

# GREATER LONDON AUTHORITY ACT 2007

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## EXPLANATORY NOTES

### SUMMARY

#### **Part 1 - General Functions of the Authority**

3. **Sections 1 to 16** amend the Greater London Authority Act 1999 (“the GLA Act 1999”) in relation to the general functions of the Greater London Authority (“the Authority”). Section 1 allows the Authority to establish and administer a severance pay scheme for the Mayor of London (“the Mayor”) and the members of the London Assembly (the “Assembly members”) on ceasing to hold office. Section 2 introduces additional procedures relating to consultation on Mayoral strategies. Section 3 brings forward the date by which the Mayor must make a report to the London Assembly (“the Assembly”) before each of the ten ‘monthly’ meetings the Assembly must hold every year. Section 4 (and Schedule 1) introduces provision for the Assembly to hold confirmation hearings for certain statutory appointments made by the Mayor. Section 5 extends the time limit for the Assembly to summon certain categories of people to attend an Assembly meeting for questioning and to produce documents. Section 6 requires the Assembly to prepare and publish an annual report. Sections 7 to 11 make amendments in relation to the appointment of certain members of staff of the Authority. Sections 12 to 15 provide for a separate budget for the Assembly (and consequently, for the remainder of the Authority). Section 16 requires the Deputy Mayor to exercise the responsibilities of the Mayor for setting the budget if he were temporarily unable to act.

#### **Part 2 – Transport**

4. **Section 17** provides for the Secretary of State to give consent in writing to the disposal of operational land by Transport for London (TfL). Section 18 removes the current restriction on political representatives being members of TfL. Section 19 then prohibits the payment of allowances to TfL members who are also Assembly members unless they are chairman or deputy chairman of TfL.

#### **Part 3 - The London Development Agency**

5. **Section 20** removes the prohibition on payments of allowances to any chairman or deputy chairman of the London Development Agency (LDA) who is also an Assembly member.

#### **Part 4 - Health**

6. **Sections 21 to 24** amend provisions in the GLA Act 1999 relating to health. Section 21 provides for the appointment of a Health Adviser and one or more Deputy Health Advisers to the Authority. Section 22 imposes a duty on the Mayor to prepare and publish a health inequalities strategy. Section 23 requires the Authority to consider the effects that any proposed exercise of its general power, under section 30 of the 1999 Act, would have on health inequalities between persons living in London. Where it exercises its powers it must do so in a way which is best calculated to promote the reduction of those inequalities. Section 24 requires the Mayor to have regard to the effect his

proposed strategies or revisions to those strategies would have on health inequalities between persons living in London. It requires the Mayor, in preparing or revising his strategies, to include policies and proposals best calculated to promote the reduction of such health inequalities.

### **Part 5 - The London Fire and Emergency Planning Authority**

7. [Sections 25 to 27](#) extend the Mayor's powers in relation to the London Fire and Emergency Planning Authority (LFEPA). Section 25 enables the Mayor to make two appointments of his own nomination to LFEPA. Section 26 removes the prohibition on LFEPA paying certain allowances to Assembly members who are chairman or vice-chairman of LFEPA. Section 27 gives the Mayor the power to issue directions and guidance to LFEPA and gives the Secretary of State the power to give directions to the Mayor if the Mayor's directions or guidance conflict with specified frameworks or guidance.

### **Part 6 - Housing**

8. [Section 28](#) places a duty on the Mayor to prepare and publish a housing strategy for London. This is to include a statement of the Mayor's recommendations as to the amount, type and location of new housing which should be provided in London. The Secretary of State will be able to give guidance to the Mayor in preparing or revising the strategy, and may give directions to the Mayor if any part of the strategy is inconsistent with national housing policy or is likely to be detrimental to any region adjoining Greater London. In addition to the standard consultation arrangements for all statutory strategies for London, the Mayor must consult the Housing Corporation and bodies which he considers representative of registered social landlords on the London Housing Strategy. The Housing Corporation must have regard to the housing strategy when exercising certain functions. Local housing strategies prepared by local authorities in London should be in general conformity with the London housing strategy.

### **Part 7 - Planning**

9. [Sections 29 to 36](#) concern town and country planning in Greater London. Section 29 introduces additional procedures relating to consultation on the Mayor's spatial development strategy. Section 30 gives the Mayor a power of intervention in respect of a local planning authority's local development scheme. Sections 31 to 34 give the Mayor power to determine planning applications which are of "potential strategic importance" and certain related applications, in place of the local planning authority. There is power to modify enactments relating to enforcement, so as to allow the Mayor to enforce the terms of any planning permission he has granted. They also enable the Mayor to exercise functions of a local planning authority in relation to planning obligations under section 106 of the Town and Country Planning Act 1990. Section 35 requires the Mayor to give the opportunity of a "representation hearing" before making a decision on a planning application. Section 36 enables regulations made under section 46 of the Planning and Compulsory Purchase Act 2004 to provide for cases where a planning contribution is made in circumstances in which the Mayor is acting in place of the local planning authority.

### **Part 8 - Environmental Functions**

10. [Sections 37 to 44](#) concern the Authority's role in waste, climate change and energy. Sections 37 to 39 deal with waste. Section 37 provides that London waste authorities must exercise some of their waste collection and disposal functions in general conformity with the Mayor's municipal waste management strategy. Section 38 establishes a new London Waste and Recycling Board and section 39 extends the requirement for waste authorities to inform the Mayor if they intend to tender for a waste contract.

11. **Sections 40 to 44** deal with climate change and energy. Section 40 amends section 30 of the GLA Act 1999 to require the Authority to consider the effects that any proposed exercise of its general power under that section would have on climate change, and the consequences of climate change. If the Authority decides to exercise its powers, it must do so in a way which is best calculated to contribute towards the mitigation of, or adaptation to, climate change in the United Kingdom. Section 41 amends section 41 of the 1999 Act to require the Mayor to have regard to climate change and the consequences of climate change, when preparing his strategies. It also requires the Mayor to include such policies and proposals in his strategies which he considers best calculated to contribute towards the mitigation of, or adaptation to, climate change in the United Kingdom. Section 42 introduces a duty on each of the Mayor and the Assembly to address climate change. Sections 43 and 44 require the Mayor to prepare and publish a London climate change mitigation and energy strategy and an adaptation to climate change strategy for London.

## **Part 9 - Culture, Media and Sport**

12. **Sections 45 to 49** concern the Museum of London. Section 45 transfers from the Prime Minister to the Authority the power to appoint nine of the eighteen members of the Board of Governors, and section 46 extends the period of appointment for all Governors. *Subsection (2)* of section 46 gives this amendment retrospective force. This ensures that any appointment in the past of a Governor for a period of more than three years but not more than four years will be treated as having complied with the provisions of the 1965 Act. Sections 47 and 48 transfer from the Secretary of State to the Authority certain other powers in relation to the Board (including expenditure and appointment of staff).
13. **Section 50** amends the current provisions relating to the consultation process for the Mayor's culture strategy. The Cultural Strategy Group for London will be required to consult certain designated cultural bodies when proposing revisions to the strategy or when consulted by the Mayor if he makes revisions other than those proposed by the Group. The Secretary of State has power to amend the list of bodies.
14. **Section 51** makes provision for cases where the Mayor has a power of appointment to certain sport, culture or arts bodies. It imposes a duty on the Mayor to make appointments to the board of such a body as soon as reasonably practicable after receiving a written request from the body. The Secretary of State is given the power to prescribe the bodies concerned (and amend the list subsequently).

## **Part 10 – Miscellaneous and General**

15. **Section 52** enables the Authority and the functional bodies to arrange for administrative, professional or technical services to be provided for them by any of the others, or to be shared by two or more of them, and includes power to delegate to each other their functions of providing such services for themselves.