



Local Democracy, Economic Development and Construction Act 2009

CHAPTER 20

LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT 2009

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- 1 (1) The Local Government Boundary Commission for England (“the Commission”)...

Chair

- 2 (1) The chair of the Commission is to be appointed...

Deputy chair

- 3 (1) The Secretary of State may designate one of the...

Remuneration

- 4 The Commission must pay to or in respect of the...

Committees

- 5 (1) The Commission may establish any committees which it considers...

Proceedings

- 6 (1) Subject to this Schedule, the Commission may regulate its...

Chief executive and other employees

- 7 (1) The Commission— (a) must appoint a chief executive, and...

Superannuation: supplementary

- 8 (1) Section 1(2) of the Superannuation Act 1972 (delegation of...

Delegations

- 9 (1) The Commission may delegate any of its functions to...

Financial year

- 10 (1) The financial year of the Commission is the period...

Funding

- 11 (1) The expenditure of the Commission is to be met,...

Five-year plan

- 12 (1) An estimate under paragraph 11 in respect of the...

Examination by Comptroller and Auditor General

- 13 (1) For the purpose of assisting the Speaker's Committee to...

Accounts

- 14 (1) The Commission must keep accounting records.

Audit

- 15 (1) The Commission must send copies of its accounts to—...

Accounting officer

- 16 (1) The Speaker's Committee must designate an employee of the...

Annual report

- 17 (1) The Commission must, as soon after the end of...

Instruments and authentication

- 18 (1) The fixing of the seal of the Commission is...

Records

- 19 In the Public Records Act 1958 (c. 51), in Schedule...

Investigation

- 20 In the Parliamentary Commissioner Act 1967 (c. 13), in Schedule...

Freedom of information

- 21 In the Freedom of Information Act 2000 (c. 36), in...

House of Commons disqualification

- 22 In the House of Commons Disqualification Act 1975 (c. 24),...

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Transitional

- 23 (1) The Electoral Commissioner who immediately before the day on...

Interpretation

- 24 In this Schedule— “the 2000 Act” means the Political Parties,...

Schedule 2 — Electoral change in England: considerations on review

County councils

- 1 (1) This paragraph applies where the Local Government Boundary Commission...

District councils

- 2 (1) This paragraph applies where the Local Government Boundary Commission...

London borough councils

- 3 (1) This paragraph applies where the Local Government Boundary Commission...

Parish councils

- 4 (1) This paragraph applies where the Local Government Boundary Commission...

Interpretation

- 5 In this Schedule— “local government elector” has the meaning given...

Schedule 3 — Electoral change in England: interim modifications of the Local Government Act 1992

Introductory

- 1 (1) Part 2 of the Local Government Act 1992 (c....

Interim modifications of Part 2 of the Local Government Act 1992

- 2 (1) The modifications referred to in paragraph 1(1) are as...

Schedule 4 — Boundary and electoral change: amendments

Local Government Act 1972 (c. 70)

- 1 The Local Government Act 1972 is amended as follows.
- 2 (1) Section 6 is amended as follows.
- 3 In sections 11A(10)(b), 12A(5)(b), 12B(6)(b) and 73(2), for “Electoral Commission”...
- 4 (1) In Schedule 2, paragraph 7 (electoral divisions and wards...
- 5 In Schedule 3 (new authorities in England), in paragraph 10(1),...
- 6 (1) Schedule 11 (rules to be observed in considering electoral...

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Environment Act 1995 (c. 25)

- 7 (1) In Schedule 8 to the Environment Act 1995 (supplemental...

Greater London Authority Act 1999 (c. 29)

- 8 The Greater London Authority Act 1999 is amended as follows....
 9 In section 2(4) (Assembly constituencies), for “the Electoral
 Commission” substitute...
 10 (1) Schedule 1 (Assembly constituencies and orders under
 section 2(4))...

Local Government and Public Involvement in Health Act 2007 (c. 28)

- 11 The Local Government and Public Involvement in Health Act 2007...
 12 (1) Section 4 (request for Boundary Committee for England's advice)...
 13 (1) Section 5 (Boundary Committee's powers) is amended as follows....
 14 (1) Section 6 (Boundary Committee's procedures) is amended as
 follows....
 15 (1) Section 7 (implementation of proposals by order) is amended...
 16 (1) Section 8 (review by Boundary Committee of local government...
 17 (1) Section 9 (Boundary Committee's review: consultation etc) is
 amended...
 18 In section 10 (implementation of recommendations by order), in
 subsections...
 19 In section 12 (provision relating to membership etc of authorities),...
 20 (1) In section 23 (definitions), subsection (1) is amended as...
 21 (1) Section 36 (notice to Electoral Commission) is amended as...
 22 In section 41 (publicity for resolution), in subsection (4)(b), for...
 23 (1) Section 42 (notice to Electoral Commission) is amended as...
 24 (1) Section 43 (Electoral Commission to consider whether electoral
 review...
 25 (1) Section 44 (Electoral Commission to make order for new...
 26 In sections 45(2)(a) (orders for elections by halves) and 47(2)(a)...
 27 (1) Section 50 (power to Electoral Commission to make incidental...
 28 (1) Section 51 (position if Electoral Commission act under existing...
 29 (1) Section 52 (publicity for order by Electoral Commission) is...
 30 (1) Section 59 (change of name of electoral area), is...
 31 (1) Section 86 (reorganisation of community governance) is amended
 as...
 32 In sections 92(2), (3), (4) and (5) (consequential recommendations),
 96(7)(b)...
 33 In section 102 (interpretation), in subsection (2), after the definition...
 34 In section 240 (orders, regulations and guidance), in subsections (2)...

Schedule 5 — Regional strategy: amendments

Town and Country Planning Act 1990 (c. 8)

- 1 The Town and Country Planning Act 1990 is amended as...
 2 (1) Section 83 (making of simplified planning zone schemes) is...
 3 (1) In Schedule 1 (local planning authorities: distribution of
 functions),...
 4 In Schedule 7 (simplified planning zones), in paragraph 12(1A)(a) (as...

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Regional Development Agencies Act 1998 (c. 45)

- 5 The Regional Development Agencies Act 1998 is amended as follows....
- 6 In section 7B (Secretary of State's functions in relation to...
- 7 Omit section 8 (regional consultation).
- 8 In section 18 (regional accountability), omit subsections (1) and (1A)....

Greater London Authority Act 1999 (c. 29)

- 9 The Greater London Authority Act 1999 is amended as follows....
- 10 In section 342 (matters to which Mayor to have regard),...
- 11 In Schedule 10 (Transport for London), in paragraph 2(3A), for...

Planning and Compulsory Purchase Act 2004 (c. 5)

- 12 The Planning and Compulsory Purchase Act 2004 is amended as...
- 13 Omit sections 1 to 12 (regional functions).
- 14 In section 19 (preparation of local development documents), in subsections...
- 15 (1) Section 24 (conformity with regional strategy) is amended as...
- 16 In section 28 (joint local development documents), in subsection (4),...
- 17 In section 37 (interpretation), for subsection (6) substitute—
- 18 (1) Section 39 (sustainable development) is amended as follows.
- 19 (1) Section 113 (validity of strategies etc) is amended as...

SCHEDULE 5A — COMBINED AUTHORITIES: OVERVIEW AND SCRUTINY COMMITTEES AND AUDIT COMMITTEES

Functions of overview and scrutiny committee

- 1 (1) A combined authority must arrange for the appointment by...

Overview and scrutiny committees: supplementary provision

- 2 (1) An overview and scrutiny committee of a combined authority—...

Power to make further provision about overview and scrutiny committees

- 3 (1) The Secretary of State may by order make further...

Audit committees

- 4 (1) A combined authority must arrange for the appointment by...

SCHEDULE 5B — MAYORS FOR COMBINED AUTHORITY AREAS: FURTHER PROVISION ABOUT ELECTIONS

Interpretation

- 1 In this Schedule references to a mayor are references to...

Timing of elections

- 2 (1) The term of office of a mayor is to...
- 3 The Secretary of State or the Minister for the Cabinet...

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Voting at elections of mayors

- 4 (1) Each person entitled to vote as an elector at...
5 (1) This paragraph applies if there are three or more...

Entitlement to vote

- 6 (1) The persons entitled to vote as electors at an...

Election as mayor and councillor

- 7 (1) If the person who is returned at an election...

Qualification and disqualification

- 8 (1) In order to be qualified to be elected and...
9 (1) A person is disqualified for being elected or holding...
10 Paragraph 9 of Schedule 5C contains further provision about
disqualification...
11 The acts of a person elected as a mayor for...

Power to make further provision

- 12 (1) The Secretary of State or the Minister for the...

SCHEDULE 5C — MAYORS FOR COMBINED AUTHORITY AREAS: PCC
FUNCTIONS

Introductory

- 1 (1) This Schedule applies where an order is made under...

PCC functions exercisable by the mayor

- 2 (1) The Secretary of State may by order provide that...

Delegation of functions

- 3 (1) The Secretary of State must by order make provision...

Police and crime panels

- 4 The Secretary of State must by order provide for a...
5 (1) The Secretary of State may by order provide for...

Financial matters

- 6 The Secretary of State must by order make provision—

Suspension

- 7 The Secretary of State must by order provide for the...

Conduct

- 8 The Secretary of State must by order make provision about...

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Disqualification

- 9 (1) The Secretary of State must by order provide for...

Policing protocol

- 10 The Secretary of State must by order require the mayor...

Application of certain enactments

- 11 (1) The Secretary of State must by order provide for...

Supplementary

- 12 (1) Subject to the requirements of this Schedule, the Secretary...

Schedule 6 — EPBs and combined authorities: amendments

Landlord and Tenant Act 1954 (c. 56)

- 1 In section 69(1) of the Landlord and Tenant Act 1954...

Trustee Investments Act 1961 (c. 62)

- 2 In section 11(4)(a) of the Trustee Investments Act 1961 (local...

Local Government (Records) Act 1962 (c. 56)

- 3 (1) The Local Government (Records) Act 1962 is amended as...

Local Government Act 1966 (c. 42)

- 4 In section 11(2) of the Local Government Act 1966 (grants...

Leasehold Reform Act 1967 (c. 88)

- 5 In section 28(5)(a) of the Leasehold Reform Act 1967 (retention...

Transport Act 1968 (c. 73)

- 6 In section 56(6) of the Transport Act 1968 (assistance towards...

Local Government Grants (Social Need) Act 1969 (c. 2)

- 7 In section 1(3) of the Local Government Grants (Social Need)...

Employers' Liability (Compulsory Insurance) Act 1969 (c. 57)

- 8 In section 3(2)(b) of the Employers' Liability (Compulsory Insurance) Act...

Local Authorities (Goods and Services) Act 1970 (c. 39)

- 9 In section 1(4) of the Local Authorities (Goods and Services)...

Local Government Act 1972 (c. 70)

- 10 The Local Government Act 1972 is amended as follows.
11 In section 70 (restriction on promotion of Bills for changing...
12 In section 80(2)(b) (disqualifications for election and holding office as...

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- 13 In section 85(4) (vacation of office by failure to attend...
- 14 In section 86(2) (declaration by local authority of vacancy in...
- 15 In section 92(7) (proceedings for disqualification)— (a) after “includes
a...
- 16 In section 98(1A) (interpretation of sections 95 and 97), after...
- 17 In section 99 (meetings and proceedings of local authorities), after...
- 18 In section 100J (application of Part 5A to new authorities)—...
- 19 In section 101(13) (arrangements for discharge of functions by local...
- 20 In section 142(1B) (provision of information etc relating to matters...
- 21 (1) Section 146A (application of provisions of Part 7 to...
- 22 In section 175(3B) (allowances for attending conferences and meetings),
after...
- 23 In section 176(3) (payment of expenses of official and courtesy...
- 24 In section 223(2) (appearance of local authorities in legal
proceedings),...
- 25 In section 224(2) (arrangements by principal councils for custody of...
- 26 In section 225(3) (deposit of documents with proper officer of...
- 27 In section 228(7A) (inspection of documents), after “joint authority”
insert...
- 28 In section 229(8) (photographic copies of documents), after “joint
authority,”...
- 29 In section 230(2) (reports and returns), after “joint authority” insert...
- 30 In section 231(4) (service of notices on local authorities), after...
- 31 In section 232(1A) (public notices), after “joint authority,” insert “...
- 32 In section 233(11) (service of notices by local authorities), after...
- 33 In section 234(4) (authentication of documents), after “joint authority,”
insert...
- 34 In section 236(1) (procedure etc for byelaws), for “or an...
- 35 In section 236B(1) (power to revoke byelaws), after paragraph (d)...
- 36 In section 238 (evidence of byelaws), in the opening words,...
- 37 In section 239(4A) (power to promote or oppose local or...
- 38 In section 270(1) (general provisions as to interpretation), at the...
- 39 In Schedule 12 (meetings and proceedings of local authorities), in...

Employment Agencies Act 1973 (c. 35)

- 40 In section 13(7) of the Employment Agencies Act 1973
(interpretation:...

Local Government Act 1974 (c. 7)

- 41 (1) The Local Government Act 1974 is amended as follows....

Health and Safety at Work etc Act 1974 (c. 37)

- 42 In section 28(6) of the Health and Safety at Work...

Local Government (Miscellaneous Provisions) Act 1976 (c. 57)

- 43 In section 44(1) of the Local Government (Miscellaneous Provisions)
Act...

Race Relations Act 1976 (c. 74)

- 44

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Rent (Agriculture) Act 1976 (c. 80)

- 45 In section 5(3) of the Rent (Agriculture) Act 1976 (no...

Rent Act 1977 (c. 42)

- 46 In section 14(1) of the Rent Act 1977 (landlord's interest...

Protection from Eviction Act 1977 (c. 43)

- 47 In section 3A(8) of the Protection from Eviction Act 1977...

Local Government, Planning and Land Act 1980 (c. 65)

- 48 The Local Government, Planning and Land Act 1980 is amended...
 49 In section 2(1) (duty of authorities to publish information), after...
 50 In section 98(8A) (disposal of land at direction of Secretary...
 51 In section 99(4) (directions to dispose of land - supplementary),...
 52 In section 100(1)(a) (meaning of “subsidiary”), after “Local Government Act...
 53 In Schedule 16 (bodies to whom Part 10 applies), after...

Public Passenger Vehicles Act 1981 (c. 14)

- 54 In section 4C(4)(e) of the Public Passenger Vehicles Act 1981...

Acquisition of Land Act 1981 (c. 67)

- 55 In section 17(4) of the Acquisition of Land Act 1981...

Local Government (Miscellaneous Provisions) Act 1982 (c. 30)

- 56 (1) The Local Government (Miscellaneous Provisions) Act 1982 is amended...

Stock Transfer Act 1982 (c. 41)

- 57 In paragraph 7(2)(a) of Schedule 1 to the Stock Transfer...

County Courts Act 1984 (c. 28)

- 58 In section 60(3) of the County Courts Act 1984 (right...

Local Government Act 1985 (c. 51)

- 59 The Local Government Act 1985 is amended as follows.
 60 In section 72(5) (accounts and audit), after “the London Fire...
 61 (1) Section 73 (financial administration) is amended as follows.

Transport Act 1985 (c. 67)

- 62 The Transport Act 1985 is amended as follows.
 63 In section 27A(7)(b) (additional powers where service not operated as...
 64 In section 64(1)(a) (consultation with respect to policies as to...
 65 In section 93(8)(b)(i) (travel concession schemes), after “integrated transport area”...
 66 In section 106(4) (grants for transport facilities and services), after...
 67 In section 137 (general interpretation), after subsection (5) insert—

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Housing Act 1985 (c. 68)

68 (1) Section 4 of the Housing Act 1985 (other descriptions...

Housing Associations Act 1985 (c. 69)

69 In section 106 of the Housing Associations Act 1985 (minor...

Landlord and Tenant Act 1985 (c. 70)

70 In section 38 of the Landlord and Tenant Act 1985...

Local Government Act 1986 (c. 10)

71 (1) The Local Government Act 1986 is amended as follows....

Landlord and Tenant Act 1987 (c. 31)

72 In section 58(1)(a) of the Landlord and Tenant Act 1987...

Local Government Act 1988 (c. 9)

73 In Schedule 2 to the Local Government Act 1988 (public...

Local Government Finance Act 1988 (c. 41)

74 The Local Government Finance Act 1988 is amended as follows....

75 In section 74 (levies), after subsection (7) insert—

76 In section 88B(9) (special grants), after paragraph (b) insert ;...

77 In section 111(2) (authorities to which provisions about financial administration...

78 In section 112(2) (authorities to which requirement to make arrangements...

Housing Act 1988 (c. 50)

79 (1) The Housing Act 1988 is amended as follows.

Road Traffic Act 1988 (c. 52)

80 In section 144(2)(a)(i) of the Road Traffic Act 1988 (exceptions...

Local Government and Housing Act 1989 (c. 42)

81 (1) The Local Government and Housing Act 1989 is amended...

Town and Country Planning Act 1990 (c. 8)

82 (1) The Town and Country Planning Act 1990 is amended...

Local Government (Overseas Assistance) Act 1993 (c. 25)

83 In section 1(10) of the Local Government (Overseas Assistance) Act...

Railways Act 1993 (c. 43)

84 The Railways Act 1993 is amended as follows.

85 In section 25(1) (public sector operators not to be franchisees)—...

86 In section 149(5) (service of documents), in the definition of...

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Deregulation and Contracting Out Act 1994 (c. 40)

87 In section 79A of the Deregulation and Contracting Out Act...

Housing Grants, Construction and Regeneration Act 1996 (c. 53)

88 In section 3(2) of the Housing Grants, Construction and Regeneration...

Audit Commission Act 1998 (c. 18)

89 In paragraph 1 of Schedule 2 to the Audit Commission...

Crime and Disorder Act 1998 (c. 37)

90 In section 17(2) of the Crime and Disorder Act 1998...

Local Government Act 1999 (c. 27)

91 In section 1(1) of the Local Government Act 1999 (best...

Greater London Authority Act 1999 (c. 29)

92 In section 211(1) of the Greater London Authority Act 1999...

Local Government Act 2000 (c. 22)

93 In section 49(6) of the Local Government Act 2000 (principles...

Freedom of Information Act 2000 (c. 36)

94 In Schedule 1 to the Freedom of Information Act 2000...

Transport Act 2000 (c. 38)

95 The Transport Act 2000 is amended as follows.

96 In section 108(4) (meaning of “local transport authority” for purposes...

97 (1) Section 109 (further provision about plans: England) is amended...

98 (1) Section 113 (role of metropolitan district councils) is amended...

99 (1) Section 124 (quality contracts schemes) is amended as follows....

100 (1) Section 157 (grants) is amended as follows.

101 In section 162 (interpretation of Part 2), after subsection (5)...

102 (1) Section 163 (charging schemes: preliminary) is amended as follows....

103 (1) Section 164 (local charging schemes) is amended as follows....

104 (1) Section 165 (joint local charging schemes) is amended as...

105 In section 165A(1)(b) (joint local-ITA charging schemes), after “Integrated Transport...

106 (1) Section 166 (joint local-London charging schemes) is amended as...

107 (1) Section 166A (joint ITA-London charging schemes) is amended as...

108 In section 167(2)(b) (trunk road charging schemes), after “Integrated Transport...

109 In section 168(2) (charging schemes to be made by order)—...

110 (1) Section 170 (charging schemes: consultation and inquiries) is amended...

111 In section 177A(1) (power to require information), for “or Integrated...

112 In section 193(1) (guidance), after “Integrated Transport Authorities” insert “...

Changes to legislation: Local Democracy, Economic Development and Construction Act 2009 is up to date with all changes known to be in force on or before 27 December 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- 113 In section 194 (information), in each of subsections (1), (2)...
- 114 In section 198(1) (interpretation of Part 3), at the appropriate...
- 115 (1) Schedule 12 (road user charging and workplace parking levy:...

Police Reform Act 2002 (c. 30)

- 116 In Schedule 4 to the Police Reform Act 2002 (police...

Local Government Act 2003 (c. 26)

- 117 (1) The Local Government Act 2003 is amended as follows....

Courts Act 2003 (c. 39)

- 118 In section 41(6) of the Courts Act 2003 (disqualification of...

Railways Act 2005 (c. 14)

- 119 In section 33(2) of the Railways Act 2005 (persons on...

Concessionary Bus Travel Act 2007 (c. 13)

- 120 In section 9(6)(b) of the Concessionary Bus Travel Act 2007...

Local Government and Public Involvement in Health Act 2007 (c. 28)

- 121 (1) The Local Government and Public Involvement in Health Act...

Local Transport Act 2008 (c. 26)

- 122 The Local Transport Act 2008 is amended as follows.
- 123 In section 79(1)(b) (provision that may be made in an...
- 124 In section 86(3) (delegation of functions of the Secretary of...
- 125 In section 87(5) (delegation of local authority functions), after
“section...
- 126 In section 88(1)(b) (conferral of a power to direct), after...
- 127 After section 89 insert— Transfer of functions of combined authority...
- 128 In section 90 (changing the boundaries of an integrated transport...
- 129 In section 91 (dissolution of an integrated transport area), after...
- 130 After section 102 insert— Application of Chapter to combined
authorities...

Schedule 7 — Repeals

Part 1 — POLITICALLY RESTRICTED POSTS

Part 2 — AUDIT OF ENTITIES CONNECTED WITH LOCAL AUTHORITIES

Part 3 — LOCAL GOVERNMENT BOUNDARY AND ELECTORAL CHANGE

Part 4 — REGIONAL STRATEGY

Part 5 — CONSTRUCTION CONTRACTS

Changes to legislation:

Local Democracy, Economic Development and Construction Act 2009 is up to date with all changes known to be in force on or before 27 December 2018. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

Changes and effects yet to be applied to :

- s. 2(3)(f) substituted by [2011 c. 13 Sch. 16 para. 374\(a\)](#) (Amendment not applied. S 2 of this Act was repealed before this amendment was brought into force.)
- s. 2(5)(e) substituted by [2011 c. 13 Sch. 16 para. 374\(b\)](#) (Amendment not applied. S 2 of this Act was repealed before this amendment was brought into force.)
- s. 70(5) repealed by [2011 c. 20 s. 109\(1\)\(a\) Sch. 25 Pt. 16](#)
- s. 82(1)(2) repealed by [2011 c. 20 s. 109\(1\)\(a\) Sch. 25 Pt. 16](#)
- s. 83 repealed by [2011 c. 20 s. 109\(1\)\(a\) Sch. 25 Pt. 16](#)
- Sch. 5 para. 2-4 repealed by [2011 c. 20 Sch. 25 Pt. 16](#)
- Sch. 5 para. 9-11 repealed by [2011 c. 20 Sch. 25 Pt. 16](#)
- Sch. 5 para. 14 repealed by [2011 c. 20 Sch. 25 Pt. 16](#)
- Sch. 5 para. 15(2) repealed by [2011 c. 20 Sch. 25 Pt. 16](#)
- Sch. 5 para. 16 17 repealed by [2011 c. 20 Sch. 25 Pt. 16](#)
- Sch. 5 para. 19 repealed by [2011 c. 20 Sch. 25 Pt. 16](#)