

# GREATER LONDON AUTHORITY ACT 1999

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part VII – the London Fire and Emergency Planning Authority

##### *Section 328: Reconstitution of the Fire etc. Authority*

504. *Section 328* will change the name of the LFCDA to the London Fire and Emergency Planning Authority (LFEPA). It will continue in being, although it will have a different constitution under *Schedule 28*. The Act reflects the fact that the LFEPA is the same body as the LFCDA by referring to it as the “Fire etc Authority”. As it is the same body, the Act will not affect its property, rights and liabilities (including rights and liabilities under contracts of employment).
505. There are numerous provisions of primary and secondary legislation which apply to the LFCDA because it was established by Part IV of the Local Government Act 1985. Some provisions, for example, refer to a “joint authority” as a body established under Part IV of that Act. Others refer directly to bodies established under Part IV of that Act. This Act provides that any references of this nature must be taken as not referring to the LFEPA.
506. The new constitution of the LFEPA is set out in Schedule 28 to the Act. The LFEPA is to consist of 17 members, 9 of whom are to be members of the London Assembly appointed by the Mayor (known as the “Assembly representatives”). The other 8 members are to be members of the London borough councils including the Common Council (known as the “borough representatives”). These will be nominated by those councils and appointed by the Mayor.
507. In appointing the Assembly representatives, the Act requires that the Mayor should ensure that, so far as practicable, the political balance of the Assembly is reflected. The borough councils are required to nominate representatives to reflect, so far as practicable, the overall balance of parties on the councils. Members of the LFCDA will cease to hold office on the date of reconstitution.
508. LFEPA members are to hold office for one year, or a shorter period if the Mayor so decides. The Mayor can renew the appointment of a member of the LFEPA except where, in the case of a borough representative, the London borough councils, at least one month before the end of the representative’s term of office, give notice that they have nominated a successor. The Mayor will be able to terminate the appointment of a member of the LFEPA where satisfied that the member is unable or unfit to discharge his or her responsibilities. The Act requires the Mayor to appoint each year one of the members of the LFEPA as its chairman. The LFEPA itself will appoint each year one of its members as vice-chairman.
509. The rules which apply to meetings and proceedings of the LFCDA will in the main apply to the LFEPA. The annual meeting will be held on a date between 1 March and 30 June to be fixed by the LFEPA; and the number of members who can call an extraordinary general meeting will be three. The quorum for meetings of the LFEPA will be five, with

*These notes refer to the Greater London Authority Act 1999  
(c.29) which received Royal Assent on 11th November 1999*

at least one Assembly representative and at least one borough representative. The first meeting of the LFEPA will be convened by the chief fire officer of the London Fire Brigade and held as soon as reasonably practicable.

510. *Schedule 29* makes miscellaneous amendments to legislation relating to the LFCDA's functions to reflect the changes described above.