



# Greater London Authority Act 2007

## 2007 CHAPTER 24

### PART 8

#### ENVIRONMENTAL FUNCTIONS

##### *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.”.

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*Changes to legislation:* There are currently no known outstanding effects for the Greater London Authority Act 2007, Cross Heading: Climate change and energy. (See end of Document for details)

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**Commencement Information**

**II** 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,”;
  - (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**

**I2** 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

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- 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—
- (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.”.

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**Commencement Information**

**I3** 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—

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“(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,
  - (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,

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- (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,
- 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.

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- (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); ”.

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**Commencement Information**

**I4** S. 43 in force at 21.1.2008 by S.I. 2008/113, art. 2(i)

#### **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.

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**Changes to legislation:** There are currently no known outstanding effects for the Greater London Authority Act 2007, Cross Heading: Climate change and energy. (See end of Document for details)

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- (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.
- (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.”.

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#### **Commencement Information**

**I5** S. 44 in force at 21.1.2008 by S.I. 2008/113, art. 2(i)

**Changes to legislation:**

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