



# Local Democracy, Economic Development and Construction Act 2009

## 2009 CHAPTER 20

### PART 6

#### ECONOMIC PROSPERITY BOARDS AND COMBINED AUTHORITIES

##### *Constitution and functions of EPBs*

#### **90 Constitution: membership and voting**

- (1) An order under section 89 that includes provision about the number and appointment of members of an EPB must provide—
  - (a) for a majority of the members of the EPB to be appointed by the EPB's constituent councils,
  - (b) for those members to be appointed from among the elected members of the constituent councils, and
  - (c) for each constituent council that is a representative council to appoint at least one of its elected members as a member of the EPB.
- (2) For the purposes of this section—
  - (a) a county council is a constituent council of an EPB if the area of the county council, or part of that area, is within the EPB's area;
  - (b) a district council is a constituent council of an EPB if the area of the district council is within the EPB's area.
- (3) For the purposes of this section, the following are representative councils in relation to an EPB—
  - (a) if the EPB's area coincides with or includes the whole of the area of a county council, the county council;
  - (b) if the EPB's area includes part of the area of a county council—
    - (i) the county council, or

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*Status: This is the original version (as it was originally enacted).*

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- (ii) each district council for an area within that part,  
as determined by or in accordance with the order;
  - (c) if the EPB’s area includes the area of a unitary district council, the district council.
- (4) In this Part “unitary district council” means a district council whose area is not part of the area of a county council.
- (5) If an order under section 89 provides for members of an EPB to be appointed otherwise than from among the elected members of its constituent councils, the order must provide for those members to be non-voting members.
- (6) The voting members of an EPB may resolve that provision made in accordance with subsection (5) is not to apply in the case of the EPB.