



# Greater London Authority Act 1999

## 1999 CHAPTER 29

### PART V

#### THE LONDON DEVELOPMENT AGENCY

#### **304 Appointment of members by the Mayor.**

In section 2 of the <sup>M1</sup>Regional Development Agencies Act 1998 (constitution of the regional development agencies) after subsection (5) there shall be inserted—

- “(6) Subsection (3)(d) does not apply in relation to the London Development Agency.
- (7) Subsections (1) to (4), apart from subsection (3)(d), have effect in relation to the London Development Agency—
- (a) as if references to the Secretary of State were references to the Mayor of London, and
  - (b) subject to subsections (8) to (11).
- (8) The Mayor of London must also consult the London Assembly before making an appointment under subsection (1).
- (9) The Mayor of London may only make an appointment under subsection (1) if, after the appointment takes effect, there will be at least four members of the London Development Agency who are, or were at the time of their appointment, elected members of—
- (a) the London Assembly,
  - (b) a London borough council, or
  - (c) the Common Council of the City of London.
- (10) The Mayor of London may only make an appointment under subsection (1) if, after the appointment takes effect, at least half of the members of the London Development Agency will be persons who appear to the Mayor to be persons who have experience of running a business.

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- (11) The Mayor of London may only designate a person under subsection (4)(a) to be the chairman of the London Development Agency if that person appears to the Mayor to be a person who has experience of running a business.”

#### Commencement Information

- II** S. 304 wholly in force at 3.7.2000; s. 304 not in force at Royal Assent, see s. 425(2); s. 304 in force for specified purposes (8.5.2000) by S.I. 2000/801, art. 2(2)(b), Sch. Pt. 2; s. 304 in force (3.7.2000) in so far as not already in force by S.I. 2000/801, art. 2(2)(c), Sch. Pt. 3

#### Marginal Citations

- M1** 1998 c. 45.

### 305 Delegation of functions by Ministers to the Mayor.

- (1) In section 6 of the <sup>M2</sup>Regional Development Agencies Act 1998 (delegation of functions by Ministers to regional development agencies) after subsection (6) there shall be inserted—

“(7) The power of a Minister of the Crown to delegate a function under this section to the London Development Agency has effect subject to section 6A.”

- (2) After that section there shall be inserted—

#### “6A Delegation of functions to the Mayor of London and the London Development Agency.

- (1) The power of a Minister of the Crown under section 6(1) to delegate a function—
- (a) may be exercised to delegate the function to the Mayor of London instead of to the London Development Agency, and
  - (b) may only be exercised to delegate the function to the London Development Agency with the consent of the Mayor of London.
- (2) Where a Minister of the Crown delegates a function to the Mayor of London under section 6(1) by virtue of subsection (1)(a)—
- (a) section 6(3) and (4), and
  - (b) Schedule 3,
- have effect in relation to the delegation as if the Mayor of London were for this purpose a regional development agency.
- (3) In any case where—
- (a) a function has been delegated to the Mayor of London under section 6(1) by virtue of subsection (1)(a), and
  - (b) the Mayor of London, by an authorisation given in accordance with section 38 of the Greater London Authority Act 1999, makes the function exercisable by the London Development Agency,
- the authorisation must be made subject to such conditions as are necessary to ensure that any conditions subject to which the function is delegated to him are also imposed on the London Development Agency.”

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#### Marginal Citations

M2 1998 c. 45.

### 306 The London Development Agency strategy.

(1) In section 7 of the <sup>M3</sup>Regional Development Agencies Act 1998 (duty of regional development agencies to formulate a strategy) after subsection (3) there shall be inserted—

“(4) Subsections (1) and (2) do not apply in relation to the London Development Agency.”

(2) After that section there shall be inserted—

#### “7A The London Development Agency strategy.

- (1) The London Development Agency shall formulate and submit to the Mayor of London (referred to in this section and section 7B as “the Mayor”) a draft strategy in relation to its purposes.
- (2) As soon as reasonably practicable after the draft strategy has been submitted to the Mayor, the Mayor shall prepare and publish a document to be known as the “London Development Agency strategy”.
- (3) The London Development Agency strategy published under subsection (2) shall be the draft strategy submitted to the Mayor under subsection (1), with such modifications (if any) as he considers appropriate.
- (4) The London Development Agency shall keep the London Development Agency strategy under review and may submit proposed revisions of it to the Mayor.
- (5) The London Development Agency and each of—
  - (a) Transport for London,
  - (b) the Metropolitan Police Authority, and
  - (c) the London Fire and Emergency Planning Authority,shall in the exercise of any function have regard to the London Development Agency strategy.
- (6) The Mayor may give the London Development Agency guidance and directions, in particular, with respect—
  - (a) to the preparation, content and submission of the draft strategy under subsection (1), or
  - (b) to keeping the London Development Agency strategy under review.
- (7) Where the Mayor revises the London Development Agency strategy, he shall publish it as revised.
- (8) Before publishing the London Development Agency strategy the Mayor shall consult—
  - (a) the persons whom he is required to consult by virtue of section 42 of the Greater London Authority Act 1999, and

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(b) the persons mentioned in section 2(3)(b) and (c).

(9) In this Act and the Greater London Authority Act 1999, references to the London Development Agency strategy include, except where the context otherwise requires, a reference to the London Development Agency strategy as revised.”

#### Marginal Citations

M3 1998 c. 45.

### 307 Secretary of State’s functions in relation to the strategy.

After section 7A of the <sup>M4</sup>Regional Development Agencies Act 1998 there shall be inserted—

#### “7B Secretary of State’s functions in relation to the London Development Agency strategy.

- (1) The Secretary of State may give guidance to the Mayor about the exercise of his functions in relation to the London Development Agency strategy with respect to—
  - (a) the matters to be covered by that strategy or that strategy as revised, and
  - (b) the issues to be taken into account in preparing or revising that strategy.
- (2) Section 7(3) applies in relation to the issues mentioned in subsection (1)(b) as it applies in relation to the issues mentioned in section 7(2)(b).
- (3) The Mayor is to have regard to any guidance given under subsection (1).
- (4) Where the Secretary of State considers—
  - (a) that the London Development Agency strategy (or any part of it) is inconsistent with national policies, or
  - (b) that the London Development Agency strategy or its implementation is having, or is likely to have, a detrimental effect on any area outside Greater London,
 he may direct the Mayor to make such revisions of the strategy as may be specified in the direction in order to remove the inconsistency or, as the case may be, the detrimental effect or likely detrimental effect.
- (5) Where the Secretary of State gives the Mayor a direction under subsection (4), the Mayor shall revise the London Development Agency strategy in accordance with the direction.
- (6) Where the Mayor revises the London Development Agency strategy in accordance with subsection (5), section 7A(8) and section 42 of the <sup>M5</sup>Greater London Authority Act 1999 (consultation about strategies) shall not apply.
- (7) For the purposes of this section “national policies” are any policies of Her Majesty’s government which are available in a written form and which—
  - (a) have been laid or announced before, or otherwise presented to, either House of Parliament, or
  - (b) have been published by a Minister of the Crown.”

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**Marginal Citations**

**M4** 1998 c. 45.

**M5** 1999 c. 29.

**308 Audit.**

In section 15 of the <sup>M6</sup>Regional Development Agencies Act 1998 (audit of the regional development agencies) after subsection (3) of that section there shall be inserted—

“(4) Subsections (1) to (3) do not apply to the London Development Agency (whose accounts are, by virtue of paragraph 1(bc) of Schedule 2 to the <sup>M7</sup>Audit Commission Act 1998, to be audited in accordance with that Act).

(5) The London Development Agency shall send a copy of its audited accounts to the Mayor of London and the Chair of the London Assembly.”

**Marginal Citations**

**M6** 1998 c. 45.

**M7** 1998 c. 18.

**309 Further amendments of the Regional Development Agencies Act 1998.**

Schedule 25 to this Act (further amendments of the <sup>M8</sup>Regional Development Agencies Act 1998 relating to the Mayor of London and the London Development Agency) shall have effect.

**Marginal Citations**

**M8** 1998 c. 45.

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