



# 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 [<sup>F1</sup>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) [<sup>F2</sup>or section 101A(2)], and
  - (b) such other persons (if any),
- as the Secretary of State considers appropriate.

[<sup>F3</sup>(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

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*Status: Point in time view as at 28/03/2016.*

*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)*

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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.

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**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)**

**Status:**

Point in time view as at 28/03/2016.

**Changes to legislation:**

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