



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART IX

#### ENVIRONMENTAL FUNCTIONS

##### *Report on the state of the environment*

#### **351 The Mayor's environmental report.**

- (1) The Mayor shall produce and publish a report on the environment in Greater London to be known as a "state of the environment report".
- (2) The report required of the Mayor under subsection (1) shall be published—
  - (a) in the case of the first state of the environment report, before the end of the period of three years beginning with the day of the first ordinary election, and
  - (b) in the case of each state of the environment report subsequent to the first, before the end of the period of four years beginning with the day on which the previous state of the environment report was published.
- (3) A state of the environment report shall contain information about the following matters in relation to Greater London—
  - (a) air quality and emissions to air, including in particular emissions from road traffic,
  - (b) road traffic levels,
  - (c) water quality and emissions to water,
  - (d) ground water levels,
  - (e) energy consumption and the emission of substances which contribute to climate change,
  - (f) land quality,
  - (g) biodiversity,
  - (h) the production, minimisation, recycling and disposal of waste,
  - (i) noise,

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- (j) natural resources, and
  - (k) litter,
- and may contain information about any other matters in relation to Greater London which the Mayor considers appropriate.
- (4) Before producing a state of the environment report, the Mayor shall consult—
- (a) the Environment Agency,
  - (b) each London borough council,
  - (c) the Common Council, and
  - (d) any other person who the Mayor considers it appropriate to consult.
- (5) A copy of each state of the environment report shall be kept available for the appropriate period by the Mayor for inspection by any person on request free of charge at the principal offices of the Authority at reasonable hours.
- (6) A copy of each state of the environment report, or any part of such a report, shall be supplied to any person on request during the appropriate period for such reasonable fee as the Mayor may determine.
- (7) In this section “the appropriate period” in the case of any state of the environment report is the period of six years beginning with the date of publication of that report pursuant to this section.

### *Biodiversity*

#### **352 The Mayor’s biodiversity action plan.**

- (1) The Mayor shall prepare and publish a document to be known as the “London Biodiversity Action Plan”.
- (2) The London Biodiversity Action Plan shall contain information about—
- (a) the ecology of Greater London,
  - (b) the wildlife of Greater London and its habitat,
  - (c) any proposals for the conservation and promotion by the Mayor of biodiversity within Greater London, which have been agreed between the Mayor and any person or body he is required to consult in relation to the London Biodiversity Action Plan, and
  - (d) any commitments as to the conservation and promotion of biodiversity within Greater London made by any person or body who is required to be consulted by the Mayor in relation to the London Biodiversity Action Plan.
- (3) In preparing or revising the London Biodiversity Action Plan the Mayor shall consult—
- (a) the Nature Conservancy Council for England,
  - (b) the Countryside Agency, and
  - (c) the Environment Agency.
- (4) In preparing or revising the London Biodiversity Action Plan the Mayor shall also—
- (a) have regard to any plans relating to biodiversity prepared by a London borough council or the Common Council, and

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- (b) have regard to any guidance given to him by the Secretary of State about the matters which he is to take into account in preparing or revising the London Biodiversity Action Plan.
- (5) Where the Mayor revises the London Biodiversity Action Plan, he shall publish it as revised.
- (6) In this Act, references to the London Biodiversity Action Plan include, except where the context otherwise requires, a reference to the London Biodiversity Action Plan as revised.

### *Waste*

#### **353 The Mayor’s municipal waste management strategy.**

- (1) The Mayor shall prepare and publish a document to be known as the “municipal waste management strategy”.
- (2) The municipal waste management strategy—
  - (a) shall contain the Mayor’s proposals and policies for the recovery, treatment and disposal of municipal waste, and
  - (b) may contain such other proposals and policies relating to municipal waste as he considers appropriate.
- (3) In preparing the municipal waste management strategy the Mayor is to have regard to the plans prepared by waste collection authorities in Greater London in accordance with section 49 of the <sup>M1</sup>Environmental Protection Act 1990 (waste recycling plans).
- (4) In preparing or revising the municipal waste management strategy the Mayor shall have regard to—
  - (a) the strategy prepared by the Secretary of State in accordance with section 44A of the <sup>M2</sup>Environmental Protection Act 1990 (the national waste strategy), and
  - (b) any guidance given to him by the Secretary of State for the purposes of the implementation of that strategy and relating to the content of the municipal waste management strategy.
- (5) In preparing or revising the municipal waste management strategy the Mayor shall consult—
  - (a) the Environment Agency,
  - (b) waste disposal authorities in Greater London,
  - (c) any waste disposal authority the area of which has a boundary which adjoins any part of the boundary of Greater London,
  - (d) local authorities in whose areas municipal waste is disposed of by waste disposal authorities in Greater London or is proposed in the strategy to be so disposed of, and
  - (e) any other body which is concerned with the minimisation, recovery, treatment or disposal of municipal waste and which the Mayor considers it appropriate to consult.
- (6) Where the Mayor revises the municipal waste management strategy, he shall publish it as revised.

*Status: Point in time view as at 03/07/2000.*

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- (7) In this Act, references to the municipal waste management strategy include, except where the context otherwise requires, a reference to the municipal waste management strategy as revised.

**Marginal Citations**

- M1** 1990 c. 43.  
**M2** 1990 c. 43.

**354 Directions by the Secretary of State.**

- (1) Where the Secretary of State considers that either of the conditions specified in subsection (2) below is satisfied, he may give the Mayor a direction about the content of the municipal waste management strategy.
- (2) The conditions mentioned in subsection (1) above are—
- (a) that the municipal waste management strategy or its implementation is likely to be detrimental to any area outside Greater London, or
  - (b) that a direction about the content of the municipal waste management strategy is required for the purposes of the implementation of the policies contained in the strategy prepared by the Secretary of State in accordance with section 44A of the <sup>M3</sup>Environmental Protection Act 1990 (national waste strategy).
- (3) The power of the Secretary of State to give a direction to the Mayor under subsection (1) above—
- (a) may be exercised either generally or specially, and
  - (b) may only be exercised after consultation with the Mayor.
- (4) Where the Secretary of State gives the Mayor a direction under subsection (1) above, the Mayor shall comply with the direction.

**Marginal Citations**

- M3** 1990 c. 43.

**355 Duties of waste collection authorities etc.**

In exercising any function under Part II of the <sup>M4</sup>Environmental Protection Act 1990 (waste on land)—

- (a) each of the waste collection authorities in Greater London, and
  - (b) each of the waste disposal authorities in Greater London,
- shall have regard to the municipal waste management strategy.

**Marginal Citations**

- M4** 1990 c. 43.

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### **356 Directions by the Mayor.**

- (1) Where the Mayor considers that it is necessary for the purposes of the implementation of the municipal waste management strategy, he may give to a waste collection authority in Greater London, or a waste disposal authority in Greater London, a direction requiring the authority to exercise a function in a manner specified in the direction.
- (2) The Mayor may not give to an authority a direction under subsection (1) above requiring the authority—
  - (a) to terminate a waste contract before the expiry of the term of the contract; or
  - (b) to do anything which would result in a breach of any term of a waste contract.
- (3) The Mayor may not give to an authority a direction under subsection (1) above requiring the authority to exercise a function in relation to the awarding of a waste contract if—
  - (a) the authority is required to comply with the public procurement regulations in awarding that contract, and
  - (b) in compliance with those regulations the authority has sent the second information notice relating to the awarding of that contract to the Official Journal of the European Communities.
- (4) The power of the Mayor to give a direction to an authority under subsection (1) above—
  - (a) may be exercised either generally or specially, and
  - (b) may only be exercised after consultation with the authority concerned.
- (5) Where the Mayor gives an authority a direction under subsection (1) above, the authority to whom the direction is given shall comply with the direction.

### **357 Information about existing waste contracts.**

- (1) Where at the date on which this section comes into force a waste authority is a party to a waste contract, the authority shall, before the end of the period of 21 days beginning with the date on which this section comes into force, notify the Mayor of the date on which the term of the contract is due to expire.
- (2) A waste authority which is a party to a waste contract shall—
  - (a) at least two years before the date on which the term of the contract is due to expire, but
  - (b) no earlier than three years before that date,notify the Mayor of that date.
- (3) Subsection (1) above is without prejudice to subsection (2) above.
- (4) If at any time before the date on which the term of a waste contract is due to expire a waste authority which is a party to the contract—
  - (a) proposes to terminate or amend the contract, or
  - (b) receives notification from another party to the contract that the contract is or is proposed to be terminated or amended,the authority shall as soon as reasonably practicable notify the Mayor.

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- (5) Where the Mayor has been notified by a waste authority under subsection (1), (2) or (4) above he may direct the authority to provide him with such information as he may require for the purposes of deciding whether—
- (a) the arrangements which the authority is making to enter into a new contract,
  - (b) the terms upon which the authority is proposing to enter into a new contract, or
  - (c) the amendments or proposed amendments to the contract,
- would be detrimental to the implementation of the municipal waste management strategy.
- (6) Where the Mayor gives an authority a direction under subsection (5) above, the authority to whom the direction is given shall comply with the direction.

### **358 Information about new waste contracts.**

- (1) If in the awarding of a waste contract a waste authority is required to comply with the public procurement regulations, the authority shall not send the first information notice relating to the awarding of the contract to the Official Journal of the European Communities unless—
- (a) the authority has notified the Mayor that it proposes to send such a notice, and
  - (b) a period of at least 56 days beginning with the day on which the Mayor is so notified has elapsed.
- (2) If in the awarding of a waste contract a waste authority is not required to comply with the public procurement regulations, the authority shall not enter into the contract unless—
- (a) the authority has notified the Mayor that it proposes to enter into such a contract, and
  - (b) a period of at least 56 days beginning with the day on which the Mayor is so notified has elapsed.
- (3) Where the Mayor has been notified under subsection (1) or (2) above he may direct the waste authority to provide him with such information about the contract as he may require for the purposes of deciding whether the contract would be detrimental to the implementation of the municipal waste management strategy.
- (4) Where the Mayor gives an authority a direction under subsection (3) above, the authority to whom the direction is given shall comply with the direction.

### **359 Confidential information about waste contracts.**

- (1) Nothing in section 357 or 358 above shall require a waste authority to provide any information if—
- (a) the information has been provided to the waste authority by another person,
  - (b) that person has imposed requirements as to the maintenance by the waste authority of confidentiality in respect of the information,
  - (c) the waste authority is, by virtue of the public procurement regulations, under a duty to comply with those requirements, and
  - (d) the provision of the information would be in breach of that duty.
- (2) If at the time when information is provided by a waste authority to the Mayor under section 357 or 358 above the waste authority notifies the Mayor that, in the opinion of

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the authority, the information is confidential information or exempt information, the information shall not be disclosed—

- (a) by the Mayor, except to a person appointed under section 67(1) or (2) above, or
- (b) by such a person, except to another such person.

(3) For the purposes of subsection (2) above—

“confidential information” has the meaning given by section 100A(3) of the <sup>M5</sup>Local Government Act 1972, but taking the reference to the council in paragraph (a) of that provision as a reference to the waste authority;

“exempt information” shall be construed in accordance with section 100I of that Act, but taking references to a principal council in paragraph 1(2) of Schedule 12A to that Act (meaning of “the authority”) as references to a waste authority.

#### Marginal Citations

M5 1972 c. 70.

### 360 Interpretation of sections 353 to 359.

(1) This section applies for the purposes of sections 353 to 359 above.

(2) The following expressions have the meanings given below—

“disposal”, in relation to waste, shall be construed in accordance with section 29(6) of the <sup>M6</sup>Environmental Protection Act 1990,

“municipal waste” means any waste in the possession or under the control of—

- (a) a body which, or a person who, is a waste collection authority in Greater London, or
- (b) a body which is a waste disposal authority in Greater London,

whether or not the waste is in the possession or under the control of the body or person under or by virtue of that Act,

“the public procurement regulations” means any of the following—

- (a) the <sup>M7</sup>Public Works Contracts Regulations 1991,
- (b) the <sup>M8</sup>Public Services Contracts Regulations 1993,
- (c) the <sup>M9</sup>Public Supply Contracts Regulations 1995, and
- (d) the <sup>M10</sup>Utilities Contracts Regulations 1996,

“recovery”, in relation to waste, includes the recovery of materials from waste and the recovery of energy from waste,

“treatment”, in relation to waste, shall be construed in accordance with section 29(6) of the <sup>M11</sup>Environmental Protection Act 1990,

“waste” shall be construed in accordance with section 75 of that Act,

“waste authority” means—

- (a) a waste collection authority in Greater London, or
- (b) a waste disposal authority in Greater London,

“waste collection authority in Greater London” shall be construed in accordance with section 30(3)(b) of that Act,

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“waste contract” means a contract which includes or is to include provision relating to municipal waste and is made or to be made by a waste authority in the performance of its functions under Part II of that Act (waste on land), and “waste disposal authority in Greater London” shall be construed in accordance with section 30(2)(b) of that Act.

- (3) “First information notice”, in relation to the awarding of a waste contract by a waste authority, means—
- (a) in a case where the authority is required in the awarding of that contract to comply with—
    - (i) the <sup>M12</sup>Public Works Contracts Regulations 1991,
    - (ii) the <sup>M13</sup>Public Services Contracts Regulations 1993, or
    - (iii) the <sup>M14</sup>Public Supply Contracts Regulations 1995,
 a notice in respect of that contract sent to the Official Journal of the European Communities in compliance with regulation 9 of the relevant Regulations; or
  - (b) in a case where the authority is required in the awarding of that contract to comply with the <sup>M15</sup>Utilities Contracts Regulations 1996, a notice in respect of that contract sent to the Official Journal of the European Communities in compliance with regulation 14.
- (4) “Second information notice”, in relation to the awarding of a waste contract by a waste authority, means—
- (a) in a case where the authority is required in the awarding of that contract to comply with—
    - (i) the Public Works Contracts Regulations 1991,
    - (ii) the Public Services Contracts Regulations 1993, or
    - (iii) the Public Supply Contracts Regulations 1995,
 a notice in respect of that contract sent to the Official Journal of the European Communities in compliance with regulation 11, 12 or 13 of the relevant Regulations; or
  - (b) in a case where the authority is required in the awarding of that contract to comply with the Utilities Contracts Regulations 1996, a notice in respect of that contract sent to the Official Journal of the European Communities which in accordance with regulation 15(2)(b) satisfies the requirement of regulation 15(1) to make a call for competition.
- (5) Until the date on which the municipal waste management strategy is first published under section 353(1) above, sections 356(1), 357(5) and 358(3) above have effect as if the references to the municipal waste management strategy were references to the policies contained in the strategy prepared by the Secretary of State in accordance with section 44A of the <sup>M16</sup>Environmental Protection Act 1990 (national waste strategy).

#### Marginal Citations

- M6** 1990 c. 43.  
**M7** S.I. 1991/2680.  
**M8** S.I. 1993/3228.  
**M9** S.I. 1995/201.  
**M10** S.I. 1996/2911.  
**M11** 1990 c. 43.  
**M12** S.I. 1991/2680.



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**M13** S.I. 1993/3228.  
**M14** S.I. 1995/201.  
**M15** S.I. 1996/2911.  
**M16** 1990 c. 43.

### **361 Waste recycling plans.**

- (1) Section 49 of the <sup>M17</sup>Environmental Protection Act 1990 (duty of waste collection authorities to produce waste recycling plans) shall be amended as follows.
- (2) In subsection (4) (duty of waste collection authorities to send a draft of the waste recycling plan to the Secretary of State) after “a waste collection authority” there shall be inserted “ other than a waste collection authority in Greater London ”.
- (3) After that subsection there shall be inserted—
  - “(4A) It shall be the duty of a waste collection authority in Greater London, before finally determining the content of the plan or a modification, to send a copy of it in draft to the Mayor of London.
  - (4B) It shall be the duty of the Mayor of London to consider the draft plan or modification sent to him under subsection (4A) above and to give to the authority such directions as he considers necessary for securing compliance with subsection (3) above.
  - (4C) Where the Mayor of London gives any direction to a waste collection authority under subsection (4B) above, it shall be the duty of the authority to comply with the direction.”
- (4) In subsection (7) (directions by the Secretary of State as to the time within which duties imposed by the section are to be performed) after “any waste collection authority” there shall be inserted “ other than a waste collection authority in Greater London ”.
- (5) After that subsection there shall be inserted—
  - “(7A) The Mayor of London may give to any waste collection authority in Greater London directions as to the time by which the authority is to perform any duty imposed by this section specified in the direction; and it shall be the duty of the authority to comply with the direction.”

#### **Marginal Citations**

**M17** 1990 c. 43.

### *Air quality*

### **362 The Mayor’s air quality strategy.**

- (1) The Mayor shall prepare and publish a document to be known as the “London air quality strategy”.
- (2) The London air quality strategy shall contain the Mayor’s proposals and policies—

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- (a) for the implementation in Greater London of the policies contained in the strategy prepared and published by the Secretary of State in accordance with section 80 of the <sup>M18</sup>Environment Act 1995 (national air quality strategy), and
  - (b) for the achievement in Greater London of the air quality standards and objectives prescribed in regulations made under section 87(2)(a) and (b) of that Act,
- and may contain such other proposals and policies relating to the improvement of air quality in Greater London as the Mayor considers appropriate.
- (3) The London air quality strategy shall also contain information about—
- (a) the air quality in Greater London and the likely future air quality in Greater London,
  - (b) the measures which are to be taken by the Authority, Transport for London and the London Development Agency for the purpose of the implementation of the London air quality strategy,
  - (c) the measures which other persons or bodies are to be encouraged by the Mayor to take for the purpose of the implementation of the London air quality strategy.
- (4) In preparing or revising the London air quality strategy the Mayor shall have regard—
- (a) to reviews and assessments of air quality made by local authorities in Greater London in accordance with section 82 of the <sup>M19</sup>Environment Act 1995,
  - (b) to any designation by a local authority in Greater London of an air quality management area in accordance with section 83 of that Act,
  - (c) to any plan prepared for the purposes of the achievement of air quality standards by a local authority in Greater London in accordance with section 84(2)(b) of that Act, and
  - (d) to any guidance about the content of the London air quality strategy given to him by the Secretary of State for the purposes of the implementation of the strategy prepared and published by the Secretary of State in accordance with section 80 of that Act, (national air quality strategy).
- (5) In preparing or revising the London air quality strategy the Mayor shall consult—
- (a) the Environment Agency, and
  - (b) any local authority the area of which has a boundary which adjoins any part of the boundary of Greater London.
- (6) Where the Mayor revises the London air quality strategy, he shall publish it as revised.
- (7) In this Act, references to the London air quality strategy include, except where the context otherwise requires, a reference to the London air quality strategy as revised.

#### Marginal Citations

**M18** 1995 c.25.

**M19** 1995 c. 25.

*Status: Point in time view as at 03/07/2000.*

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### **363 Directions by the Secretary of State.**

- (1) Where the Secretary of State considers that either of the conditions specified in subsection (2) below is satisfied, he may give the Mayor a direction about the content of the London air quality strategy.
- (2) The conditions mentioned in subsection (1) above are—
  - (a) that the London air quality strategy or its implementation is likely to be detrimental to any area outside Greater London, or
  - (b) that a direction about the content of the London air quality strategy is required for the purposes of the implementation of the policies contained in the strategy prepared and published by the Secretary of State in accordance with section 80 of the <sup>M20</sup>Environment Act 1995 (national air quality strategy).
- (3) The power of the Secretary of State to give a direction to the Mayor under subsection (1) above—
  - (a) may be exercised either generally or specially, and
  - (b) may only be exercised after consultation with the Mayor.
- (4) Where the Secretary of State gives the Mayor a direction under subsection (1) above, the Mayor shall comply with the direction.

#### **Marginal Citations**

**M20** 1995 c. 25.

### **364 Duty of local authorities in Greater London.**

In exercising any function under Part IV of the <sup>M21</sup>Environment Act 1995 (air quality) a local authority in Greater London shall have regard to the London air quality strategy.

#### **Marginal Citations**

**M21** 1995 c.25.

### **365 Directions by the Mayor.**

- (1) The Mayor may give a direction to any local authority in Greater London requiring the authority to provide him with such information, advice and assistance as he may require in the preparation and revision of the London air quality strategy.
- (2) The power of the Mayor to give a direction to an authority under subsection (1) above may be exercised either generally or specially.
- (3) Where the Mayor gives an authority a direction under subsection (1) above, the authority to whom the direction is given shall comply with the direction.

### **366 Interpretation of sections 362 to 365.**

For the purposes of sections 362 to 365 above “local authority” has the meaning given to it by section 91(1) of the Environment Act 1995.

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### 367 Directions under the Environment Act 1995.

- (1) Section 85 of the <sup>M22</sup>Environment Act 1995 (reserve powers of the Secretary of State in relation to air quality) shall be amended in accordance with [F1subsections (2) to (5)]below.
- (2) In subsection (1) (definition of “appropriate authority” for the purposes of the section)
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- (a) in paragraph (a), for “England and Wales, the Secretary of State; and” there shall be substituted “local authorities in England and Wales other than local authorities in Greater London, the Secretary of State;”, and
- (b) after that paragraph there shall be inserted—
- “(aa) in relation to local authorities in Greater London, the Mayor of London; and”.
- (3) After subsection (4) there shall be inserted—
- “(4A) The powers of the Mayor of London to give directions under this section to a local authority in Greater London may only be exercised after consultation with the local authority concerned.
- (4B) In exercising any function under subsection (2), (3) or (4) above the Mayor of London shall have regard to any guidance issued by the Secretary of State to local authorities under section 88(1) below.”
- (4) In subsection (5) (power of the Secretary of State to give directions relating to obligations under the Community Treaties or to international obligations) after “local authorities” there shall be inserted “, other than local authorities in Greater London,”.
- (5) After subsection (6) (publishing of directions under the section) there shall be inserted—
- “(6A) The Mayor of London shall send a copy of any direction he gives under this section to the Secretary of State.”

#### Textual Amendments

F1 Words in s. 367(1) substituted (27.5.2000) by S.I. 2000/1435, art. 2, Sch 1 Pt. I para. 9

#### Marginal Citations

M22 1995 c. 25.

### 368 Duty of the Mayor in relation to air quality action plans.

After section 86 of the <sup>M23</sup>Environment Act 1995 (functions of county councils in relation to district councils) there shall be inserted—

#### “86A Functions exercisable by the Mayor of London.

- (1) Where a local authority in Greater London is preparing an action plan, the Mayor of London (referred to in this section as “the Mayor”) shall, within the relevant period, submit to the authority proposals for the exercise (so far as relating to the designated area) by the Mayor, in pursuit of the achievement of air quality standards and objectives, of any powers exercisable by the Mayor.

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- (2) Where the Mayor submits proposals to a local authority in pursuance of subsection (1) above, he shall also submit a statement of the time or times by or within which he proposes to implement each of the proposals.
- (3) An action plan shall include a statement of—
  - (a) any proposals submitted pursuant to subsection (1) above; and
  - (b) any time or times set out in the statement submitted pursuant to subsection (2) above.”

**Marginal Citations**

M23 1995 c. 25.

**369 Consultation with the Mayor.**

In paragraph 1 of Schedule 11 to the <sup>M24</sup>Environment Act 1995 (duty of local authorities to consult certain persons in the exercise of their functions under Part IV of that Act), after sub-paragraph (2) there shall be inserted—

“(2A) A local authority specified in sub-paragraph (2B) below shall in carrying out the functions falling within sub-paragraph (1)(a) to (c) above also consult the Mayor of London.

(2B) The local authorities mentioned in sub-paragraph (2A) above are—

- (a) any local authority in Greater London,
- (b) any local authority whose area is contiguous to the area of Greater London.”

**Marginal Citations**

M24 1995 c. 25.

*Noise*

**370 The London ambient noise strategy.**

- (1) The Mayor shall prepare and publish a document to be known as the “London ambient noise strategy”.
- (2) The London ambient noise strategy shall consist of—
  - (a) information about ambient noise levels in Greater London and the impact of such noise levels on those living and working in Greater London,
  - (b) an assessment of the impact of the Mayor’s strategies specified in section 41(1) above on ambient noise levels in Greater London, and
  - (c) a summary of action taken, or proposed to be taken, by the Mayor for the purpose of promoting measures to reduce ambient noise levels in Greater London and the impact of such noise levels on those living and working in Greater London.
- (3) In this section—

*Status: Point in time view as at 03/07/2000.*

*Changes to legislation: Greater London Authority Act 1999, Part IX is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

“ambient noise” means—

- (a) noise related to transport, including road traffic, rail traffic, aircraft and water transport; and
  - (b) noise of such other descriptions as the Mayor may consider it appropriate to include in the matters dealt with by the London ambient noise strategy,
- but does not include noise falling within subsection (4) below; and  
“noise” includes vibration.

(4) Noise falls within this subsection if it is—

- (a) noise emitted from works falling within section 60(1) of the <sup>M25</sup>Control of Pollution Act 1974 (construction works etc. which may be controlled by a local authority);
- (b) noise caused by the operation of a loud-speaker in a street, whether or not the operation would be a contravention of section 62(1) of the <sup>M26</sup>Control of Pollution Act 1974 (loud-speaker not to be operated in the street during certain hours);
- (c) noise at work which, under or by virtue of the <sup>M27</sup>Health and Safety at Work etc. Act 1974, it is the duty of an employer to control; or
- (d) noise emitted from premises or emitted from or caused by a vehicle, machinery or equipment in a street, except noise caused by aircraft other than model aircraft or noise made by traffic;

but noise does not fall within this subsection if it is noise from a fixed industrial source.

(5) Expressions used in paragraph (d) of subsection (4) above and in section 79 of the <sup>M28</sup>Environmental Protection Act 1990 have the same meaning in that paragraph as they have in that section.

(6) In preparing or revising the London ambient noise strategy the Mayor shall consult the Environment Agency.

(7) Where the Mayor revises the London ambient noise strategy he shall publish it as revised.

(8) In this Act, references to the London ambient noise strategy include, except where the context otherwise requires, a reference to the London ambient noise strategy as revised.

#### Marginal Citations

**M25** 1974 c. 40.

**M26** 1974 c. 40.

**M27** 1974 c. 37.

**M28** 1990 c. 43.

### 371 Consultation about aviation noise.

(1) A person who provides air navigation services shall consult the Mayor about the matters specified in subsection (2) below where it is reasonably practicable to do so.

(2) Those matters are—

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- (a) the proposed alteration by that person of any route used regularly by civil aircraft before arrival at, or after departure from, any aerodrome;
- (b) the proposed addition by that person of any route to be so used;
- (c) any substantial alteration proposed to be made by that person to procedures used for managing the arrival of civil aircraft at any aerodrome,

where the proposed alteration or addition will have a significant adverse effect on the noise caused by civil aircraft in Greater London.

- (3) For the purposes of subsection (2) above the reference to a route used regularly by civil aircraft includes a reference to the altitude at which such aircraft regularly fly.

- (4) In this section—

“aerodrome” has the meaning given by subsection (1) of section 105 of the <sup>M29</sup>Civil Aviation Act 1982;

“air navigation services” shall be construed in accordance with that subsection;

“noise” includes vibration.

#### Marginal Citations

M29 1982 c. 16.

### 372 Consultation at aerodromes.

- (1) Section 35 of the <sup>M30</sup>Civil Aviation Act 1982 (facilities to be provided by certain aerodromes for consultation with bodies representing local interests) shall be amended as follows.

- (2) After subsection (2) (persons or bodies to be consulted) there shall be inserted—

“(3) The reference in subsection (2)(b) above to any local authority includes in relation to the area of Greater London a reference to the Mayor of London acting on behalf of the Greater London Authority.”.

#### Marginal Citations

M30 1982 c. 1.

### *Miscellaneous and supplementary*

### 373 Functional bodies to have regard to strategies under this Part.

In exercising any function, each of the functional bodies shall have regard to the strategies prepared and published by the Mayor under this Part.

### 374 Abolition of the London Ecology Committee.

The joint committee appointed pursuant to the provisions of Part VI of the <sup>M31</sup>Local Government Act 1972 and known as “the London Ecology Committee” is abolished by this section.

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**Marginal Citations**

**M31** 1972 c. 70.



**Status:**

Point in time view as at 03/07/2000.

**Changes to legislation:**

Greater London Authority Act 1999, Part IX is up to date with all changes known to be in force on or before 03 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.