falling within subsection (6)(a) or (b)), or

(b) the hazardous substances authority for the purposes of determining the connected application (in the case of an application falling within subsection (6)(c)).

(6) The applications are—

(a) an application for listed building consent under the Planning (Listed Buildings and Conservation Areas) Act 1990,

(b) an application for conservation area consent under that Act,

(c) an application for hazardous substances consent under the Planning (Hazardous Substances) Act 1990.

(7) In subsection (6)—

(a) the reference to an application for listed building consent includes a reference to an application for the variation or discharge of conditions subject to which listed building consent has been granted, and

(b) the reference to an application for hazardous substances consent includes a reference to an application for hazardous substances consent without a condition subject to which a previous hazardous substances consent was granted.

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(8) Section 38(1) of the Greater London Authority Act 1999 (delegation of functions by the Mayor) does not apply to—

(a) the function of giving a direction under section 2A(1),

(b) the function of determining an application by virtue of section 2A or this section.

2C Matters reserved for subsequent approval

(1) If the Mayor of London has—

(a) given a direction under section 2A in relation to an application ("the original application"), and

(b) granted outline planning permission,

he may, on an application for subsequent approval of reserved matters, direct that the application is to be decided by the local planning authority to whom the original application was made.

(2) "Outline planning permission" has the meaning given by section 92(1).

(3) If the Mayor of London has—

(a) granted an application for listed building consent which is a connected application for the purposes of section 2B, and

(b) imposed conditions requiring specified details to be approved subsequently,

he may, on an application for subsequent approval, direct that the application is to be decided by the local planning authority to whom the connected application was made.

2D Further provision about orders under section 2A

(1) An order under section 2A may make provision—

(a) in relation to applications to which section 2A applies,

(b) in relation to applications which are connected applications by virtue of section 2B,

(c) in relation to the procedures to be followed for or in connection with applications mentioned in paragraph (a) or (b),

(d) otherwise for the purpose of implementing or supplementing section 2A, 2B or 2C.

(2) The provision which may be made by virtue of subsection (1) includes the application of any enactment (with or without modification) in relation to cases where, by virtue of section 2A or 2B or an order under section 2A, the Mayor of London exercises a function that would otherwise have been exercisable by another body or person.

(3) Such provision may include, in particular, provision for the Mayor of London to exercise functions in relation to enforcement (instead of, or as well as, a local planning authority).".

(3) In section 333 of TCPA 1990 (regulations and orders)—

(a) in subsection (4) after "sections 2," insert " 2A, 2F, ",

(b) in subsection (5)(b) after "section" insert " 2A, 2F, ".

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Greater London Authority Act 2007 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)*

(4) In section 1 of the Planning (Hazardous Substances) Act 1990 (c. 10) (hazardous substances authorities: general) at the end insert— " But, in the case of a London borough, see also section 2B(5) of the principal Act (Mayor of London to be the hazardous substances authority in certain circumstances). ".

Commencement Information
I29 S. 31 in force at 6.4.2008 by S.I. 2008/582, **art. 2(a)**

32 Planning obligations

After section 2D of TCPA 1990 insert—

"**2E Section 2A and planning obligations under section 106**

(1) This section applies where the Mayor of London has given a direction under section 2A in relation to a planning application.

(2) Where this section applies, the function of agreeing a planning obligation related to the application is a function of the Mayor of London instead of a function of the local planning authority.

(3) In this section "planning obligation" means a planning obligation under section 106.

(4) The Mayor of London must consult the local planning authority before agreeing any planning obligation by virtue of this section.

(5) Any planning obligation entered into in relation to the application—
(a) is enforceable by the Mayor of London, and
(b) is also enforceable by the local planning authority.".

Commencement Information
I30 S. 32 in force at 6.4.2008 by S.I. 2008/582, **art. 2(a)**

33 Amendments of section 106 of TCPA

(1) Section 106 of TCPA 1990 (planning obligations) is amended as follows.

(2) In subsection (1)(d) (payment of sums to authority) after "authority" insert " (or, in a case where section 2E applies, to the Greater London Authority) ".

(3) In subsection (9), at the end of paragraph (d) (instrument to identify local planning authority by whom obligation enforceable) insert " and, in a case where section 2E applies, identifies the Mayor of London as an authority by whom the obligation is also enforceable ".

(4) In subsection (10) (copy to be given to authority) for "authority so identified" substitute " local planning authority so identified and, in a case where section 2E applies, to the Mayor of London ".

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(5) In subsection (12)(b) (charging on land of expenses recoverable by local planning authority etc) after "a local planning authority" insert " or the Mayor of London ".

Commencement Information
I31 S. 33 in force at 6.4.2008 by S.I. 2008/582, **art. 2(a)**

34 Planning obligations: further provision

(1) Section 106A of TCPA 1990 (modification and discharge of planning obligations) is amended as follows.

(2) In subsection (1)(a) for "the authority by whom the obligation is enforceable" substitute " the appropriate authority (see subsection (11)) ".

(3) In subsection (3) for "the local planning authority by whom the obligation is enforceable" substitute " the appropriate authority ".

(4) At the end of the section insert—

"(11) In this section "the appropriate authority" means—

(a) the Mayor of London, in the case of any planning obligation enforceable by him;

(b) in the case of any other planning obligation, the local planning authority by whom it is enforceable.

(12) The Mayor of London must consult the local planning authority before exercising any function under this section.".

(5) Section 106B of TCPA 1990 (appeals) is amended as follows.

(6) In subsection (1), for "a local planning authority" substitute " an authority ".

(7) At the end of the section insert—

"(8) In the application of Schedule 6 to an appeal under this section in a case where the authority mentioned in subsection (1) is the Mayor of London, references in that Schedule to the local planning authority are references to the Mayor of London.".

Commencement Information
I32 S. 34 in force at 6.4.2008 by S.I. 2008/582, **art. 2(a)**

35 Representation hearings

After section 2E of TCPA 1990 (which is inserted by section 32 of this Act) insert—

"**2F Representation hearings**

(1) This section applies to—

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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(a) an application in relation to which a direction has been given under section 2A, and

(b) an application which is a connected application for the purposes of section 2B.

(2) Before determining an application to which this section applies, the Mayor of London must give—

(a) the applicant, and

(b) the local planning authority to whom the application was made,

an opportunity to make oral representations at a hearing ("a representation hearing").

(3) The Mayor of London must prepare and publish a document setting out—

(a) the persons, in addition to the applicant and the local planning authority, who may make oral representations at a representation hearing,

(b) the procedures to be followed at a representation hearing,

(c) arrangements for identifying information which must be agreed by persons making oral representations at a representation hearing.

(4) Each person who may make oral representations at a representation hearing must be given at least 14 days' notice of the hearing.

(5) The Secretary of State must by order make provision for Part 5A of the Local Government Act 1972 (public admission to meetings of principal councils, public access to documents, etc) to apply to—

(a) a representation hearing as it applies to a meeting of a principal council, and

(b) the Mayor of London in the conduct of a representation hearing as it applies to a principal council in the conduct of a meeting of that council.

(6) The application of Part 5A may be with such modifications as the Secretary of State considers necessary or expedient.".

Commencement Information
I33 S. 35 in force at 6.4.2008 by S.I. 2008/582, **art. 2(a)**

36 Planning contribution under section 46 of PCPA 2004

In section 46 of PCPA 2004 (planning contribution), after subsection (7) insert—

"(8) The regulations may include provision for the making of a planning contribution in circumstances where the Mayor of London is the local planning authority by virtue of a direction given under section 2A of the principal Act (applications of potential strategic importance).".

Commencement Information
I34 S. 36 in force at 6.4.2008 by S.I. 2008/582, **art. 2(a)**

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
***Changes to legislation:** Greater London Authority Act 2007 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)*

PART 8

ENVIRONMENTAL FUNCTIONS

Waste

37 Duties of waste collection authorities etc

(1) Section 355 of the GLA Act 1999 (duty of waste collection or disposal authorities in Greater London to have regard to the municipal waste management strategy in exercising functions under Part 2 of the Environmental Protection Act 1990) is amended as follows.

(2) At the beginning insert " (1) ".

(3) For "have regard to" substitute " act in general conformity with ".

(4) At the end insert—

"(2) Subsection (1) above has effect only to the extent that compliance by an authority with the requirements of that subsection does not impose excessive additional costs on the authority.".

(5) After subsection (2) insert—

"(3) For the purposes of this section, the Secretary of State may issue guidance for determining what is to be regarded as—

(a) acting in general conformity with the municipal waste management strategy, or

(b) imposing excessive additional costs on an authority.

(4) In discharging the duties imposed upon it by subsection (1) above (as read with subsection (2) above), an authority must act in accordance with any guidance issued under subsection (3) above.

(5) Any guidance issued under subsection (3) above shall be published by the Secretary of State in such manner as he considers appropriate.

(6) Nothing in this section, or in any guidance issued under it, requires an authority—

(a) to terminate a waste contract before the expiry of the term of the contract, or

(b) to do anything which would result in a breach of any term of a waste contract.

(7) In any case where—

(a) an authority is required to comply with the public procurement regulations in the awarding of a waste contract,

(b) in compliance with those regulations the authority sends the second information notice relating to the awarding of that contract to the Official Journal of the European Union, and

(c) after the authority sends that notice, the Mayor revises the municipal waste management strategy,

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this section, and any guidance issued under it, are to have effect in relation to the awarding of that contract as if the revision of the strategy had not been made.".

(6) An authority is not required by virtue of any of the amendments made by this section to exercise a function in relation to the awarding of a waste contract if—

(a) the authority is required to comply with the public procurement regulations in awarding the contract, and

(b) before subsection (3) comes into force, the authority in compliance with those regulations has sent the second information notice relating to the awarding of that contract to the Official Journal of the European Union.

Commencement Information

I35 S. 37 in force at 21.1.2008 by S.I. 2008/113, **art. 2(g)**

VALID FROM 24/07/2008

38 London Waste and Recycling Board

(1) After section 356 of the GLA Act 1999 (directions by the Mayor) insert—

"**356A London Waste and Recycling Board**

(1) There shall be a body known as the London Waste and Recycling Board (referred to in this section and section 356B as "the Board").

(2) The objectives of the Board are to promote and encourage, so far as relating to Greater London,—

(a) the production of less waste;

(b) an increase in the proportion of waste that is re-used or recycled;

(c) the use of methods of collection, treatment and disposal of waste which are more beneficial to the environment.

(3) For the purpose of achieving its objectives, the Board may provide financial assistance to any person towards or for the purposes of—

(a) the provision of facilities for or in connection with the collection, treatment or disposal of waste produced in Greater London;

(b) conducting research into new technologies or techniques for the collection, treatment or disposal of waste;

(c) securing, or assisting in securing, the performance of any function of a London borough council or the Common Council relating to waste.

(4) For the purpose of achieving its objectives, the Board may provide advice on such matters as it thinks fit to any of the following—

(a) the Mayor;

(b) any London borough council;

(c) the Common Council;

(d) such other persons as the Board thinks fit.

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(5) In carrying out its functions under this section, the Board must—

(a) act in accordance with the municipal waste management strategy;

(b) act in general conformity with the spatial development strategy so far as relating to the collection, treatment and disposal of waste.

(6) The Board may do anything that it thinks will facilitate, or is incidental or conducive to, the carrying out of its functions under subsections (2) to (4) above.

(7) The Board does not have the power to borrow money.

(8) The Secretary of State may issue to the Board guidance as to the exercise of its functions.

(9) The Board shall have regard to any guidance issued under subsection (8) above.

(10) Any reference in this section to the collection, treatment or disposal of waste includes a reference to the transport of waste for or in connection with that purpose.

356B Supplemental provision concerning the Board

(1) The Secretary of State may by order make provision as to—

(a) the constitution of the Board;

(b) the appointment of its members (who must not be fewer than 7 nor more than 13 in number);

(c) the payment of allowances and expenses to its members;

and such other matters in connection with its establishment and administration as the Secretary of State thinks fit.

(2) The Board shall not be regarded—

(a) as the servant or agent of the Crown, or

(b) as enjoying any status, privilege or immunity of the Crown,

and the property of the Board shall not be regarded as property of, or property held on behalf of, the Crown.

(3) The Secretary of State may make payments by way of grant to the Board towards expenditure incurred or to be incurred by it.

(4) The amount of any grant and the manner of its payment are to be such as the Secretary of State may determine.

(5) Any grant may be paid on such conditions as the Secretary of State may determine.

(6) Conditions under subsection (5) above may, in particular, include—

(a) provision as to the use of the grant;

(b) provision as to circumstances in which the whole or part of the grant must be repaid.”.

(2) In section 420(3) of that Act (orders subject to affirmative procedure)—

(a) after “an order under” insert “ any of the following provisions ”;

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(b) for the word "or" at the end of paragraph (c) substitute—

"(cc) section 356B(1) above,".

39 Information about waste contracts

(1) Section 358 of the GLA Act 1999 (information about new waste contracts) is amended as follows.

(2) For subsection (1) substitute—

"(1) If, in the awarding of a waste contract, a waste authority in compliance with the public procurement regulations is required—

(a) to send to the European Commission a first information notice relating to the awarding of the contract, or

(b) to publish such a notice on the authority's buyer profile,

subsection (1A) below applies.

(1A) The authority shall not send or publish that notice unless—

(a) it has notified the Mayor that it proposes to send or publish such a notice, and

(b) a period of at least 56 days beginning with the day on which the Mayor is so notified has elapsed.".

(3) After subsection (1A) insert—

"(1B) If, in the awarding of a waste contract, a waste authority in compliance with the public procurement regulations—

(a) is not required to send or publish a first information notice, but

(b) is required to send to the Official Journal of the European Union a second information notice relating to the awarding of the contract,

subsection (1C) below applies.

(1C) The authority shall not send that notice unless—

(a) it has notified the Mayor that it proposes to send such a notice, and

(b) a period of at least 108 days beginning with the day on which the Mayor is so notified has elapsed.".

(4) In subsection (3) for "subsection (1)" substitute " subsection (1A), (1C) ".

(5) In section 356(3) of that Act (directions by Mayor) for "Official Journal of the European Communities" substitute " Official Journal of the European Union ".

(6) Section 360 of that Act (interpretation) is amended as follows.

(7) In subsection (2) insert at the appropriate place—

""buyer profile" has the same meaning as in the public procurement regulations,".

(8) In subsection (3)(a) and (b) for "the Official Journal of the European Union" substitute " the European Commission ".

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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Commencement Information

I36 S. 39 in force at 21.1.2008 by S.I. 2008/113, **art. 2(h)**

Climate change and energy

40 The general power of the Authority: duty to have regard

(1) Section 30 of the GLA Act 1999 (the general power of the Authority) is amended as follows.

(2) In subsection (4) (exercise of powers: duty to have regard to effect on certain matters) after paragraph (b) insert—

"(c) climate change, and the consequences of climate change.".

(3) In subsection (5) (duty to exercise powers in ways best calculated to achieve certain objectives)—

(a) at the end of paragraph (b) insert ", and

(c) to contribute towards the mitigation of, or adaptation to, climate change, in the United Kingdom,";

(b) in the closing words (exception where action needed by virtue of paragraph (a) or (b) is not reasonably practicable) for "or (b)" substitute " , (b) or (c) ".

(4) After subsection (10) insert—

"(11) In this section—

(a) "climate change" has the same meaning as in section 361A below, and

(b) in relation to climate change, "adaptation", "consequences" and "mitigation" have the same meaning as in that section.".

Commencement Information

I37 S. 40 in force at 21.1.2008 by S.I. 2008/113, **art. 2(i)**

41 General duties of the Mayor with respect to his strategies

(1) Section 41 of the GLA Act 1999 (general duties of the Mayor with respect to his strategies) is amended as follows.

(2) In subsection (4) (duty to have regard to certain matters in preparing strategies) for the word "and" at the end of paragraph (b)(ii) substitute—

"(iii) climate change, and the consequences of climate change; and".

(3) In subsection (7) (duty to include policies and proposals best calculated to achieve certain objectives)—

(a) at the end of paragraph (b) insert ", and

(c) to contribute towards the mitigation of, or adaptation to, climate change, in the United Kingdom,";

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(b) in the closing words (exception where action needed by virtue of paragraph (a) or (b) is not reasonably practicable) for "or (b)" substitute " , (b) or (c) ".

(4) After subsection (11) insert—

"(12) In this section—

(a) "climate change" has the same meaning as in section 361A below, and

(b) in relation to climate change, "adaptation", "consequences" and "mitigation" have the same meaning as in that section.".

Commencement Information

I38 S. 41 in force at 21.1.2008 by S.I. 2008/113, **art. 2(i)**

42 Duty of Mayor and Assembly to address climate change

In Part 9 of the GLA Act 1999 (environmental functions) after section 361 insert—

"Climate change, energy etc

361A Duties of Mayor and Assembly with respect to climate change

(1) The Mayor and the Assembly are each under a duty to address climate change, so far as relating to Greater London.

(2) In the case of the Mayor, the duty consists of each of the following—

(a) to take action with a view to mitigation of, or adaptation to, climate change (see subsections (5) and (6) below),

(b) in exercising any of his functions under this Act or any other Act (whenever passed), to take into account any policies announced by Her Majesty's government with respect to climate change or the consequences of climate change,

(c) to have regard to any guidance, and comply with any directions, issued to the Authority by the Secretary of State with respect to the means by which, or manner in which, the Mayor is to perform the duties imposed on him by paragraph (a) or (b) above.

(3) In the case of the Assembly, the duty consists of each of the following—

(a) in exercising any functions of the Assembly under this Act or any other Act (whenever passed), to take into account any policies announced by Her Majesty's government with respect to climate change or the consequences of climate change,

(b) to have regard to any guidance, and comply with any directions, issued to the Authority by the Secretary of State with respect to the means by which, or manner in which, the Assembly is to perform the duties imposed by paragraph (a) above.

(4) Any reference in this section to functions of the Mayor, or functions of the Assembly, includes a reference to functions exercisable by the Mayor and the Assembly acting jointly on behalf of the Authority.

(5) For the purposes of this section—

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(a) "climate change" means changes in climate which are, or which might reasonably be thought to be, the result of human activity altering the composition of the global atmosphere and which are in addition to natural climate variability; and

(b) "changes in climate" includes a reference to changes in climate which are reasonably expected, or might reasonably be expected, to happen or which are reasonably thought to be happening or to have recently happened.

(6) In this section—

"adaptation", in relation to climate change, means preparation for, or adjustment in response to, any consequences of climate change appearing to the Mayor to affect Greater London;

"consequences", in relation to climate change—

(a) means consequences which have occurred, are occurring or might reasonably be expected to occur, and

(b) includes any phenomena reasonably thought to be consequences of climate change;

"mitigation", in relation to climate change, includes prevention.".

Commencement Information

I39 S. 42 in force at 21.1.2008 by S.I. 2008/113, **art. 2(i)**

43 The London climate change mitigation and energy strategy

(1) In section 41 of the GLA Act 1999 (general duties of the Mayor in relation to his strategies) in subsection (1) (which lists the strategies to which the section applies) after paragraph (e) insert—

"(ee) the London climate change mitigation and energy strategy prepared and published under section 361B below,".

(2) In Part 9 of the GLA Act 1999 (environmental functions) after section 361A insert—

"361B The London climate change mitigation and energy strategy

(1) The Mayor shall prepare and publish a document to be known as the "London climate change mitigation and energy strategy".

(2) The London climate change mitigation and energy strategy shall contain the Mayor's proposals and policies with respect to the contribution to be made in Greater London towards each of the following—

(a) the mitigation of climate change,

(b) the achievement of any objectives specified or described in national policies relating to energy.

(3) The strategy must include the Mayor's proposals and policies relating to each of the following—

(a) minimising emissions of carbon dioxide and other significant greenhouse substances from the use of energy in Greater London for the purposes of surface transport,

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(b) minimising emissions of carbon dioxide and other significant greenhouse substances from the use of energy in Greater London for purposes other than those of transportation,

(c) supporting innovation, and encouraging investment, in energy technologies in Greater London,

(d) promoting the efficient production and use of energy in Greater London.

(4) In subsection (3) above "other significant greenhouse substances" means substances (other than carbon dioxide)—

(a) which contribute to climate change, and

(b) which the Mayor considers it appropriate to deal with in the strategy.

(5) In performing the duty under subsection (3)(c) above, the Mayor must have regard to the desirability of advancing energy technologies which involve the emission of lower levels of substances which contribute to climate change.

(6) The strategy shall also contain information about—

(a) the pattern of energy use in Greater London,

(b) the levels of emissions in, or attributable to, Greater London of substances which contribute to climate change,

(c) the number of households in Greater London in which one or more persons are living in fuel poverty, within the meaning of the Warm Homes and Energy Conservation Act 2000 (see section 1 of that Act),

(d) the measures to be taken, for the purpose of implementing the strategy, by each of the following—

(i) the Authority,

(ii) Transport for London,

(iii) the London Development Agency,

(e) the measures which other bodies or persons are to be encouraged by the Mayor to take for the purpose of implementing the strategy.

(7) The Mayor must have regard to any guidance given to him by the Secretary of State in relation to the preparation or revision of the strategy.

(8) The strategy must not be inconsistent with—

(a) national policies relating to mitigation of climate change, or

(b) national policies relating to energy.

(9) In preparing or revising the strategy the Mayor must consult each of the following—

(a) the Gas and Electricity Markets Authority,

(b) the Gas and Electricity Consumer Council,

(c) prescribed holders of licences granted under—

(i) section 7 or 7A of the Gas Act 1986, or

(ii) section 6 of the Electricity Act 1989.

(10) If at any time (whether before, on or after the day on which this Act is passed) there ceases to be—

(a) a body known as the Gas and Electricity Markets Authority, or

(b) a body known as the Gas and Electricity Consumer Council,

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the Secretary of State may by order amend subsection (9) above so as to substitute for that body such other body as he may consider appropriate.

(11) An order under subsection (10) above may have effect in relation to times before the day on which it is made.

(12) In this section—

"climate change" has the same meaning as in section 361A above;

"energy technologies" means technologies for—

(a) the production of energy, or

(b) the more efficient or effective use of energy;

"mitigation" has the same meaning as in section 361A above;

"prescribed" means specified or described in guidance under subsection (7) above;

"surface transport" means any form of transport other than transport by air.

361C Directions by the Secretary of State to revise the strategy

(1) Where the Secretary of State considers that—

(a) the London climate change mitigation and energy strategy (or any part of it) is inconsistent with any policies announced by Her Majesty's government with respect to energy or to climate change or the consequences of climate change, and

(b) the inconsistency would have a detrimental effect on achieving any or all of the objectives of those policies,

he may direct the Mayor to make such revisions of the strategy in order to remove the inconsistency as may be specified in the direction.

(2) The Secretary of State must consult the Mayor before giving him a direction under subsection (1) above.

(3) Where the Secretary of State gives the Mayor a direction under subsection (1) above, the Mayor must revise the strategy in accordance with the direction.

(4) In this section—

"climate change" has the same meaning as in section 361A above;

"consequences", in relation to climate change, has the same meaning as in section 361A above.".

(3) In section 420 of the GLA Act 1999 (regulations and orders) in the list of provisions in subsection (8) (orders subject to negative resolution Parliamentary procedure) insert at the appropriate place— " section 361B(10); ".

Commencement Information

I40 S. 43 in force at 21.1.2008 by S.I. 2008/113, **art. 2(i)**

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Greater London Authority Act 2007 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)*

44 The Mayor's adaptation to climate change strategy for London

(1) In section 41 of the GLA Act 1999 (general duties of the Mayor in relation to his strategies) in subsection (1) (which lists the strategies to which the section applies) after paragraph (ee) insert—

"(ef) the adaptation to climate change strategy for London prepared and published under section 361D below,".

(2) In Part 9 of the GLA Act 1999 (environmental functions) after section 361C insert—

"361D The adaptation to climate change strategy for London

(1) The Mayor shall prepare and publish a document to be known as the "adaptation to climate change strategy for London".

(2) The adaptation to climate change strategy for London shall contain—

(a) the Mayor's assessment of the consequences of climate change for Greater London;

(b) the Mayor's proposals and policies for adaptation to climate change, so far as relating to Greater London.

(3) The Secretary of State may give to the Mayor guidance—

(a) about the content of the strategy;

(b) in relation to the preparation or revision of the strategy.

(4) The guidance that may be given under subsection (3)(b) above includes—

(a) guidance specifying or describing the bodies, persons or organisations which the Mayor must consult;

(b) guidance as to the evidence of climate change or its consequences, or predictions of climate change or its consequences, to which the Mayor must have regard.

(5) In preparing or revising the strategy, the Mayor must have regard to any guidance given under subsection (3) above.

(6) In this section—

"adaptation", in relation to climate change, has the same meaning as in section 361A above;

"consequences", in relation to climate change, has the same meaning as in section 361A above;

"climate change" has the same meaning as in section 361A above.

361E Directions by the Secretary of State to revise the strategy

(1) Where the Secretary of State considers that—

(a) the adaptation to climate change strategy for London (or any part of it) is inconsistent with any policies announced by Her Majesty's government with respect to climate change or the consequences of climate change, and

(b) the inconsistency would have a detrimental effect on achieving any or all of the objectives of those policies,

he may direct the Mayor to make such revisions of the strategy in order to remove the inconsistency as may be specified in the direction.

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Greater London Authority Act 2007 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)*

(2) The Secretary of State must consult the Mayor before giving him a direction under subsection (1) above.

(3) Where the Secretary of State gives the Mayor a direction under subsection (1) above, the Mayor must revise the strategy in accordance with the direction.

(4) In this section—

"climate change" has the same meaning as in section 361A above;

"consequences", in relation to climate change, has the same meaning as in section 361A above.".

Commencement Information

I41 S. 44 in force at 21.1.2008 by S.I. 2008/113, **art. 2(i)**

PART 9

CULTURE, MEDIA AND SPORT

Museum of London

45 Transfer of power of appointment of members of Board of Governors

(1) In section 1(2)(a) of the Museum of London Act 1965 (c. 17) (which provides for the Prime Minister to appoint members of the Board of Governors of the Museum of London) for "Prime Minister" substitute " Greater London Authority ".

(2) In paragraph 4(1) of the Schedule to that Act (which provides for the resignation of a member of the Board) for "Prime Minister" substitute " Greater London Authority ".

(3) Nothing in this section affects appointments made by the Prime Minister under section 1(2)(a) of that Act before this section comes into force.

Commencement Information

I42 S. 45 in force at 6.4.2008 by S.I. 2008/582, **art. 2(b)**

46 Period of appointment of Governors to the Board

(1) In paragraph 2(1) of the Schedule to the Museum of London Act 1965 (which provides for the term of appointment of a member of the Board of Governors of the Museum) for "the period of three years" substitute " a period of not more than four years ".

(2) Any appointment made under section 1(2) of that Act before the coming into force of this section for a period of more than three years but not more than four years has effect as if the amendment made by subsection (1) had been in force at the time of the appointment.

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Greater London Authority Act 2007 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)*

47 The Board's expenditure: transfer of powers and other provisions

(1) In section 14 of the Museum of London Act 1965 (application of moneys received by the Board of Governors of the Museum) in subsections (1) and (2), for "Secretary of State" substitute " Greater London Authority ".

(2) Section 15 of that Act (financing of expenditure of the Board of the Museum) is amended as follows.

(3) In subsection (1), for "Secretary of State" substitute " Greater London Authority ".

(4) In subsection (2)—

(a) for "Secretary of State" substitute " Greater London Authority ",

(b) after "Corporation" in the third place it appears insert " and the Greater London Authority ",

(c) after "as the Corporation" insert " or (as the case may be) the Greater London Authority ".

(5) For subsection (3) substitute—

"(3) Subject to subsection (4) the total of the payments made by the Greater London Authority under subsection (2) shall equal the total expended by the Corporation under that subsection.

(4) In the case of particular amounts paid in respect of particular expenses, the Corporation and the Greater London Authority may agree that subsection (3) has effect so that the proportion of expenditure paid for by the Greater London Authority is other than one-half.".

Commencement Information

I43 S. 47 in force at 6.4.2008 by S.I. 2008/582, **art. 2(c)**

48 Transfer of other powers relating to the Museum

(1) In section 3(4) of the Museum of London Act 1965 (c. 17) (which provides for the Board of Governors of the Museum not to dispose of land etc without consent) for "Secretary of State" in both places substitute " Greater London Authority ".

(2) In subsections (1), (3) and (4) of section 9 of that Act (which provides for employment of staff of the Museum) for "Secretary of State" in each place substitute " Greater London Authority ".

(3) Subsection (2) does not affect any appointment made before this section comes into force.

Commencement Information

I44 S. 48 in force at 6.4.2008 by S.I. 2008/582, **art. 2(c)**

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Greater London Authority Act 2007 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)*

49 Repeal of section 5 of the Museum of London Act 1986

Section 5 of the Museum of London Act 1986 (c. 8) (which provides for reports about the exercise of functions of the Board of Governors of the Museum of London to be made to Parliament by the Secretary of State) shall cease to have effect.

Commencement Information
I45 S. 49 in force at 6.4.2008 by S.I. 2008/582, **art. 2(c)**

Miscellaneous

50 The Mayor's culture strategy: consultation

(1) Section 376 of the GLA Act 1999 (the Mayor's culture strategy) is amended as follows.

(2) After subsection (4) (power of Cultural Strategy Group for London to submit proposed revisions) insert—

"(4A) Before submitting any proposed revisions under subsection (4) above, the Cultural Strategy Group for London must consult each of the designated consultative bodies (see subsection (10)).".

(3) In subsection (8) (consultation etc on revisions otherwise than in response to proposals under subsection (4))—

(a) in paragraph (a) (bodies and persons to be consulted under section 42(1)) for "subsection (1) of section 42" substitute " section 42(1)(b) ";

(b) in paragraph (b) (expansion of references in section 42(5)) for "to the Assembly and the functional bodies" substitute " to the functional bodies ".

(4) After subsection (8) insert—

"(8A) Where, by virtue of subsection (8)(a) above, the Mayor consults the Cultural Strategy Group for London, the Cultural Strategy Group for London must consult the designated consultative bodies before submitting any comments in response to the Mayor.".

(5) After subsection (9) insert—

"(10) For the purposes of this section, the "designated consultative bodies" are the following—

Archives, Libraries and Museums London
the Arts Council of England
the Commission for Architecture and the Built Environment
the English Sports Council
the Historic Buildings and Monuments Commission for England
the Museums, Libraries and Archives Council
the UK Film Council.

(11) The Secretary of State may by order amend subsection (10) above—

(a) by adding or removing bodies, or

(b) by amending names of bodies,

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but not so as to include any body that does not have functions relating to sport, culture or the arts.".

(6) In section 420 of the GLA Act 1999 (regulations and orders) in subsection (8) (orders requiring negative resolution Parliamentary procedure) insert at the appropriate place — " section 376(11); ".

Commencement Information

I46 S. 50 in force at 21.1.2008 by S.I. 2008/113, **art. 2(j)**

51 The Mayor's duty to exercise certain powers of appointment

(1) After section 377 of the GLA Act 1999 (assistance by Mayor for museums, galleries etc) insert—

"**377A The Mayor's duty to exercise certain powers of appointment**

(1) Subsection (2) below applies where any power to make an appointment of a prescribed description in the case of a prescribed body is exercisable by the Mayor.

(2) If the body requests the Mayor to exercise the power, he must do so as soon as reasonably practicable after the making of the request.

(3) Any request under subsection (2) above must be in writing.

(4) Where—

(a) an instrument of any description states that an appointment of a particular description is to be made by the Mayor, and

(b) the circumstances are such that an appointment of that description falls to be made,

the power to make the appointment is to be taken for the purposes of this section to be a power exercisable by the Mayor.

(5) In this section "prescribed" means specified in, or determined in accordance with, an order made by the Secretary of State.

(6) Different descriptions (and different numbers) of appointments may be prescribed under this section in the case of different bodies.

(7) The only bodies that may be prescribed under this section are bodies that have functions relating to sport, culture or the arts.".

(2) In section 380 of the GLA Act 1999 (delegation of Authority's functions under Part 10) in subsection (6) (exceptions) for the word "or" at the end of paragraph (a) substitute the following paragraph—

"(aa) in relation to any function of making an appointment in a case where section 377A above applies; or".

(3) In section 420 of the GLA Act 1999 (regulations and orders) in subsection (8) (orders requiring negative resolution Parliamentary procedure) insert at the appropriate place — " section 377A(5); ".

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Greater London Authority Act 2007 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)*

Commencement Information

I47 S. 51 in force at 6.4.2008 by S.I. 2008/582, **art. 2(d)**

PART 10

MISCELLANEOUS AND GENERAL

52 Common provision of administrative, professional and technical services

(1) After section 401 of the GLA Act 1999 (accommodation for the Authority and the functional bodies) insert—

"**401A Administrative, professional and technical services**

(1) In this section "constituent body" means any of the following—

(a) the Authority,

(b) any functional body.

(2) Arrangements may be entered into by constituent bodies for the provision of administrative, professional or technical services by any one or more of them to any one or more of them, whether for consideration or otherwise.

(3) The arrangements that may be entered into under subsection (2) above include arrangements for the discharge by any one or more constituent bodies on behalf of any other constituent body of any functions of that other which are of an administrative, professional or technical nature.

(4) Any two or more constituent bodies may establish a joint committee for the purposes of subsection (2) above.

(5) A joint committee established under subsection (4) above is to be treated for the purposes of subsections (2) and (3) above as a constituent body separate and distinct from the constituent bodies by which it is established.

(6) The Mayor must consult the Assembly before exercising any power conferred on the Authority by this section.

(7) The Secretary of State may by order amend this section so as to extend or restrict the services or functions to which it applies.".

(2) In consequence of the amendment made by subsection (1), the italic heading preceding section 401 of the GLA Act 1999 becomes " Accommodation and services ".

(3) In section 420 of the GLA Act 1999 (regulations and orders) in subsection (3) (orders subject to affirmative resolution Parliamentary procedure)—

(a) after "an order under" insert " any of the following provisions ";

(b) for "or" at the end of paragraph (c) substitute—

"(ca) section 401A(7),".

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
Changes to legislation: *Greater London Authority Act 2007 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)*

Commencement Information

I48 S. 52 in force at 21.1.2008 by S.I. 2008/113, **art. 2(j)**

PART 11

SUPPLEMENTARY PROVISIONS

53 Orders

(1) Any power conferred on the Secretary of State by this Act to make an order includes—

(a) power to make different provision for different cases, and

(b) power to make incidental, consequential, supplemental, or transitional provision or savings.

(2) The power conferred by subsection (1)(b) above includes power to amend any enactment passed or made before this Act for the purpose of making any such provision or savings.

(3) Any power conferred on the Secretary of State by this Act to make an order is exercisable by statutory instrument.

(4) A statutory instrument—

(a) which contains (whether alone or with other provisions) an order which makes provision by virtue of subsection (2), and

(b) which is not subject to any requirement that a draft of the instrument be laid before, and approved by a resolution of, each House of Parliament,

is subject to annulment in pursuance of a resolution of either House of Parliament.

54 Directions

(1) Any directions given under this Act must be in writing.

(2) Any power conferred by this Act to give a direction includes power to vary or revoke the direction.

55 Financial provisions

There shall be paid out of money provided by Parliament—

(a) any expenditure incurred by a Minister of the Crown or government department under or by virtue of this Act, and

(b) any increase attributable to this Act in the sums payable out of money so provided under any other Act.

56 Transitional provision relating to consultation

(1) In the case of any strategy referred to in a provision mentioned in column A of the Table in subsection (2), any consultation undertaken by the Mayor—

(a) after the day on which this Act is passed, but

(b) before the coming into force of that provision,

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is to be as effective for the purposes of the corresponding provision in column C of that Table as if it had been undertaken after the provision in column A had come into force.

Column B of the Table identifies the provision of this Act which inserts the corresponding provision mentioned in column A.

(2) The provisions are—

Column A: ***Provision inserted into GLA Act 1999***	***Column B:*** ***Provision of this Act***	***Column C:*** ***Provision of GLA Act 1999 for which consultation is effective***
Section 41(1)(bb) (section 41 to apply to health inequalities strategy)	Section 24(2)	Section 42(1)
Section 41(1)(bc) (section 41 to apply to London housing strategy)	Section 28(2)	Section 42(1)
Section 41(1)(ee) (section 41 to apply to London climate change mitigation and energy strategy)	Section 43(1)	Section 42(1)
Section 41(1)(ef) (section 41 to apply to adaptation to climate change strategy for London)	Section 44(1)	Section 42(1)
Section 309G(4) (consultation with relevant bodies or persons for purposes of health inequalities strategy)	Section 22(1)	Section 309G(4)
Section 361B(9) (consultation with certain bodies for purposes of London climate change mitigation and energy strategy)	Section 43(2)	Section 361B(9)

(3) Any consultation carried out by the Mayor with the Regional Director of Public Health for London—

(a) after the day on which this Act is passed, but

(b) before the coming into force of sections 309A and 309B of the GLA Act 1999 (Regional Director to be Health Adviser to GLA),

is to be as effective for the purposes of section 309G(4) of the GLA Act 1999 as if it had been carried out with the Health Adviser.

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
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Sections 309A and 309B of the GLA Act 1999 are inserted by section 21(1) of this Act.

57 Repeals

Schedule 2 contains repeals.

Commencement Information

I49 S. 57 in force at 30.10.2007 for specified purposes by S.I. 2007/3107, **art. 2(c)**

I50 S. 57 in force at 21.1.2008 for specified purposes by S.I. 2008/113, **art. 2(m)**

I51 S. 57 in force at 6.4.2008 in so far as not already in force by S.I. 2008/582, **art. 2(e)**

58 Interpretation

In this Act—

"the GLA Act 1999" means the Greater London Authority Act 1999 (c. 29);

"PCPA 2004" means the Planning and Compulsory Purchase Act 2004 (c. 5);

"TCPA 1990" means the Town and Country Planning Act 1990 (c. 8).

59 Short title, citation, commencement and extent

(1) This Act may be cited as the Greater London Authority Act 2007.

(2) This Act and the GLA Act 1999 may be cited together as the Greater London Authority Acts 1999 and 2007.

(3) This Act does not extend to Scotland or Northern Ireland.

(4) The following provisions of this Act come into force on the day on which this Act is passed—

(a) this Part, other than section 57 and Schedule 2,

(b) any power under or by virtue of this Act to make regulations or an order.

(5) Sections 28 and 46 come into force at the end of the period of 2 months beginning with the day on which this Act is passed.

(6) Sections 12 to 14 have effect in relation to financial years beginning on or after an appointed day.

(7) Subject to subsection (8), the other provisions of this Act come into force on an appointed day.

(8) Any repeal in Schedule 2 (and section 57 so far as relating to the repeal) comes into force in the same way as the provisions of this Act to which the repeal relates.

(9) In this section "appointed day" means such day or days as the Secretary of State may by order appoint; and different days may be so appointed for different purposes.

Status: *Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.*
***Changes to legislation:** Greater London Authority Act 2007 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)*

SCHEDULES

SCHEDULE 1

Section 4

CONFIRMATION HEARINGS ETC: SCHEDULE 4A TO THE GLA ACT 1999

Commencement Information

I52 Sch. 1 in force at 21.1.2008 by S.I. 2008/113, **art. 2(l)**

PROSPECTIVE

This is the Schedule that is to be inserted as Schedule 4A to the GLA Act 1999—

"SCHEDULE 4A

CONFIRMATION HEARINGS ETC

Application of Schedule

1 (1) This Schedule has effect where the Mayor proposes to make an appointment to any of the offices specified in section 60A(3) of this Act.

(2) If the Mayor decides to appoint himself to any of those offices—

(a) he must notify the Assembly of that fact, but

(b) the following provisions of this Schedule do not have effect in relation to the appointment of the Mayor to that office.

Mayor not to make appointment until end of confirmation process

2 (1) The Mayor must not make any appointment to the office until the end of the confirmation process has been reached.

(2) The end of the confirmation process is reached when—

(a) the Mayor has given the Assembly the notification required by paragraph 5(2) below (acceptance or rejection of Assembly's recommendation), or

(b) the period of 3 weeks described in sub-paragraph (3) of paragraph 4 below has expired without any recommendation under that paragraph being given to the Mayor by the Assembly.

Duty of Mayor to notify Assembly

3 (1) The Mayor must notify the Assembly of the person ("the candidate") whom he proposes to appoint to the office.

(2) The notification must contain the following information—

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(a) the candidate's name;
(b) the candidate's address for correspondence;
(c) the office to which the Mayor proposes to appoint the candidate;
(d) the reasons why the candidate is the person the Mayor proposes to appoint to the office.

Assembly to make recommendation to the Mayor

4 (1) This paragraph applies when the Mayor has given that notification to the Assembly.

(2) The Assembly must make a recommendation to the Mayor as to whether or not the candidate should be appointed to the office.

(3) The recommendation must be given to the Mayor in writing before the end of the period of 3 weeks beginning with the day on which the Assembly receives the notification from the Mayor.

(4) In calculating the period of 3 weeks mentioned in sub-paragraph (3) above, no regard shall be had to the period beginning with the day of the poll at an ordinary election and ending with the day on which the Chair of the Assembly and the Deputy Chair of the Assembly are elected under section 52(2) of this Act.

The Mayor's response to the recommendation

5 (1) The Mayor may accept or reject the Assembly's recommendation.

(2) The Mayor must notify the Assembly of his decision whether to accept or reject the recommendation.

Power to request candidate to attend confirmation hearing or produce documents

6 (1) The Assembly may decide to hold a confirmation hearing before deciding the recommendation that is to be made to the Mayor.

(2) In this Schedule "confirmation hearing" means a meeting at which the candidate is requested to appear for the purpose of answering questions relating to the proposed appointment.

(3) In this Schedule "appear", in relation to a meeting, means—
(a) attend in person, or
(b) participate in proceedings by means of any device that enables a person to hear and be heard in the proceedings as they happen, without attending in person.

(4) The Assembly may decide to request the candidate to produce, whether at a confirmation hearing or otherwise, documents which are in his possession or under his control and which relate to the proposed appointment.

Procedure for requesting candidate's appearance at confirmation hearing

7 (1) This paragraph applies where the Assembly decides to hold a confirmation hearing.

(2) The head of the Authority's paid service must give the candidate a notice requesting him to appear at the confirmation hearing.

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(3) The notice must state the date on which, and the time and place at which, the confirmation hearing is to take place.

(4) The notice must state whether the candidate is requested to attend in person.

(5) If the candidate is not requested to attend in person, the notice must specify or describe the means by which the candidate may appear.

(6) The notice must be given to the candidate at least one week before the day on which the confirmation hearing is to take place, unless the candidate waives this right.

(7) The notice is to be taken to have been given to the candidate if it is sent by—

(a) registered post, or

(b) a recorded delivery service,

to the address for correspondence specified in the Mayor's notification under paragraph 3 above.

(8) Sections 61 and 62 of this Act (power to require attendance at meetings and procedure for doing so) do not apply in relation to the candidate in the case of a confirmation hearing.

Restriction of information etc

8 (1) This paragraph applies in relation to—

(a) any confirmation hearing, and

(b) any document which the candidate is requested to produce by virtue of paragraph 6(4) above.

(2) The Secretary of State may by order make provision for any order for the time being in force under section 63 of this Act (restriction of information) to have effect (with or without modifications) in relation to the candidate as it has effect in relation to a person required to attend proceedings or produce documents under section 61(1)(a) or (b) of this Act.

(3) The candidate is not obliged to answer any question or produce any document which he would be entitled to refuse to answer or produce in or for the purposes of proceedings in a court in England or Wales.

Discharge of Assembly's functions by Assembly, ordinary committee or Chair of Assembly

9 (1) The Assembly may arrange under section 54(1)(a) of this Act for any of its functions under this Schedule to be discharged on its behalf by an ordinary committee.

(2) The Assembly may arrange under section 54(1)(b) of this Act for any of the following functions to be discharged on its behalf by the Chair of the Assembly—

(a) its function under paragraph 6(1) above of deciding whether to hold a confirmation hearing;

(b) its function under paragraph 6(4) above of deciding whether to request the candidate to produce any documents.

(3) Except as provided by sub-paragraphs (1) and (2) above, neither the Assembly nor an ordinary committee may arrange for the discharge of any functions under this Schedule on its behalf by—

(a) any committee or sub-committee, or

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Changes to legislation: *Greater London Authority Act 2007 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)*

(b) a single member of the Assembly.".

SCHEDULE 2

Section 57

REPEALS

Commencement Information

I53 Sch. 2 in force at 30.10.2007 for specified purposes by S.I. 2007/3107, **art. 2(c)**

I54 Sch. 2 in force at 21.1.2008 for specified purposes by S.I. 2008/113, **art. 2(m)**

I55 Sch. 2 in force at 6.4.2008 in so far as not already in force by S.I. 2008/582, **art. 2(e)**

Short title and chapter	*Extent of repeal*
Museum of London Act 1986 (c. 8)	Section 3(1). Section 5.
Greater London Authority Act 1999 (c. 29)	In section 30(5), the word "and" at the end of paragraph (aa). Section 54(2). Section 72(4). Section 73(4). In section 404(1)— (a) in paragraph (a), the words from "(whether acting" to "Assembly jointly)"; (b) in paragraph (b), the word "and". In Schedule 4, paragraph 15(1)(a). In Schedule 10, paragraph 2(4), (5) and (5A).
Railways Act 2005 (c. 14)	Section 17(6).

Status:
Point in time view as at 06/04/2008. This version of this Act contains provisions that are not valid for this point in time.

Changes to legislation:
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