
STATUTORY INSTRUMENTS

2001 No. 3719

LONDON GOVERNMENT

The Greater London Authority (Miscellaneous
Amendments) (No. 2) Order 2001

Made - - - - *19th November 2001*

Coming into force - - *20th November 2001*

The Secretary of State for Transport, Local Government and the Regions, in exercise of the powers conferred upon him by sections 405, 406 and 420(3) of the Greater London Authority Act 1999⁽¹⁾, and of all other powers enabling him in that behalf, hereby makes the following Order, a draft of which has been laid before, and approved by a resolution of, each House of Parliament.

Citation and commencement

1. This Order may be cited as the Greater London Authority (Miscellaneous Amendments) (No. 2) Order 2001 and shall come into force on the day after the day on which it is made.

Amendment of enactments

2. The amendments of the enactments indicated in the Schedule to this Order shall have effect.

Signed by authority of the Secretary of State for Transport, Local Government and the Regions

Nick Raynsford
Minister of State,
Department for Transport, Local Government
and the Regions

19th November 2001

(1) 1999 c. 29.

SCHEDULE

Article 2

AMENDMENTS OF ENACTMENTS

The Local Government Act 1972

1. The Local Government Act 1972(2) shall be amended in accordance with paragraphs 2 to 4.
2. In section 223(2)(3) (appearance of local authorities in legal proceedings), after “a joint authority” there shall be inserted “, the Greater London Authority”.
- 3.—(1) Section 236(4) (procedure, etc., for byelaws) shall be amended as follows.
 - (2) In subsection (3), for “The” there shall be substituted “Subject to subsection (3A) below, the”.
 - (3) After subsection (3), there shall be inserted—

“(3A) Byelaws made by the Greater London Authority shall be made under the hand of the Mayor and shall not have effect until they are confirmed by the confirming authority.”.
4. In section 238(5) (evidence of byelaws), after “purporting to be made by a local authority” there shall be inserted “, the Greater London Authority”.

The European Communities (Amendment) Act 1993

5. In section 6 of the European Communities (Amendment) Act 1993(6) (Committee of the Regions), after “a member of the National Assembly for Wales” there shall be inserted “, the Mayor of London, a member of the London Assembly”.

The Environment Act 1995

- 6.—(1) Section 85 of the Environment Act 1995(7) (reserve powers of the Secretary of State or the Scottish Environment Protection Agency) shall be amended as follows.
 - (2) In subsection (4B) after “or (4) above” there shall be inserted “or (5A) below”.
 - (3) After section 85(5) there shall be inserted—

“(5A) The Mayor of London shall also have the same power to give directions to local authorities in Greater London as the Secretary of State has under subsection (5) above in relation to other local authorities.”.

The Greater London Authority Act 1999

7. In section 385(1) of the Greater London Authority Act 1999, after “The Authority may make” there shall be inserted “and enforce”.

(2) 1972 c. 70.

(3) As amended by section 84 of and Schedule 14 to the Local Government Act 1985 (c. 51); section 40(2) of and paragraph 98 of Schedule 8 to the Water Act 1973 (c. 37); Schedule 3 to the Education Reform Act 1988 (c. 40); paragraph 17 of Schedule 22 to the Environment Act 1995 (c. 25); Schedule 4 to the Police and Magistrates Court Act 1994 (c. 29); Schedule 7 to the Police Act 1996 (c. 16); Schedule 6 to the Police Act 1997 (c. 50), and paragraph 29 of Schedule 27 to the Greater London Authority Act 1999.

(4) As amended by section 109 of and paragraph 11 of Schedule 15 to the Civil Aviation Act 1982 (c. 16); section 84 and Schedule 14 to the Local Government Act 1985; section 237(1) of and paragraph 46 of Schedule 12 to the Education Reform Act 1988, section 190 and Part I of Schedule 27 to the Water Act 1989 (c. 15); Schedule 15 to the Local Government (Wales) Act 1994 (c. 19), and sections 76 and 166 of the Greater London Authority Act 1999.

(5) As amended by section 237(1) of and paragraph 46 of Schedule 12 to the Education Reform Act 1988.

(6) 1993 c. 58. Section 6 is amended by paragraph 34 of Schedule 12 to the Government of Wales Act 1998 (c. 38) and section 125 and paragraph 28 of Schedule 8 to the Scotland Act (c. 46).

(7) 1995 c. 25. Section 85 is amended by section 367 of the Greater London Authority Act 1999.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes incidental, consequential, and supplementary provision for the general or particular purposes of the Greater London Authority Act 1999, and for giving full effect to that Act. It does so by amending the enactments specified in the Schedule to the Order.

Paragraphs 1 to 4 of the Schedule amend the Local Government Act 1972 in relation to the Greater London Authority's ability to be represented in legal proceedings, and its procedure for making byelaws.

Paragraph 5 of the Schedule amends the European Communities (Amendment) Act 1993 so that the Mayor of London and members of the London Assembly may become members of the European Community's Committee of the Regions.

Paragraph 6 of the Schedule amends the Environment Act 1995 by giving the Mayor of London power to issue directions to local authorities in Greater London regarding their obligations in relation to air quality, and by making a consequential amendment in respect of that power.

Paragraph 7 of the Schedule amends the Greater London Authority Act 1999 by confirming the Greater London Authority's power to enforce byelaws made by the Authority in respect of Trafalgar Square and Parliament Square Garden.