



Local Democracy, Economic Development and Construction Act 2009

2009 CHAPTER 20

PART 7

MULTI-AREA AGREEMENTS

Preparation and approval of multi-area agreements

124 Proposal for multi-area agreement

- (1) The local authorities for an area proposed to be covered by a multi-area agreement (“the proposed area”) may request the Secretary of State to give a direction under section 125 for the preparation and submission of a draft multi-area agreement for the proposed area.
- (2) The local authorities making the request—
 - (a) must include all of the local authorities for the proposed area, other than any non-unitary district council for that area;
 - (b) may include any non-unitary district council for that area.
- (3) In this Part “non-unitary district council” means a district council for an area that is part of the area of a county council.
- (4) The request must be made in writing and must—
 - (a) identify the local authorities making the request,
 - (b) nominate one of them to be responsible for preparing and submitting the draft, and
 - (c) identify the proposed area.
- (5) The local authorities making the request must have regard to any guidance issued by the Secretary of State about such requests.

125 Direction to prepare and submit draft multi-area agreement

- (1) If a request is made in accordance with section 124, the Secretary of State may direct the responsible authority to prepare a draft multi-area agreement for the proposed area and submit it to the Secretary of State.
- (2) The draft must specify, in relation to each improvement target—
 - (a) the persons or persons to whom the target relates, and
 - (b) where the target does not relate to the whole of the proposed area, the part or parts of the area to which it relates.
- (3) The draft must specify the period for which the multi-area agreement is to have effect.
- (4) A direction under this section—
 - (a) may specify the date by which the draft must be submitted to the Secretary of State;
 - (b) may be varied or revoked.

126 Preparation of draft multi-area agreement

- (1) In preparing a draft multi-area agreement in accordance with a direction under section 125, the responsible authority must consult—
 - (a) each of the other local authorities for the proposed area,
 - (b) each partner authority for that area, and
 - (c) such other persons as appear to it to be appropriate.
- (2) In preparing the draft, the responsible authority must co-operate with—
 - (a) each of the other local authorities for the proposed area, and
 - (b) each partner authority for that area,in determining the improvement targets relating to that local authority or partner authority that are to be specified in the draft.
- (3) In preparing the draft, the responsible authority must have regard to any guidance issued by the Secretary of State.
- (4) In determining the improvement targets relating to it which are to be specified in the draft, each of the other local authorities, and each partner authority, for the proposed area must—
 - (a) co-operate with the responsible authority, and
 - (b) have regard to any guidance issued by the Secretary of State.

127 Approval of draft multi-area agreement

- (1) If a draft multi-area agreement is submitted to the Secretary of State under section 125, the Secretary of State may by notice in writing to the responsible authority—
 - (a) approve the draft,
 - (b) require the responsible authority to modify the draft, or
 - (c) reject the draft.
- (2) If the Secretary of State approves a draft multi-area agreement, a multi-area agreement in the form of the draft has effect for the period specified in it.

- (3) A requirement to modify a draft multi-area agreement operates for the purposes of section 125 as a direction under that section to prepare and submit a further draft of a multi-area agreement.
- (4) If the Secretary of State rejects a draft multi-area agreement, the Secretary of State may not give a further direction under section 125 based on the same request under section 124.

128 Submission of existing multi-area agreement

- (1) This section applies to a multi-area agreement prepared otherwise than in accordance with a direction under section 125.
- (2) The local authorities for the area covered by the agreement may—
 - (a) submit the agreement to the Secretary of State, and
 - (b) request the Secretary of State to approve the agreement under section 129.
- (3) The local authorities making the request—
 - (a) must include all of the local authorities for the area covered by the agreement, other than any non-unitary district council for that area;
 - (b) may include any non-unitary district council for that area.
- (4) Before making the request, the local authorities must consult—
 - (a) any other local authority for the area covered by the agreement, and
 - (b) each partner authority for that area.
- (5) The agreement must specify, in relation to each improvement target—
 - (a) the persons or persons to whom the target relates, and
 - (b) where the target does not relate to the whole of the proposed area, the part or parts of the area to which it relates.
- (6) The agreement must specify the period for which it has effect.
- (7) The request must be made in writing and must—
 - (a) identify the local authorities making the request,
 - (b) nominate one of them as the responsible authority in relation to the agreement,
 - (c) identify the area covered by the agreement, and
 - (d) provide information about the outcome of the consultation under subsection (4).
- (8) The local authorities making the request must have regard to any guidance issued by the Secretary of State about such requests.

129 Approval of existing multi-area agreement

- (1) If a multi-area agreement is submitted to the Secretary of State in accordance with section 128, the Secretary of State may approve the agreement by notice in writing to the responsible authority.
- (2) An agreement approved under this section has effect for the purposes of this Part for the period specified in it.