



# Local Transport Act 2008

## 2008 CHAPTER 26

### PART 5

#### INTEGRATED TRANSPORT AUTHORITIES ETC

### CHAPTER 2

#### ARRANGEMENTS RELATING TO INTEGRATED TRANSPORT AUTHORITIES

##### *Establishment of new ITA by order*

#### **79 Provision that may be made in an order under section 78**

- (1) An order under section 78 may make, in relation to the ITA,—
  - (a) provision about its constitutional arrangements (within the meaning given by section 84(2)),
  - (b) any provision which may be made by an order under section 86, 87 <sup>[F1]</sup>, 88 or 89A].
- (2) An order made by virtue of subsection (1)(a) which includes provision about the number and appointment of members of the ITA must provide—
  - (a) for a majority of the members of the ITA to be appointed by the ITA's constituent councils (see subsection (3)),
  - (b) for those members to be appointed from among the elected members of the constituent councils, and
  - (c) for each of the representative councils (see subsection (4)) to appoint at least one of its elected members as a member of the ITA.
- (3) For the purposes of this section, the constituent councils of an ITA are—
  - (a) any county council, and
  - (b) any district council,for an area within the integrated transport area of the ITA.

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**Changes to legislation:** *Local Transport Act 2008, Section 79 is up to date with all changes known to be in force on or before 28 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (4) For the purposes of subsection (2)(c), the following councils are representative councils in respect of an area to be designated as the integrated transport area of an ITA—
- (a) if that area includes the whole of a county, the county council;
  - (b) if that area includes a metropolitan district or a non-metropolitan district comprised in an area for which there is no county council, the district council;
  - (c) if that area includes one or more districts in a county but does not include the whole county, either the county council or the council for each of those districts (as determined by or in accordance with the order in question).
- (5) If an order made by virtue of subsection (1)(a) provides for members of an ITA to be appointed otherwise than from among the elected members of its constituent councils (see subsection (2)(a) of section 84), it must provide for those members to be non-voting members (see subsection (2)(b) of that section).
- (6) The voting members of an ITA may resolve that provision made in accordance with subsection (5) is not to apply in the case of the ITA.

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**Textual Amendments**

- F1** Words in s. 79(1)(b) substituted (17.12.2009) by [Local Democracy, Economic Development and Construction Act 2009 \(c. 20\)](#), s. 148(6), **Sch. 6 para. 123**; S.I. 2009/3318, art. 2(c)
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**Commencement Information**

- I1** S. 79 in force at 9.2.2009 in so far as not already in force by S.I. 2009/107, art. 2(1), **Sch. 1 Pt. 1**

**Changes to legislation:**

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**Commencement Orders yet to be applied to the Local Transport Act 2008**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2009/579 art. 2](#) commences (2008 c. 26)
- [S.I. 2009/3294 art. 2](#) commences (2008 c. 26)