

## EXPLANATORY MEMORANDUM TO

### THE LOCALISM ACT 2011 (HOUSING AND REGENERATION FUNCTIONS IN GREATER LONDON)(CONSEQUENTIAL, TRANSITORY, TRANSITIONAL AND SAVING PROVISIONS) ORDER 2012

2012 No. 666

1. This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.

2. **Purpose of the instrument**

The Localism Act 2011 (“the Act”) grants the Greater London Authority (“the Authority”) new (housing and) regeneration functions and abolishes the London Development Agency (“the Agency”). The purpose of the Localism Act 2011 (Housing and Regeneration Functions in Greater London)(Consequential, Transitory, Transitional and Saving Provisions) Order 2012 (“the Order”) is to provide for continuity in the exercise of functions formerly carried out by the Agency.

The Order 2012 (“the Order”) also amends secondary legislation as a consequence of the abolition of the Agency and the transfer of its property, assets and liabilities to the Authority.

In addition, the Order makes a further amendment to secondary legislation in consequence of changes made by Part 8 of the Act (but unrelated to the abolition of the Agency).

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

None.

4. **Legislative Context**

This instrument is being made to ensure that, by transitory, transitional and saving provisions, the Authority is able to continue to carry out functions that were previously carried out by the Agency and to remove references to the Agency in secondary legislation.

5. **Territorial Extent and Application**

5.1 This instrument applies to England.

## **6. European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

- *What is being done and why*

7.1 In order to increase democratic accountability for regeneration investment and strategic decisions in London, the Government decided that functions previously undertaken by the Agency should be passed to the Authority. The Government wishes to reduce the power and control of central government and instead implement a policy of localism and decentralisation. The preference is therefore that functions should, where appropriate, be undertaken by locally elected representatives rather than regional bodies.

7.2 The policy objective is that the Mayor can be held directly to account by London's electorate and by the London Assembly for the regeneration policies and programmes pursued by the Mayor and Authority, providing greater transparency and accountability for decision-making in London. It will also create the opportunity for the Authority to secure a greater coherency of regeneration activity in London, as this change, coupled with the Mayor and Authority taking over the functions and assets of the Homes and Communities Agency as they apply to London, will allow these two sets of regeneration activities to be brought together under the direct control of the Mayor and Authority. This will deliver greater efficiencies for Londoners.

## **8. Consultation outcome**

8.1 There has been no consultation in relation to this specific instrument. However, the powers under which it is made were subject to parliamentary scrutiny during the passage of the Localism Act .

## **9. Guidance**

9.1 There are no plans to issue guidance in relation to this instrument.

## **10. Impact**

10.1 As part of the Parliamentary scrutiny of the Localism Act an impact assessment was published for the wider London reforms including the proposed abolition of the London Development Agency and the transfer of its responsibilities to the Greater London Authority.

10.2 No impact on business, charities or voluntary bodies is foreseen.

## **11. Regulating small business**

11.1 The legislation does not apply to small business.

## **12. Monitoring & review**

12.1 The Impact Assessment for the London reforms specified that there are no plans for a post implementation review, as this is a structural change transferring existing powers and it will not impose an annual cost of more than £5 million on the public sector.

## **13. Contact**

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Tel: 0303 444 4321 or email: [Catherine.doherty@communities.gsi.gov.uk](mailto:Catherine.doherty@communities.gsi.gov.uk) can answer any queries regarding the instrument.