



Local Democracy, Economic Development and Construction Act 2009

2009 CHAPTER 20

PART 6

ECONOMIC PROSPERITY BOARDS AND COMBINED AUTHORITIES

Requirements in connection with orders about EPBs

102 Requirements in connection with changes to existing EPB arrangements

- (1) The Secretary of State may make an order under any of sections 89, 91, 92, 95 and 96 in relation to an existing EPB only if, having regard to a scheme prepared and published under section 101 [^{F1}or to an application made under section 101A], the Secretary of State considers that the making of the order is likely to improve—
- (a) the exercise of statutory functions relating to economic development and regeneration in the area or areas to which the order relates, or
 - (b) economic conditions in that area or those areas.
- (2) Before making the order, the Secretary of State must consult—
- (a) such of the authorities mentioned in section 100(2) [^{F2}or section 101A(2)], and
 - (b) such other persons (if any),
- as the Secretary of State considers appropriate.

[^{F3}(2A) Subsection (2B) applies where the Secretary of State is considering whether to make an order under section 95 and—

- (a) part of the area to be created is separated from the rest of it by one or more local government areas that are not within the area, or
- (b) a local government area that is not within the area to be created is surrounded by local government areas that are within the area.

(2B) In deciding whether to make the order under section 95, the Secretary of State must have regard to the likely effect of the proposed change to the EPB's area on economic

Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 102. (See end of Document for details)

development or regeneration in each local government area that is next to any part of the area to be created by the order.]

- (3) In making the order, the Secretary of State must have regard to the need—
- (a) to reflect the identities and interests of local communities, and
 - (b) to secure effective and convenient local government.

Textual Amendments

- F1** Words in s. 102(1) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), **ss. 13(5)(a), 25(2)**
- F2** Words in s. 102(2)(a) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), **ss. 13(5)(b), 25(2)**
- F3** S. 102(2A)(2B) inserted (28.1.2016 for specified purposes, 28.3.2016 in so far as not already in force) by [Cities and Local Government Devolution Act 2016 \(c. 1\)](#), **ss. 11(6), 25(2)**
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Commencement Information

- I1** S. 102 in force at 17.12.2009 by [S.I. 2009/3318](#), **art. 2(a)**

Changes to legislation:

There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 102.