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STATUTORY INSTRUMENTS

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**2009 No. 3318 (C. 149)**

**LOCAL GOVERNMENT**

**The Local Democracy, Economic Development and  
Construction Act 2009 (Commencement No. 2) Order 2009**

*Made - - - - 16th December 2009*

The Secretary of State, in exercise of the powers conferred by section 148 of the Local Democracy, Economic Development and Construction Act 2009<sup>(1)</sup>, makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Local Democracy, Economic Development and Construction Act 2009 (Commencement No. 2) Order 2009.

(2) In this Order “the Act” means the Local Democracy, Economic Development and Construction Act 2009.

**Provisions coming into force on the day after the making of this Order**

2. The following provisions of the Act come into force on the day after this Order is made—
- (a) sections 88 to 113 (economic prosperity boards and combined authorities);
  - (b) sections 118 to 120 (supplementary provision in relation to EPBs and combined authorities);
  - (c) Schedule 6 (EPBs and combined authorities: amendments).

**Provisions coming into force on 12th January 2010**

3. Sections 114 to 117 of the Act (order-making powers in relation to EPBs and combined authorities) come into force on 12th January 2010.

**Provisions coming into force on 1st April 2010**

4. The following provisions of the Act come into force on 1st April 2010—
- (a) section 23 (duty of public authorities to secure involvement);
  - (b) section 24 (duty of public authorities to secure involvement: guidance);

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(1) 2009 c 20.

- (c) section 31 (scrutiny officers);
- (d) section 55 ( Local Government Boundary Commission for England);
- (e) section 56 (review of electoral arrangements);
- (f) section 57 (requests for review of single-member electoral areas);
- (g) section 58 (review procedure);
- (h) section 59 (implementation of review recommendations);
- (i) section 60 (transfer of functions relating to boundary change);
- (j) section 61 (removal of functions relating to boundary and electoral change);
- (k) section 63 (continuity of functions);
- (l) section 65 ( electoral changes consequential on boundary change in England);
- (m) section 66 (repeal of redundant provisions);
- (n) section 67 (consequential and supplementary provision);
- (o) section 69 (local authority economic assessments) (so far as not already in force);
- (p) section 70 (regional strategy);
- (q) section 72 (responsible regional authorities);
- (r) section 73 (sustainable development);
- (s) section 74 (review and revision by responsible regional authorities);
- (t) section 75 (community involvement);
- (u) section 76 (examination in public);
- (v) section 77 (matters to be taken into account in revision);
- (w) section 78 (approval of revision by Secretary of State);
- (x) section 79 (reserve powers of Secretary of State);
- (y) section 80 (revision: supplementary);
- (z) section 81 (implementation);
- (aa) section 82 (regional strategy as part of development plan);
- (bb) section 83 (duties of regional development agencies);
- (cc) section 85 (consequential provision);
- (dd) Schedule 1 (Local Government Boundary Commission for England);
- (ee) Schedule 2 (electoral change in England: considerations on review);
- (ff) Schedule 4 (boundary and electoral change: amendments)
- (gg) Schedule 5 (regional strategy: amendments);
- (hh) Part 3 of Schedule 7 (repeals relating to local government boundary and electoral change);
- (ii) Part 4 of Schedule 7 (repeals relating to regional strategy).

Signed by authority of the Secretary of State for Communities and Local Government

16th December 2009

*Rosie Winterton*  
Minister of State  
Department for Communities and Local  
Government

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order commences the following provisions of the Local Democracy, Economic Development and Construction Act 2009 (“the Act”), so far as they are not already in force.

Article 2 brings into force sections 88 to 113, 118 to 120 of, and Schedule 6 to, the Act on the day after the Order is made. Part 6 of the Act makes provision for the establishment in England of economic prosperity boards and combined authorities which provide a formal structure to lead collaboration between relevant local authorities on sub-regional economic development and regeneration (and transport in the case of combined authorities).

Article 3 brings into force sections 114 to 117 of the Act, which confer powers on the Secretary of State to make orders in relation to economic prosperity boards and combined authorities on 12th January 2010.

Article 4 brings into force the remaining provisions specified in the Order on 1st April 2010.—

Sections 23 and 24, which constitute Chapter 3 of Part 1 of the Act, and which make provision in relation to the duty of certain listed public authorities in England to secure involvement of the public in the exercise of their functions;

Section 31 which amends Part 3 of the Local Government Act 2000 (c.22) to require local authorities in England (excluding district councils where there is a county council) to designate one of their officers as a scrutiny officer;

Sections 55 to 61, 63, 65 to 67 of, and Schedules 1 to 4 to, the Act, which constitute the provisions in Part 3 of the Act which were not brought into force on the day when the Act was passed. Part 3 of the Act establishes the Local Government Boundary Commission for England and transfers to it the functions of the Boundary Committee for England. It makes provision for changes to local authority boundary and electoral arrangements in England, modified in the main to reflect the removal of the Electoral Commission and makes changes to the functions of the Electoral Commission;

Section 69(1) (2) (4) and (5) of the Act, being the provisions in Part 4 of the Act which were not commenced by the Local Democracy, Economic Development and Construction Act 2009 (Commencement No. 1) Order 2009 (SI 2009/3087) (“the First Commencement Order”) and which impose duties on local authorities in England to prepare economic assessments of their area;

Sections 70, 72 to 83, 85 of, and Schedule 5 to, the Act, being the provisions in Part 5 of the Act which were not commenced by the First Commencement Order. That Part relates to regional strategy for all regions in England other than London.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act have been brought into force by a commencement order made before the date of this Order:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 69 (partially)	25.11.2009	2009/3087

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 71	25.11.2009	<a href="#">2009/3087</a>
Section 84	25.11.2009	<a href="#">2009/3087</a>
Sections 86 and 87	25.11.2009	<a href="#">2009/3087</a>