



Local Democracy, Economic Development and Construction Act 2009

2009 CHAPTER 20

PART 6

ECONOMIC PROSPERITY BOARDS AND COMBINED AUTHORITIES

Combined authorities and their areas

[^{F1}106A Section 106(1)(a) orders: consent requirements under other powers

- (1) Subsection (2) applies where—
 - (a) the area of a district council is added to the area of a combined authority by an order under section 106(1)(a),
 - (b) the area of the district council forms part of the area of a county council,
 - (c) the Secretary of State proposes to exercise a relevant power as a result of, or otherwise in connection with, the making of the order, and
 - (d) (apart from subsection (2)) the relevant power is exercisable only with the consent of (among other authorities) the county council mentioned in paragraph (b).
- (2) The relevant power is exercisable whether or not the county council consents.
- (3) Subsection (4) applies where—
 - (a) the area of a county council is added to the area of a combined authority by an order under section 106(1)(a),
 - (b) the area of the county council includes the areas of district councils,
 - (c) the Secretary of State proposes to exercise a relevant power as a result of, or otherwise in connection with, the making of the order, and
 - (d) (apart from subsection (4)) the relevant power is exercisable only with the consent of (among other authorities) a district council within paragraph (b).
- (4) The relevant power is exercisable whether or not the district council consents.

Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 106A. (See end of Document for details)

- (5) In this section, “relevant power” means a power—
- (a) to make an order under section 104, 105 or 105A, or
 - (b) to make regulations under—
 - (i) section 74 of the Local Government Finance Act 1988 (by virtue of subsection (8) of that section), or
 - (ii) section 23(5) of the Local Government Act 2003.]

Textual Amendments

- F1** S. 106A 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. 14\(6\), 25\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Section 106A.