

EXPLANATORY MEMORANDUM TO
THE GREATER LONDON AUTHORITY (MAYOR OF LONDON
APPOINTMENTS) ORDER 2008

2008 No. 701

1. This explanatory memorandum has been prepared by the Department for Culture, Media and Sport and is laid before Parliament by Command of Her Majesty.

2. **Description**

This Order prescribes appointments to be made by the Mayor of London to three bodies: the Chair and four other Council members to the London based Regional Council of the Arts Council of England; the Chair and four committee or panel members to the London regional committee or panel of the English Sports Council and the Chair of trustees and one other trustee of Museums Libraries and Archives London. Following a written request from one of the bodies to make a prescribed appointment, the Mayor must exercise the power to make the appointment as soon as reasonably possible after he receives the request.

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

None.

4. **Legislative Background**

4.1 Section 377A of the Greater London Authority Act 1999 imposes a duty on the Mayor of London to exercise certain appointment rights (to be prescribed by Order) to bodies with functions relating to sport, culture or the arts (also to be prescribed by Order) as soon as reasonably practicable after he has received a written request from the body.

4.2 This Order prescribes appointments to be made by the Mayor of London to three bodies: the London based Regional Council of the Arts Council of England; the London regional committee or panel of the English Sports Council and Museums Libraries and Archives London. The Mayor's powers of appointment derive from the Royal Charters of the Arts Council of England and the English Sports Council and from the Memorandum and Articles of Association of Museums Libraries and Archives London.

4.3 Section 377A was added to the Greater London Authority Act 1999 by Section 51 of the Greater London Authority Act 2007; a provision which will be commenced on the 6th April 2008 by The Greater

London Authority Act 2007 (Commencement No. 3) Order 2008 (awaiting registration), simultaneously with this Order.

5. Territorial Extent and Application

This instrument applies to England only.

6. European Convention on Human Rights

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

7. Policy background

7.1. In November 2005, the Government consulted on proposals to grant additional powers to the Greater London Authority. The proposals covered a wide range of areas, but focussed on housing, skills, planning and waste. In July 2006, the Government announced the final package of additional powers for the Mayor and Assembly. The proposals include new lead roles for the Mayor in housing and adult skills in London and additional strategic powers in a wide range of policy areas including planning, waste, culture and sport, health, climate change and energy and appointments to the boards of three of the four functional bodies (that is to say the LFEPA, the Metropolitan Police Authority (MPA) and TfL). The Assembly's role is enhanced to complement the additional powers of the Mayor. The Government's Policy Statement can be read on the DCLG website at: www.communities.gov.uk/glapowers.

7.2. In respect of appointments to the prescribed bodies, the Mayor has been given new appointment powers in relation to the London based Regional Council of the Arts Council of England; the London regional committee or panel of the English Sports Council and Museums Libraries and Archives London. These appointment powers enable the Mayor to appoint:

- the Chair and four other Council members of the London based Regional Council of the Arts Council of England;
- the Chair and four committee or panel members of the London regional committee or panel of the English Sports Council; and
- the Chair of Trustees and one other trustee of Museums Libraries and Archives London.

7.3. Chair appointments will require the agreement of the Secretary of State in view of the national responsibilities that some Chairs have as an ex-officio member of the national bodies. These new appointment powers have been conferred on the Mayor of London following amendments made to the Royal Charters of the Arts Council of England and the English Sports Council, and to the Memorandum and Articles of

Association of Museums Libraries and Archives London and the
Museums, Libraries and Archives Council.

7.4. The Mayor is required to exercise the power of appointment as soon as reasonably practicable after he receives a written request to do so.

8. Impact

A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

9. Contact

Michael Parsons at the Department for Culture, Media and Sport Tel: 020 7211 6119 or e-mail: Michael.parsons@culture.gsi.gov.uk can answer any queries regarding the instrument.