

LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT 2009

EXPLANATORY NOTES

COMMENTARY

Part 7: Multi-Area Agreements

Section 128 - Submission of existing multi-area agreement

290. This section provides for a multi-area agreement that is prepared through procedures other than following a direction from the Secretary of State under section 125 to be submitted with a request that the Secretary of State approve it. This section allows local authorities to submit a multi-area agreement agreed prior to section 125 coming into force, or one that has been prepared without first seeking a direction.
291. *Subsection (3)* stipulates that all local authorities covered by the area of the multi-area agreement, other than district councils in a county council area, must be party to any request for the Secretary of State to approve the agreement whilst also expressly allowing district councils to be party to the request if they want to join it. This is consistent with who may request a direction to prepare and submit a multi-area agreement (see section 124).
292. *Subsection (4)* requires local authorities making the request to consult any other local authority, as well as partner authorities, for the area covered by the multi-area agreement, prior to making the request. *Subsection (7)(d)* requires the local authorities making the request to report the outcome of their consultation under this subsection.
293. *Subsections (5) to (7)* stipulate the information that must accompany the request. These information requirements are consistent with the requirements for a proposal for a direction under section 124 together with the requirements for a draft multi-area agreement in section 125.