



Greater London Authority Act 2007

2007 CHAPTER 24

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)”,
 - (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.”.

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.”.

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.
- (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.”.