

LOCAL DEMOCRACY, ECONOMIC DEVELOPMENT AND CONSTRUCTION ACT 2009

EXPLANATORY NOTES

COMMENTARY

Part 6: Economic Prosperity Boards and Combined Authorities

Section 98 – Preparation and publication of scheme: new EPB

207. This section stipulates that if two or more of the councils that have conducted a section 97 review conclude that the establishment of an EPB for an area would be likely to improve the exercise of statutory functions relating to economic development and regeneration and economic conditions within the area, then they have the power to prepare and publish a scheme for the establishment of an EPB for the area.
208. *Subsection (3)* provides that the area of the proposed EPB must consist of all or part of the area covered by the review, may include one or more other local government areas, and must meet the conditions in *subsections (2), (3), and (4)* in section 88.
209. *Subsection (4)* prevents a local government area from being included in a scheme unless each appropriate authority for that area (defined in *subsection (5)*) has either participated in the preparation of the scheme or consented to the inclusion of the local government area in the scheme.