

# **SCHEME OF DELEGATION OF FUNCTIONS OF THE LONDON ASSEMBLY**

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# PART A

## 1. Introduction

This document details the functions of the London Assembly, afforded to it under the Greater London Authority Act 1999 as amended<sup>1</sup> (“the GLA Act”) and other legislation, which it has delegated to its Committees and Members of the Authority. It does not cover any functions of the Authority that are given to the Mayor.

The Scheme of Delegation of Functions of the London Assembly forms part of the corporate governance arrangements for the Greater London Authority, which include:

- Greater London Authority Act 1999 as amended [see <http://www.legislation.gov.uk/ukpga/1999/29/contents>]
- Decision making processes and procedures for the executive functions of the Greater London Authority (undertaken by the Mayor, the London Assembly and the Greater London Returning Officer) [see: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/decision-making>]
- Standing Orders of the Authority [See: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/our-procedures>]
- Financial Regulations [see: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/our-procedures>]
- Contracts and Funding Code [see: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/our-procedures>]
- GLA Code of Conduct [see <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/high-standards-conduct>]
- GLA Code of Ethics And Standards For Staff [see: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/high-standards-conduct>]
- Corporate Governance Framework Agreement [see: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/high-standards-conduct>]

All functions delegated by the London Assembly are therefore to be exercised in accordance with the policies and procedures as set out in the Authority’s corporate governance framework.

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<sup>1</sup> All references within this document to the Greater London Authority Act 1999 refer to that Act as it has been amended by the Greater London Authority Act 2007, the Localism Act 2011, the Police Reform and Social Responsibility Act 2011 and the Policing and Crime Act 2017.

## 2. The General Scheme of Delegation of Functions of the Assembly

### Matters that cannot be delegated by the Assembly

- 2.1 Although not a definitive list, the following functions are reserved for exercise by the Assembly only, and are not delegated to any committee or subcommittee (ordinary or advisory) of the Assembly, to the Standards Committee or to any individual Assembly Member:

*Making, varying or amending Standing Orders under the GLA Act s 36*

*The power to exercise any functions of the Assembly under the GLA Act s 52*

*The power to make proposals to the Mayor under section 60 (1) of the GLA Act*

*The consideration of a report of the Head of Paid Service under the GLA Act s 72*

*The consideration of a report of the Monitoring Officer under the GLA Act s 73*

*The consideration and approval (with or without amendment) of the Mayor's Draft Consolidated and Final Draft Budgets in accordance with section 87 and Schedules 6 and 7 of the GLA Act*

*The function of determining the allocation of seats on any ordinary committee (as defined by the GLA Act) under sections 15 to 17 of the Local Government and Housing Act 1989 as between Political Groups under that Act*

*Such other matters that are reserved for the Assembly in law, under standing orders, or any relevant procedures of the Authority.*

### Committees of the London Assembly

- 2.2 Statutory basis for the exercise of functions of the Assembly by Committees

*Greater London Authority Act 1999*

*Section 54(1)(a) The Assembly may arrange for any of the functions exercisable by it to be discharged on its behalf by a committee ... of the Assembly.*

*Section 55(1) For the purposes of discharging, in pursuance of arrangements under section 54(1)(a) above, any functions exercisable by the Assembly -*  
*(a) the Assembly may appoint a committee of the Assembly (an "ordinary committee"); and*  
*(b) an ordinary committee may appoint one or more Sub-Committees ("ordinary sub-committees").*

*Section 55(2) Subject to the provisions of this section -*  
*(a) the number of members, and*  
*(b) their term of office,*  
*shall be fixed in the case of an ordinary committee by the Assembly ...*

*Section 55(3) An ordinary committee ... may not include any person who is not an Assembly member.*

*Section 62(1) The powers of the Assembly under section 62(1) above may be exercised by*

*and for the purposes of an ordinary committee of the Assembly, if the committee is expressly authorised to exercise those powers by the standing orders or by the Assembly, but may not be exercised by an individual Assembly member or by any member of staff of the Authority.*

#### *Police Reform and Social Responsibility Act 2011*

- Section 31 (and Schedule 7 and the Elected Local Policing Bodies (Complaints and Misconduct) Regulations made under the 2011 Act): Approval of formal procedures by which the Police and Crime Committee will deal with complaints about conduct matters,*
- Section 32(1) The London Assembly must arrange for the functions referred to in subsection (2) to be discharged on its behalf by a particular committee of the Assembly (“the police and crime panel”).*
- Section 32(2) Those functions (“the police and crime panel functions”) are –*  
*(a) the functions conferred on the Assembly by section 33;*  
*(b) the functions conferred on the Assembly by section 60A of, and Schedule 4A to, the 1999 Act in relation to the appointment of the Deputy Mayor for Policing and Crime by the Mayor’s Office for Policing and Crime.*
- Section 33 Functions to be discharged by the Police and Crime Panel*
- to review the draft police and crime plan, or draft variation, given to the Panel by the Mayor’s Office for Policing and Crime;*
  - making a report or recommendation on the draft plan or variation to the Mayor’s Office for Policing and Crime;*
  - keeping under review the exercise of the functions of the Mayor’s Office for Policing and Crime, including: any actions and decisions of Mayor’s Office for Policing and Crime, the Deputy Mayor for Policing and Crime, a member of staff of the Mayor’s Office for Policing and Crime, matters relating to the functions of the Mayor’s Office for Policing and Crime, matters in relation to which the functions of the Mayor’s Office for Policing and Crime are exercisable, or any other matters which the panel considers to be of importance to policing and crime reduction in the metropolitan police district;*
  - submitting proposals to the Mayor’s Office for Policing and Crime;*
  - requiring, by summons, the Deputy Mayor for Policing and Crime, any member of staff of the Mayor’s Office for Policing and Crime, the person who is the occupant of the Mayor’s Office for Policing and Crime, and former<sup>2</sup> occupants Mayor’s Office for Policing and Crime, and former Deputy Mayor’s for Policing and Crime to (a) attend the Panel to give evidence, or (b) produce to the Panel documents in their possession or control.*

#### *Policing and Crime Act 2017*

- Schedule 2 S327H(1) GLA Act The Assembly must arrange for the functions referred to in subsection (2) to be discharged on its behalf by a particular committee of the Assembly (“the fire and emergency committee”).*
- Schedule 2 S327H(2) GLA Act Those functions (“the fire and emergency committee functions”) are—*  
*(a) the functions conferred on the Assembly by section 327I, and*

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<sup>2</sup> Within the 8 years prior to the date of the summons

*(b) the functions conferred on the Assembly by section 60A and Schedule 4A in relation to the appointment of the London Fire Commissioner and the Deputy Mayor for Fire.*

*Schedule 2  
S327H(3)*

*The Assembly may not arrange for the fire and emergency committee functions to be discharged on its behalf otherwise than in accordance with subsection (1).*

*Schedule 2  
S327I(1-9)*

*Functions to be discharged by Fire Committee*

- to review any draft document or revision given to the Assembly by the London Fire Commissioner under section 327G(2), and make a report or recommendations on the draft document or revision to the Mayor;*
- to keep under review the exercise of the functions of the London Fire Commissioner, insofar as the Assembly is not otherwise required to do so by the other provisions of this section or by Schedule 4A, including investigating and preparing reports about -*
  - (a) any actions and decisions of the London Fire Commissioner,*
  - (b) any actions and decisions of an officer of the London Fire Commissioner,*
  - (c) matters relating to the functions of the London Fire Commissioner,*
  - (d) matters in relation to which the functions of the London Fire Commissioner are exercisable, or*
  - (e) any other matters which the Assembly considers to be of importance to fire and rescue services in Greater London;*
- to investigate, and prepare reports about the actions and decisions of the Deputy Mayor for Fire;*
- submitting proposals to the London Fire Commissioner;*
- to investigate, and prepare reports about, the actions and decisions of the Deputy Mayor for Fire.*
- submitting proposals to the London Fire Commissioner;*
- requiring by summons the Deputy Mayor for Fire, former Deputy Mayor's for Fire<sup>3</sup>, the London Fire Commissioner, former London Fire Commissioners<sup>4</sup> and any officer of the London Fire Commissioner to*
  - (a) to attend proceedings of the Assembly for the purpose of giving evidence, or; and (b) to produce to the Assembly documents in the person's possession or under the person's control.*

2.3 The London Assembly (“the Assembly”) has the power to appoint committees under section 54 of the GLA Act and has established a number of standing committees whose names and remit can be found at: <https://www.london.gov.uk/about-us/london-assembly/london-assembly-committees>

2.4 Under Section 54 of the GLA Act 1999, the Assembly can delegate its functions to the committees it has established. Using this power, and its other powers to make Standing Orders for the Authority under Section 36 of the GLA Act, the Assembly has made a general standing delegation to all its Committees and (if and when established) Sub-Committees. This general delegation is set out in Standing Orders. It allows any committee or sub-committee to exercise any function of the Assembly that is capable of being exercised within that particular committee/ sub-committee's approved subject area and terms of reference. The delegation only applies to “ordinary committees” and is subject to the function in question (a) being capable of delegation and (b) not being reserved to the Assembly or to a particular committee, either by law or by the Authority's Standing Orders.

2.5 The general delegation referred to above specifically includes the delegation of the following matters:

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<sup>3</sup> Within the 8 years prior to the date of the summons

<sup>4</sup> Within the 8 years prior to the date of the summons

- The powers of the Assembly to summon witnesses and documents under sections 61 to 64 of the GLA Act 1999;
  - The powers of the Assembly to investigate and prepare reports about matters set out in section 59 of the GLA Act 1999;
  - The powers of the Assembly to require financial information from a Functional Body under section 110 of the 1999 Act;
  - The Authority's subsidiary powers, exercised by the Assembly or jointly with the Mayor, under section 34 of that Act;
  - The Assembly's ability to delegate functions under section 54 of the Act to a sub-committee or a single Member (except those under section 61(1) of the GLA Act 1999). However, a sub-committee may not be established without the Assembly's approval.
- 2.6 The powers, duties and functions of the Assembly and its Committees shall be discharged in the name of and on behalf of the Authority.
- 2.7 The London Assembly is required by the provisions of the Police Reform and Social Responsibility Act 2011 to arrange for the functions granted to it by Section 33 of that Act and those functions conferred by Section 60A and Schedule 4A of the GLA Act, to be discharged on its behalf by a particular committee, to be known as the Police and Crime Committee<sup>5</sup>.
- 2.8 The London Assembly is required by the provisions of the Policing and Crime Act 2017 to arrange for the functions conferred by Sections 60A, 327(1) and Schedule 4A of the GLA Act 1999 (as amended), to be discharged on its behalf by a particular committee, to be known as the Fire, Resilience and Emergency Planning Committee<sup>6</sup>.
- 2.9 The Assembly is not permitted to exercise any of the special scrutiny functions<sup>7</sup> delegated to the Police and Crime Committee by the Police Reform and Social Responsibility Act 2011 or delegated to the Fire and Emergency Planning Committee by the Policing and Crime Act 2017 and Section 54(5) of the GLA Act does not apply to the Committee in this respect.
- 2.10 The Assembly may not arrange for any of its other functions to be discharged by the Police and Crime Committee or the Fire, Resilience and Emergency Planning Committee.
- 2.11 Ordinary Committees have the power to establish Sub-Committees and determine their powers subject to any restriction on delegation imposed by the Assembly under Standing Orders. (Ordinary Committees are those that are not established as being purely advisory in nature. All the Assembly's

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<sup>5</sup> The Act requires the establishment of an ordinary committee of the Assembly to be the statutory Police and Crime Panel. This is referred to as a committee for the purposes of consistency with the Assembly's existing structure and working arrangements.

<sup>6</sup> The Act requires the establishment of an ordinary committee of the Assembly to be the statutory fire and emergency committee. This is referred to The Fire, Resilience and Emergency Planning Committee.

<sup>7</sup> In relation to the Police and Crime Committee, these special scrutiny functions are to: (a) review the draft police and crime plan, or draft variation, given to the Assembly by the Mayor's Office for Policing and Crime in accordance with section 6(6)(c), and (b) make a report or recommendations on the draft plan or variation to the Mayor's Office for Policing and Crime; and to hold a confirmation hearing in respect of the appointment of the Deputy Mayor for Policing and Crime, decide whether to ask the candidate to provide any documents and exercise the Committee's power of veto if the candidate is not an Assembly Member. In relation to the Fire, Resilience and Emergency Planning Committee, these special scrutiny functions are: (a) reviewing any draft document or revision given to the Assembly by the London Fire Commissioner under section 327G(2), and making a report or recommendations on that draft document or revision to the Mayor; and (b) to hold a confirmation hearing in respect of the appointment of the London Fire Commissioner and Deputy Mayor for Fire, to decide whether to ask the candidate(s) to provide any documents, and to exercise the Committee's power of veto in respect of the candidate for London Fire Commissioner and the candidate for Deputy Mayor for Fire, where the candidate is not an Assembly Member.

current standing committees are Ordinary Committees.) Committees may establish standing Sub-Committees but must first obtain the Assembly's consent to do so.

- 2.12 The Committee established by the Assembly under Standing Order 10.4 to have responsibility for business management functions has, by virtue of Standing Order 10.4C(2), the ability to deal with any matter not formally within the subject area and terms of reference of another committee. It also has the power to vary the terms of reference of other committees so as to include such matters as deemed necessary.
- 2.13 The approved subject areas and terms of reference of the Assembly's committees are agreed by the annual meeting of the Assembly (and updated from time to time as necessary). The current terms of reference of the Assembly's committees can be viewed on the Authority's website, at: <https://www.london.gov.uk/about-us/london-assembly/london-assembly-committees>

### 3. Sub-Committees of the Assembly

#### 3.1 Statutory basis for the exercise of functions of the Assembly by Sub-Committees of the Assembly:

*Greater London Authority Act 1999*

- Section 54(1)(a)*      *The Assembly may arrange for any of the functions exercisable by it to be discharged on its behalf – (a) by a ...sub-committee ... of the Assembly.*
- Section 54(3)*      *Where ... any functions exercisable by the Assembly may be discharged by a committee of the Assembly, then, unless the Assembly otherwise directs, the committee may arrange for the discharge of any of those functions by a sub-committee ...*
- Section 55(1)*      *For the purpose of discharging, in pursuance of arrangements under section 54(1)(b) above, any functions exercisable by the Assembly –*  
...  
*(b)*      *an ordinary committee of the Assembly may appoint one or more sub-committees (“ordinary sub-committees”).*
- Section 55(2)*      *Subject to the provisions of this section –*  
*(c) the number of members, and*  
*(d) their term of office,*  
*shall be fixed ... in the case of an ordinary Sub-Committee by the appointing committee.*
- Section 55(3)*      *An ordinary... sub-committee must not include any person who is not an Assembly member.*

3.2 With the exception of the staffing committee, committees may only establish sub-committees with the prior approval of the Assembly or the committee established by the Assembly under Standing Order 10.4. All sub-committees have the benefit of the general delegation made by the Assembly to committees and sub-committees under Standing Orders referred to in paragraph 2.4 above. Committees may delegate functions to sub-committees under section 54 of the GLA Act 1999.

3.3 The Budget and Performance Committee has established one sub-committee – the Budget Monitoring Sub-Committee (whose membership and term of reference can be viewed at: <https://www.london.gov.uk/about-us/london-assembly/london-assembly-committees>)

#### **4. Advisory Committees and Advisory Sub-Committees**

##### **4.1 Statutory Functions of Advisory Committees and Advisory Sub-Committees:**

*Greater London Authority Act 1999*

*Section 55(4) The Assembly may appoint one or more committees (“advisory committees”) to advise it on any matter relating to the discharge of its functions.*

*Section 55(5) An advisory committee–*

*(a) may consist of such persons (whether Assembly members or not) appointed for such term as may be determined by the Assembly; and*

*(b) may appoint one or more advisory sub-committees (“advisory sub-committees”) to advise the committee with respect to any matter on which the committee has been appointed to advise.*

4.2 The Assembly can establish “Advisory Committees” under Section 55(4) of the GLA Act 1999. An Advisory Committee may appoint Advisory Sub-Committees. The purpose of an Advisory Committee or Sub-Committee is to provide advice. They cannot be authorised to exercise any function of the Assembly (unlike ordinary committees which can both advise and exercise functions). In particular, Advisory Committees are barred, under the provisions of Section 62(1), from exercising the Assembly’s powers to require attendance or documents under Sections 61.

## 5. The Chair of the Assembly

### 5.1 Statutory basis for the exercise of functions of the Assembly by the Chair of the Assembly:

*Greater London Authority Act 1999*

*Section 50(1) There shall be - (a) an office of Chair of the London Assembly (“the Chair of the Assembly”).*

*Section 50(2) The Chair of the Assembly shall have –*  
*(a) the function of chairing meetings of the Assembly; and*  
*(b) such other functions as may be conferred or imposed upon him by or under this Act or any other enactment, whenever passed or made.*

*Section 50(3) Subsection 2(a) above is subject to any provision made by or under this Act or any other enactment, whenever passed or made, or by the standing orders of the Authority.*

*Section 54(1)(b) The Assembly may arrange for any of the functions exercisable by it to be discharged on its behalf... by a single member of the Assembly.*

5.2 The Chair of the London Assembly has the function of chairing meetings of the Assembly and, as permitted by Section 50(2) of the GLA Act 1999, such other functions as may from time to time be imposed or conferred on him/her by or under standing orders, the 1999 Act or any other enactment.

5.3 Under Section 54(1)(b) of the GLA Act, the Assembly may arrange for any of its functions to be discharged by a single Member of the Assembly. This includes the Chair of the Assembly. In accordance with this provision the Assembly has arranged that certain of its functions are to be exercisable on its behalf by the Chair of the Assembly as specified in **Schedule 1** to this Scheme of Delegation. This is subject to the Terms of Delegation set out in Part B of this Scheme (below).

5.4 The Chair of the Assembly also has various powers under Standing Orders in respect of the business and conduct of meetings. These powers are not reproduced in this Scheme but instead can be found in the Authority’s Standing Orders, which can be viewed at: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/our-procedures>

5.5 When the Chair of the Assembly takes any action under statutory or delegated authority (other than those under Standing Orders concerning Assembly meetings or their procedures) he or she must do so in accordance with procedures as set out in the “*Decision Making Framework for the London Assembly and its Committees*” document. This document, which includes the procedure for actions taken under delegated authority by Assembly Members, forms part of the Authority’s Corporate Governance Framework and can be viewed at: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/our-procedures#Stub-125612>

5.6 The Chair of the Assembly may not exercise on behalf of the Assembly the powers of the Assembly to require the attendance of persons and to produce documents under Section 61 of the GLA Act 1999.

## 6. Chairs of Committees and individual Assembly Members

### 6.1 Statutory basis for the exercise of functions by individual Assembly members, including as Chairs of Committees:

*Greater London Authority Act 1999*

*Section 54(1)(b) The Assembly may arrange for any of the functions exercisable by it to be discharged on its behalf ... by a single member of the Assembly.*

*Section 54(3) Where by virtue of this section any functions exercisable by the Assembly may be discharged by a committee of the Assembly, then, unless the Assembly otherwise directs, the committee may arrange for the discharge of any of those functions by a...single member of the Assembly.*

*Section 54(4) Where by virtue of this section any functions exercisable by the Assembly may be discharged by a sub-committee of the Assembly... then, unless the Assembly or the committee concerned otherwise directs, the sub-committee may arrange for the discharge of any of those functions by a single member of the Assembly.*

*Section 62(1) The powers of the Assembly under section 61(1) above (Power to require attendance at meetings) ...may not be exercised by any individual Assembly Member....*

6.2 The Assembly may, under Section 54(1)(b) of the GLA Act 1999, lawfully delegate certain of its functions to single Assembly Members, including the Deputy Mayor, the Chair of the Assembly, Deputy Chair of the Assembly and the Chairs and Deputy Chairs of Committees.

6.3 In accordance with the Assembly's Decision Making Framework, a 'Member's Delegated Action Form' must be completed each time a relevant action is proposed. Following completion of the form, which requires comments from Finance and Legal officers, the action can be undertaken. That action is then reported to the next appropriate public meeting of the body (ie Assembly or Committee) that approved the original delegation of authority. The Secretariat holds a register of all Member Delegated Action Forms and copies of the forms can be provided upon request (contact: Secretariat, GLA. Tel: 020 7983 4421).

6.4 The standing delegations given by the Assembly or its committees to the chairs of committees or sub-committees are set out in **Schedule 2** to this Scheme of Delegation. Those given to individual Assembly Members in some other capacity are set out in **Schedule 3**. (Both delegations are subject to the Terms of Delegation set out in Part B of this Scheme.)

The Chair of an Assembly committee or sub-committee also has various powers under Standing Orders in respect of the business and conduct of meetings. These powers are not reproduced in this Scheme but instead can be found in the Authority's Standing Orders, which can be viewed at: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/our-procedures>

6.5 When individual Assembly Members take action under delegated powers<sup>8</sup> (whether as the chair of a committee or otherwise) they must do so in accordance with procedures set out in the "Decision

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<sup>8</sup> Other than those under Standing Orders concerning meetings and their procedures.

*Making Framework for the London Assembly and its Committees*” (as detailed in paragraphs 5.5. and 5.6 above).

- 6.6 In the same way as applies to the Chair of the Assembly, an individual Assembly Member (including in their capacity as Chair of a committee) may not exercise the powers of the Assembly to require the attendance of persons and to produce documents under Section 61 of the GLA Act 1999.

## **7. Staff of the Authority and functions exercisable by staff under statutory authority**

### Staff of the Authority (other than the statutory officers)

- 7.1 Although not formal delegations, in order to facilitate the Assembly, its committees or individual Members in discharging any of the functions lawfully exercisable by them, relevant officers have the power to do anything set out in the relevant provisions of the document “Decision Making: The London Assembly and its Committees”

### Functions exercisable by staff under statutory authority

- 7.2 The persons appointed as the Authority’s Head of Paid Service, Chief Finance Officer (also known as the “s127 officer”) and Monitoring Officer have statutory powers and duties inherent to their positions and do not rely on matters being delegated to them when exercising those functions.
- 7.3 In addition, a number of statutory functions are given to staff whom the Authority appoints for specific purposes under particular pieces of legislation. They are referred to variously as the Authority’s “proper officer”, “relevant officer”, “responsible officer”, “designated officer” or “returning officer” as appropriate.
- 7.4 The statutory powers and functions of relevant staff of the Authority are set out within the Authority’s Statutory Officers’ Protocol.

### *Other functions delegated to staff*

- 7.5 The Police and Crime Committee, at its meeting on 26 January 2012, resolved:

*“That, in accordance with Regulation 7 of the Elected Local Policing Bodies (Complaints and Misconduct) Regulations 2011, all of the powers and functions conferred on it by those regulations, with the exception of the functions set out at Part 4 of the regulations (resolution of other complaints) which may not be delegated, be delegated to the GLA’s Monitoring Officer”*

## **PART B - Terms of Delegation**

1. Each committee, sub-committee (if any), individual Member of the Assembly (both as Chair or otherwise) shall exercise the delegated powers set out in this Scheme in accordance with the following terms of delegation, in addition to all relevant legal requirements, the provisions of the Authority's corporate governance framework and in accordance with the GLA Code of Conduct and GLA Code of Ethics and Standards for Staff (as appropriate).
2. Any delegated power may be exercised concurrently by the body that approved the delegation, whether to a committee by the Assembly, in addition to the body / person to whom the delegation was given.
3. Every Assembly Member may decline to exercise delegated powers in relation to any item of business and shall instead submit a report to Assembly or committee, as appropriate in order that a decision may be made.
4. Where Assembly Members are authorised to exercise functions of the Assembly, the following principles and conditions shall apply:
  - a) The Assembly Member exercising such powers shall take account of any previous decision of the Assembly on any relevant policies or procedures<sup>9</sup>.
  - b) Any actions taken by Assembly Members under delegated authority shall be reported to a public meeting of the body (ie Assembly or ordinary committee) that approved the delegation and shall be recorded by the Executive Director of Secretariat.
  - c) The Assembly or relevant committee shall monitor the exercise of delegated powers by Members of the Assembly. The Assembly may withdraw delegated powers from any Member.
5. Where any delegated function is exercised the following shall apply:
  - a) In relation to the day-to-day conduct of decision making by the Authority, the Monitoring Officer's ruling on questions relating to this Scheme of Delegation shall be final.
  - b) The delegation shall be subject to the GLA Act 1999 (as amended) and, for the effective legal exercise of the Assembly's functions, shall include such subsidiary powers as are available to the Authority under section 34 of that Act to do anything which is calculated to facilitate, or is conducive or incidental to the exercise of any of the functions delegated.
  - c) The body or person to whom a function is delegated shall also have the ability to determine any matter or circumstance relevant to the exercise of that delegated power.
  - d) Functions delegated to committees or individual Assembly Members may be exercised by any committee or person to whom those functions have been wholly or substantially transferred.

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<sup>9</sup> The procedures for acting under delegated authority are set out in the "Decision Making Framework for the London Assembly and its Committees" document – see: <https://www.london.gov.uk/about-us/governance-and-spending/good-governance/our-procedures>

## **SCHEDULE 1**

### **Delegations to the Chair of the Assembly**

#### **1 Statutory Functions conferred or imposed by the Assembly upon the Chair of the Assembly under Section 50(2)(b) of the GLA Act 1999<sup>10</sup>**

- 1.1 The Assembly approved, on 6 March 2002, a standing delegated authority to the Chair of the Assembly to approve foreign travel for Assembly Members and Secretariat staff, in accordance with the Authority's Expenses and Benefits Framework.
- 1.2 The then Business Management and Administration Committee agreed on 27 November 2007 a standing delegated authority to the Chair of the Assembly in consultation with Party Group leaders to decide the chair of the State of London Debate if the Mayor invited an Assembly Member to chair the Debate.

#### **2 Functions delegated by the Assembly to be discharged by the Chair of the Assembly in that capacity as a single Member of the Assembly under Section 54(1)(b) of the GLA Act 1999**

- 2.1 The Assembly agreed, on 12 December 2007, to approve a standing delegation to the Chair of the Assembly in respect of powers under the GLA Act 1999 (as amended) schedule 4A(6) to decide to hold a confirmation hearing and to decide whether to request the candidate to produce any document.

**NOTE:** Standing Orders give the Chair of the Assembly various powers in respect of Assembly meetings and procedures that are not reproduced in this Scheme.

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<sup>10</sup> Delegations, if any, to the Chair to be determined by the Assembly or an appropriate Committee and listed here. Relevant statutes are to be listed. Each delegation is to include a proviso requiring consultation with the Deputy Chair and Leaders of the Assembly's political Groups before the exercise of any function. 15

## SCHEDULE 2

### Delegations to Chairs of Committees and Sub-Committees

#### 1. Functions delegated to single Assembly members in their capacity as Chairs of Committees and Sub-Committees under Section 54(1)(b) of the GLA Act 1999<sup>11</sup>

##### Chairs of all ordinary committees and sub-committees

At its Annual Meeting on 1 May 2013, the Assembly agreed to delegate a general authority to Chairs of all ordinary committees and sub-committees to respond on the relevant committee or sub-committee's behalf, following consultation with the lead Members of the party Groups on the committee or sub-committee, where it is consulted on issues by organisations and there is insufficient time to consider the consultation at a committee meeting.

At its meeting on 6 June 2019, the Assembly agreed to delegate authority to Chairs of ordinary committees, sub-committees and working groups to agree, in consultation with relevant party Lead Group Members and Deputy Chairs:

- a) The detailed terms of reference for any investigation to be undertaken by the relevant committee, sub-committee or working group within its work programme as agreed by the GLA Oversight Committee, and any related project plans and arrangements for related site visits or informal meetings; and
- b) The topic and scope for any additional projects to be added to its work programme, where it is not practicable to secure prior approval from the GLA Oversight Committee and subject also to subsequent ratification by the GLA Oversight Committee.

##### Chair of the Budget and Performance Committee

The then Budget Committee, on 22 June 2006, resolved:

*That the Chair be given delegated authority to write to the appropriate bodies seeking further information arising from discussion at meetings.*

##### Chair of GLA Oversight Committee (the committee established under Standing Order 10.4, previously known as the Business Management and Administration Committee)

1. The Assembly, on 21 July 2004, resolved:

*“That the Chair of the Business Management and Administration Committee, in consultation with the Deputy Chair and Group Leaders, be given delegated authority to approve the calling of additional meetings of Committees outside the agreed timetable of meetings.”*

2. The then Business Management and Administration Committee agreed the following delegations on 13 December 2007 to the Chair, in consultation with the Deputy Chair and party group spokespeople:

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<sup>11</sup> General delegations, if any, to Chairs as single Members of the Assembly to be determined by the Assembly or an appropriate Committee, eg administrative decisions regarding Committees and sub-committees.

- To respond on behalf of the London Assembly to formal consultation from the Head of Paid Service (HoPS) concerning staff terms and conditions and changes to the establishment where there is not sufficient time to do so at a full Committee meeting.
- With the Mayor and on behalf of the London Assembly, to agree arrangements for any required disciplinary procedures against the Authority's statutory officers in accordance with relevant procedures where there is not sufficient time to do so at a full Committee meeting.
- In accordance with agreed protocols and at the request of the Head of Paid Service appoint as necessary Members to attend appointment panels as non-voting members for relevant staff posts where there is not sufficient time to do so at a full Committee meeting.
- In accordance with agreed protocols and to appoint as necessary Members to attend appointment panels as voting members for the three statutory officers where there is not sufficient time to do so at a full Committee meeting.

The then Business Management and Administration Committee agreed the following delegation to the Chair, at its meeting on 23 September 2010:

*“That authority be delegated to the Chair of the Assembly to hold one event of their choice each year, having regard to the event selection criteria, as part of the Assembly’s events programme.”*

3. The Assembly, on 19 July 2018, resolved:

*“That authority be delegated to the Chair of the GLA Oversight Committee to approve, following consultation with the Deputy Chair of the GLA Oversight Committee and, where appropriate, the relevant Assembly Committee Chair (and any other member as deemed necessary), any non-routine expenditure in relation to the Assembly’s scrutiny functions, with the exception of expenditure for polling, which is subject to separate procedures, as outlined in the Assembly’s Decision-Making Framework.*

*That authority be delegated to the Chair of the GLA Oversight Committee to approve, following consultation with the Deputy Chair of the GLA Oversight Committee and, where appropriate, the relevant Assembly Committee Chair (and any other member as deemed necessary), any urgent requests for expenditure for consultancy, including research services and polling, noting that, where there is no case for urgency, the usual procedures set out in the Assembly’s Decision-Making Framework will apply.”*

4. The GLA Oversight Committee on 3 September 2019 resolved:

*That authority be delegated to Len Duvall AM, as Chair of the GLA Oversight Committee, to agree any outputs of the Secretariat Research Unit which are produced for the purposes of publication, for the period up until the May 2020 GLA elections.*

## **Chair of the Transport Committee**

1. Transport Committee on 21 July 2005 resolved:

*To delegate the Chair of the Transport Committee, in consultation with the Deputy Chair, to take action in accordance with the functions of the Assembly listed in respect of the London Transport Users Committee under the GLA Act 1999.*

2. Transport Committee on 9 June 2005 resolved:

*Future requests by LTUC<sup>12</sup> office holders to take on directorships/offices in other organisations be delegated to the Chair of the Transport Committee in consultation with the Party Spokespeople on the Transport Committee and following advice from the Executive Director of Secretariat.*

*[It is a requirement of the Terms and Conditions of Membership of LTUC that the appointee will “seek the London Assembly’s approval if he/she wishes to assume any further directorships or offices at any time during the period of their appointment”]*

3. The Transport Committee on 14 July 2011 resolved:

*“That authority be delegated to the Chair, in consultation with the Deputy Chair and party Group Lead Members, to approve the issue of directions or appropriate guidance to the Chief Executive of London TravelWatch.”*

## **Chair of the Health Committee**

1. The GLA Oversight Committee on 3 September 2019 resolved:

*That authority be delegated to the Chair of the Health Committee, in consultation with the Deputy Chair of the Health Committee, to agree any outputs of that Committee, in accordance with the agreed work programme, for the period up until the May 2020 GLA elections.*

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<sup>12</sup> London TravelWatch is the operating title of the London Transport Users Committee

## **SCHEDULE 3**

### **Delegations to Individual Assembly Members (Other than as Chairs)**

- 1. Functions of the Assembly delegated to single Members of the Assembly, other than in the capacity as Chair of the Assembly or Chair of a committee under Section 54(1)(b) of the GLA Act 1999**
- 1.1 Following agreement of this Scheme, there are no current delegations to single Members of the Assembly, other than in the capacity as Chair of the Assembly or Chair of a committee under Section 54(1)(b) of the GLA Act 1999.

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