LORDS AMENDMENTS TO THE
GREATER LONDON AUTHORITY BILL

[The page and line references are to HL Bill 46, the bill as first printed for the Lords.]

1 Insert the following new Clause—

“Mayor: limit on number of terms

In section 21(1) of the GLA Act 1999 (disqualification from being the Mayor or an Assembly member) before paragraph (a) insert—

“(za) he has previously been elected or been the Mayor twice;”.”

Before Clause 12

2 Insert the following new Clause—

“Budget

(1) Schedule 6 to the GLA Act 1999 (procedure for determining the Authority’s consolidated budget requirement) is amended as follows.

(2) Omit paragraph 8(4).”

Clause 22

3 Page 23, line 2, at end insert—

“( ) any London borough council,
( ) the Common Council,”

4 Page 23, line 46, leave out “that are or may be harmful to health”

5 Page 23, line 47, at end insert “that are or may be harmful to health”

6 Page 24, leave out lines 23 to 25 and insert—

“This subsection is without prejudice to section 42(1) above (further duties of Mayor as to consultation).”
7 Page 24, leave out lines 30 to 36

Clause 28

8 Page 30, line 12, at end insert—

“( ) In preparing or revising the London housing strategy the Mayor shall consult—

(a) the Housing Corporation;
(b) such bodies as appear to him to be representative of registered social landlords.”

9 Page 30, line 23, at end insert—

“‘registered social landlord’ has the same meaning as in Part 1 of the Housing Act 1996;”

Clause 31

10 Page 35, line 26, leave out “and 2C” and insert “to 2C and 2E”

11 Page 36, line 6, at end insert—

“( ) In subsection (6)—

(a) the reference to an application for listed building consent includes a reference to an application for the variation or discharge of conditions subject to which listed building consent has been granted, and
(b) the reference to an application for hazardous substances consent includes a reference to an application for hazardous substances consent without a condition subject to which a previous hazardous substances consent was granted.”

12 Page 36, line 11, at end insert—

“2BA Matters reserved for subsequent approval

(1) If the Mayor of London has—

(a) given a direction under section 2A in relation to an application (“the original application”), and
(b) granted outline planning permission,

he may, on an application for subsequent approval of reserved matters, direct that the application is to be decided by the local planning authority to whom the original application was made.

(2) “Outline planning permission” has the meaning given by section 92(1).

(3) If the Mayor of London has—

(a) granted an application for listed building consent which is a connected application for the purposes of section 2B, and
(b) imposed conditions requiring specified details to be approved subsequently,

he may, on an application for subsequent approval, direct that the application is to be decided by the local planning authority to whom the connected application was made.”

13 Page 36, line 20, leave out “or 2B” and insert “, 2B or 2BA”
After Clause 34

Insert the following new Clause—

“Representation hearings

After section 2D of TCPA 1990 (which is inserted by section 32 of this Act) insert—

“2E Representation hearings

(1) This section applies to—
   (a) an application in relation to which a direction has been given under section 2A, and
   (b) an application which is a connected application for the purposes of section 2B.

(2) Before determining an application to which this section applies, the Mayor of London must give—
   (a) the applicant, and
   (b) the local planning authority to whom the application was made,

an opportunity to make oral representations at a hearing (“a representation hearing”).

(3) The Mayor of London must prepare and publish a document setting out—
   (a) the persons, in addition to the applicant and the local planning authority, who may make oral representations at a representation hearing,
   (b) the procedures to be followed at a representation hearing,
   (c) arrangements for identifying information which must be agreed by persons making oral representations at a representation hearing.

(4) Each person who may make oral representations at a representation hearing must be given at least 14 days’ notice of the hearing.

(5) The Secretary of State must by order make provision for Part 5A of the Local Government Act 1972 (public admission to meetings of principal councils, public access to documents, etc) to apply to—
   (a) a representation hearing as it applies to a meeting of a principal council, and
   (b) the Mayor of London in the conduct of a representation hearing as it applies to a principal council in the conduct of a meeting of that council.

(6) The application of Part 5A may be with such modifications as the Secretary of State considers necessary or expedient.”.”

After Clause 36

Insert the following new Clause—
“London Waste and Recycling Board

(1) After section 356 of the GLA Act 1999 (directions by the Mayor) insert—

“356A London Waste and Recycling Board

(1) There shall be a body known as the London Waste and Recycling Board (referred to in this section and section 356B as “the Board”).

(2) The objectives of the Board are to promote and encourage, so far as relating to Greater London,—
   (a) the production of less waste;
   (b) an increase in the proportion of waste that is re-used or recycled;
   (c) the use of methods of collection, treatment and disposal of waste which are more beneficial to the environment.

(3) For the purpose of achieving its objectives, the Board may provide financial assistance to any person towards or for the purposes of—
   (a) the provision of facilities for or in connection with the collection, treatment or disposal of waste produced in Greater London;
   (b) conducting research into new technologies or techniques for the collection, treatment or disposal of waste;
   (c) securing, or assisting in securing, the performance of any function of a London borough council or the Common Council relating to waste.

(4) For the purpose of achieving its objectives, the Board may provide advice on such matters as it thinks fit to any of the following—
   (a) the Mayor;
   (b) any London borough council;
   (c) the Common Council;
   (d) such other persons as the Board thinks fit.

(5) In carrying out its functions under this section, the Board must—
   (a) act in accordance with the municipal waste management strategy;
   (b) act in general conformity with the spatial development strategy so far as relating to the collection, treatment and disposal of waste.

(6) The Board may do anything that it thinks will facilitate, or is incidental or conducive to, the carrying out of its functions under subsections (2) to (4) above.

(7) The Board does not have the power to borrow money.

(8) The Secretary of State may issue to the Board guidance as to the exercise of its functions.

(9) The Board shall have regard to any guidance issued under subsection (8) above.

(10) Any reference in this section to the collection, treatment or disposal of waste includes a reference to the transport of waste for or in connection with that purpose.
356B Supplemental provision concerning the Board

(1) The Secretary of State may by order make provision as to—
   (a) the constitution of the Board;
   (b) the appointment of its members (who must not be fewer than 7 nor more than 13 in number);
   (c) the payment of allowances and expenses to its members;
   and such other matters in connection with its establishment and administration as the Secretary of State thinks fit.

(2) The Board shall not be regarded—
   (a) as the servant or agent of the Crown, or
   (b) as enjoying any status, privilege or immunity of the Crown, and the property of the Board shall not be regarded as property of, or property held on behalf of, the Crown.

(3) The Secretary of State may make payments by way of grant to the Board towards expenditure incurred or to be incurred by it.

(4) The amount of any grant and the manner of its payment are to be such as the Secretary of State may determine.

(5) Any grant may be paid on such conditions as the Secretary of State may determine.

(6) Conditions under subsection (5) above may, in particular, include—
   (a) provision as to the use of the grant;
   (b) provision as to circumstances in which the whole or part of the grant must be repaid.”.

(2) In section 420(3) of that Act (orders subject to affirmative procedure)—
   (a) after “an order under” insert “any of the following provisions”;
   (b) for the word “or” at the end of paragraph (c) substitute—
   “(cc) section 356B(1) above,”.”

Clause 38

18 Page 40, line 21, leave out “so far as relating to Greater London”

19 Page 40, line 27, leave out “so far as relating to Greater London” and insert “in the United Kingdom”

After Clause 38

20 Insert the following new Clause—

“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.”.”

Clause 39

Page 41, line 13, leave out “to comply with any guidance or directions” and insert “to have regard to any guidance, and comply with any directions,”

Page 41, line 22, leave out “to comply with any guidance or directions” and insert “to have regard to any guidance, and comply with any directions,”

Clause 40

Page 42, leave out lines 12 to 21 and insert—

“(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.”

Page 42, line 24, after “dioxide” insert “and other significant greenhouse substances”

Page 42, line 26, after “dioxide” insert “and other significant greenhouse substances”

Page 42, line 32, at end insert—

“( ) 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.”

Page 42, line 32, at end insert—

“( ) 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.”
28 Page 42, leave out lines 35 and 36 and insert—
   “(b) the levels of emissions in, or attributable to, Greater London of
   substances which contribute to climate change,”

29 Page 43, leave out lines 4 to 11 and insert—
   “(6) The strategy must not be inconsistent with—
   (a) national policies relating to mitigation of climate change, or
   (b) national policies relating to energy.”

Clause 49

30 Page 49, line 20, leave out from second “in” to end of line 23 and insert “subsection
   (3) (orders subject to affirmative resolution Parliamentary procedure)—
   (a) after “an order under” insert “any of the following provisions”;
   (b) for “or” at the end of paragraph (c) substitute—
       “(ca) section 401A(7),”.”

Clause 50

31 Page 49, line 33, leave out “(whenever passed or made)” and insert “passed or
   made before this Act”

Schedule 1

32 Page 54, line 8, at end insert—
   “( ) In calculating the period of 3 weeks mentioned in sub-paragraph (3)
   above, no regard shall be had to the period beginning with the day of the
   poll at an ordinary election and ending with the day on which the Chair
   of the Assembly and the Deputy Chair of the Assembly are elected under
   section 52(2) of this Act.”

33 Page 55, line 24, at end insert—
   “(1A) The Assembly may arrange under section 54(1)(b) of this Act for any of
   the following functions to be discharged on its behalf by the Chair of the
   Assembly—
   (a) its function under paragraph 6(1) above of deciding whether to
       hold a confirmation hearing;
   (b) its function under paragraph 6(4) above of deciding whether to
       request the candidate to produce any documents.”

34 Page 55, line 25, leave out from the beginning to “arrange” and insert “Except as
   provided by sub-paragraphs (1) and (1A) above, neither the Assembly nor an
   ordinary committee may”
LORDS AMENDMENTS TO THE
GREATER LONDON AUTHORITY
BILL

Ordered, by The House of Commons,
to be Printed, 9th October 2007.