



**Government response to the Communities and Local
Government Select Committee Report: Post-Legislative
Scrutiny of the Greater London Authority Act 2007 and
the London Assembly**

Presented to Parliament
by the Secretary of State for Communities and Local Government
by Command of Her Majesty

December 2013



**Government response to the Communities and Local
Government Select Committee Report: Post-Legislative
Scrutiny of the Greater London Authority Act 2007 and
the London Assembly**

Presented to Parliament
by the Secretary of State for Communities and Local Government
by Command of Her Majesty

December 2013

© Crown copyright 2013

You may re-use this information (excluding logos) free of charge in any format or medium, under the terms of the Open Government Licence. To view this licence, visit <http://www.nationalarchives.gov.uk/doc/open-government-licence/> or e-mail: psi@nationalarchives.gsi.gov.uk.

Where we have identified any third party copyright information you will need to obtain permission from the copyright holders concerned.

Any enquiries regarding this publication should be sent to us at publishingteam@communities.gsi.gov.uk.

ISBN: 9780101876124

Printed in the UK by The Stationery Office Limited
on behalf of the Controller of Her Majesty's Stationery Office

ID 2605442 12/13

Printed on paper containing 75% recycled fibre content minimum

Government response to the Communities and Local Government Select Committee Report: Post-Legislative Scrutiny of the Greater London Authority Act 2007 and the London Assembly

Introduction

The Communities and Local Government Select Committee conducted an enquiry into the report: Post-legislative scrutiny of the Greater London Authority Act 2007. Following the submission of written evidence and a number of evidence sessions, the Committee published its report on 16 October 2013.

Committee Conclusions and Recommendations

The Committee made seven specific recommendations. Set out below are the Committee's recommendations from the report and the Government's response to each.

Recommendation 1

The Government require the Mayor to publish a forward plan and to provide the Assembly with the power to call in mayoral decisions.

The Government does not agree with this recommendation. A requirement on the Mayor to publish a forward plan and to provide the Assembly with the power to call in mayoral decisions would introduce additional bureaucracy and undermine the approach taken in London of having a strong mayoral model with after-the-event scrutiny by the Assembly.

Recommendation 2

The Government should give the Assembly the same power to amend the Mayor's capital budgets as it has to amend his revenue budgets.

The Government does not agree the Assembly should be given the same power to amend the Mayor's capital budgets as it has to amend his revenue budgets. It is right that the Assembly should be involved in setting the amount of council tax the GLA should raise from the people of London through the council tax precept.

The Mayor's capital budgets however, are principally granted to the Mayor to deliver specific projects and programmes in London, such as large scale infrastructure of national significance and affordable housing in London. Much of this capital funding is subject to detailed agreements, for instance for Crossrail and the London Underground upgrade. The current spending round has also brought in long-term capital funding for Transport for London to protect infrastructure investment. This brings certainty that the Government and the people of London would not want to see undermined. Long term certainty also helps to secure better value from contracts.

The Government does however welcome the role the Assembly plays in holding the Mayor to account on how these programmes are delivered in London.

Recommendation 3

The Government's response to the report of the London Finance Commission on the Mayor's tax and spending powers include a review of the Assembly's ability to hold the Mayor to account. The review should include an assessment of additional and separate resources and expertise to enhance the Assembly's financial scrutiny role and the establishment of an independent budget office for London.

The London Finance Commission's report was to the Mayor of London, as such the Government will not respond to the report itself. However the Government supports the London Finance Commission's efforts to articulate a long term vision of a new relationship between London and the rest of the UK.

The report includes some interesting and innovative recommendations on how greater financial autonomy for both the Greater London Authority and London Boroughs would boost jobs and growth. These proposals would have wide ranging effects on London, Government Finances and the rest of the UK and given the legal, constitutional and fiscal questions raised, they are clearly a matter for longer-term consideration.

The powers given to the Greater London Authority in the Localism Act 2011 and the reforms introduced through the Local Government Finance Act 2012 are relatively new and it is right to take time to allow these to embed before further devolution is considered.

The Government does agree that if there is any further devolution of powers to the Mayor it would consider the role of the Assembly and what the appropriate level of resourcing should be. Devolution should also be to the lowest appropriate level: not just to the Greater London Authority, but down to London Boroughs, to neighbourhoods, to community groups and to individuals.

Recommendation 4

The Government should give the Assembly the power to reject the Mayor's Police and Crime Plan on the same basis that it can all other mayoral statutory strategies.

The Government does not agree with this recommendation. The Mayor's Police and Crime Plan is a requirement placed on the Mayor under the Police Reform and Social Responsibility Act 2011 which sets out the Commissioner's strategic police and crime objectives for London. In 2011 it was decided that the arrangements in London would be aligned with the arrangements for Police and Crime Commissioners elsewhere.

Recommendation 5

The Government should remove the right of sitting Assembly Members to join the Mayor's cabinet or to sit on the boards of GLA bodies.

The Government understands the concerns of the Committee but believes it is an issue for the Mayor and Assembly to consider in the first instance. If a suitable legislative opportunity were to arise in the future the Government would take into consideration the Greater London Assembly's views on this matter.

However, as the Committee is aware, the current approach whereby the Mayor can draw Deputy Mayors and Cabinet Members from the Assembly is similar to the approach used in other Mayoral systems in England. The Local Government Act 2000 provides for a directly elected Mayor to appoint a Deputy Mayor and two or more Councillors of the authority (up to a maximum of 10) to sit on the Cabinet and form the executive.

Recommendation 6

The Government should reconstitute the London Fire and Emergency Planning Authority along the lines of the Mayor's Office for Policing and Crime, with a Deputy Mayor for Fire and Emergency Planning and a dedicated Assembly committee along the lines of the Assembly's Police and Crime Committee to scrutinise it.

Abolishing the London Fire and Emergency Planning Authority and creating a new Mayoral agency would require primary legislation. The Government accepts that there is scope for reform in this area and is willing to listen to alternative governance models for fire in London. The Government is currently considering its response to the Knight Review but any option to replace the London Fire and Emergency Planning Authority should fit in with the overall drive to promote efficiencies through greater collaboration between the emergency services.

Recommendation 7

The Government should allow the relevant Assembly Committee to review and, if necessary, reject the Mayor's appointment of any Deputy Mayor. An appointee who at the time of his or her nomination was an AM would be subject to this process. On confirmation the candidate should give up membership of the Assembly. The power of rejection should also apply to those whom the Mayor appoints as chair or deputy chair of those GLA boards specified in the 2007 Act.

The Government recognises that the arrangements regarding the position of Assembly Members' scrutiny of Mayoral appointments is inconsistent. However, the Government does not agree that the Assembly should have the right to prevent the Mayor appointing his team of advisers. The Assembly's role is to hold the Mayor and Deputy Mayors to account through its scrutiny role.



information & publishing solutions

Published by TSO (The Stationery Office) and available from:

Online

www.tsoshop.co.uk

Mail, telephone, fax and email

TSO

PO Box 29, Norwich NR3 1GN

Telephone orders/general enquiries: 0870 600 5522

Order through the Parliamentary Hotline Lo-Call 0845 7 023474

Fax orders: 0870 600 5533

Email: customer.services@tso.co.uk

Textphone: 0870 240 3701

The Houses of Parliament Shop

12 Bridge Street, Parliament Square,

London SW1A 2JX

Telephone orders/general enquiries: 020 7219 3890

Fax orders: 020 7219 3866

Email: shop@parliament.uk

Internet: <http://www.shop.parliament.uk>

TSO@Blackwell and other accredited agents

ISBN 978-0-10-187612-4



9 780101 876124