

## SCHEDULE 3

Article 16

### MEETINGS AND PROCEEDINGS OF THE BOARD

#### *First meeting of the Board*

1.—(1) The first meeting of the Board shall be convened by the chief officer as soon as practicable and, in any event, within 80 days beginning on the establishment day, and shall be held at such place and hour as may be fixed by him.

(2) Until completion of the election of a chairman of the Board at that meeting (as provided for at paragraph 5(1)), the chief officer shall exercise any functions falling to be exercised by the chairman and the deputy chairman of the Board.

(3) The following provisions of this Schedule, in so far as they relate to the calling and conduct of meetings, shall apply to the calling and conduct of the first meeting of the Board.

#### *Annual general meetings and other meetings of the Board*

2.—(1) The first meeting of the Board, as provided for by paragraph 1(1), shall be the annual general meeting of the Board for 2004.

(2) In 2005 and each subsequent year the Board shall hold an annual general meeting.

(3) An annual general meeting shall be held at such hour as the Board may fix or, if no hour is so fixed, at twelve noon.

#### **Modifications etc. (not altering text)**

C1 Sch. 3 para. 2(2) disapplied (4.4.2020) by [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020 \(S.I. 2020/392\)](#), regs. 1, **9(a)** (with reg. 2(4))

3.—(1) In 2005 and in each succeeding year the Board shall hold, in addition to the annual general meeting for that year, at least two other meetings for the transaction of business.

(2) Every such additional meeting shall be held at such hour and on such day as the Board may determine but shall be held as near as may be at regular intervals.

#### **Modifications etc. (not altering text)**

C2 Sch. 3 para. 3 disapplied (4.4.2020) by [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020 \(S.I. 2020/392\)](#), regs. 1, **9(a)** (with reg. 2(4))

4.—(1) The chairman of the Board or, if the office of chairman is vacant, the deputy chairman of the Board may call an extraordinary general meeting of the Board at any time.

(2) If the offices of chairman and deputy chairman are vacant, the chief officer of the Board may call an extraordinary general meeting of the Board at any time.

(3) Not less than five members of the Board may requisition an extraordinary general meeting of the Board.

(4) The requisition referred to in sub-paragraph (3) shall be in writing and shall be presented to the chairman of the Board or, if the office of chairman is vacant, to the deputy chairman of the Board or, if the offices of chairman and deputy chairman are vacant, to the chief officer of the Board.

**Changes to legislation:** There are currently no known outstanding effects for the The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004, SCHEDULE 3. (See end of Document for details)

(5) Where the chairman, deputy chairman or chief officer (as the case may be) have not called an extraordinary general meeting within seven days of the presentation of a requisition as mentioned in sub-paragraphs (3) and (4), any five members of the Board may forthwith call an extraordinary general meeting of the Board.

### *Chairman and deputy chairman*

5.—(1) The first chairman and deputy chairman of the Board shall be elected by the members of the Board (in accordance with paragraph 7 of Schedule 13 to the 2000 Act) at the first meeting of the Board as provided for at paragraph 1(1) above.

(2) Subsequent chairmen and deputy chairmen of the Board shall be elected by the members of the Board (in accordance with paragraph 7 of Schedule 13 to the 2000 Act) at a meeting of the Board.

(3) A person elected as a chairman or deputy chairman of the Board may at any time resign his office by notice in writing given to the chief officer of the Board.

(4) Where a casual vacancy in the office of chairman or deputy chairman of the Board is filled the person so appointed shall hold office until the date upon which the person in whose place he is elected would regularly have retired.

(5) Where necessary, the meeting at which such a casual vacancy is to be filled shall be convened by the chief officer of the Board.

### *Calling of meetings*

6.—(1) Meetings of the Board shall be held at such place, either within or outside the Cotswolds Area of Outstanding Natural Beauty, as the Board may direct.

(2) At least three clear days (excluding any day which is a Saturday, Sunday, bank holiday, Christmas Day or Good Friday) before a meeting of the Board—

- (a) notice of the time and place of the intended meeting shall be published at the principal offices of the Board and, where the meeting is called by members of the Board, the notice shall be signed by those members and shall specify the business proposed to be transacted; and
- (b) a summons to attend the meeting, specifying the business proposed to be transacted and signed by the chief officer of the Board shall, subject to sub-paragraphs (3) and (4) be left at or sent by post to the usual place of residence of every member of the Board with a copy given to the proper officer for each local authority specified in Schedule 1, the Countryside Agency and the Secretary of State.

(3) If a member of the Board gives notice in writing to the chief officer of the Board that he desires summonses to attend meetings of the Board to be sent to him at some address specified in the notice other than his usual place of residence, any summons addressed to him and left at or sent by post to that address shall be deemed sufficient service of the summons.

(4) Where a member and the chief officer agree in writing, summonses to attend meetings of the Board may be given to that member by electronic communication.

(5) Want of service of a summons on any member of the Board shall not affect the validity of such a meeting.

(6) Except in the case of business required by or under this Order or any other statutory provision to be transacted at the annual general meeting of the Board and other business brought before that meeting as a matter of urgency in accordance with the Board's standing orders, no business shall be transacted at a meeting of the Board other than that specified in the summons relating thereto.

**Modifications etc. (not altering text)**

- C3** Sch. 3 para. 6 modified (4.4.2020) by [The Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020 \(S.I. 2020/392\)](#), regs. 1, **9(b)** (with reg. 2(4))

*Conduct of meetings*

- 7.—(1) At a meeting of the Board the chairman, if present, shall preside.
- (2) If the chairman is absent from a meeting of the Board the deputy chairman, if present, shall preside.
- (3) If both the chairman and the deputy chairman of the Board are absent such other member of the Board as the members present shall choose shall preside.
- (4) Subject to the provisions of paragraph 45 of Schedule 12 to the 1972 Act (quorum), no business shall be transacted at a meeting of the Board unless—
- (a) at least one third of the whole number of members of the Board are present; and
  - (b) of those present at least one is a local authority member, one a member appointed by the Secretary of State, and one, a parish member.
- (5) The following provisions—
- (a) Part VI of Schedule 12 to the 1972 Act (proceedings and meetings of local authorities) and section 99 of that Act so far as it relates to that Part of that Schedule; and
  - (b) section 100 of that Act (admission of the public and press),
- shall have effect as if the Board were a local authority for the purposes of those provisions.
- (6) Section 20 of the 1989 Act (duty to adopt certain procedural standing orders) shall have effect as if the Board were a relevant authority for the purposes of that section.
- (7) The validity of any proceedings of the Board shall not be affected by a vacancy amongst their members, by any defect in the appointment of a member of the Board or by the want of qualification, or the disqualification, of any such member.

*Minutes of proceedings of meetings*

8. A copy of the minutes of the proceedings at each meeting of the Board shall be sent to—
- (a) the proper officer for each local authority specified in Schedule 1;
  - (b) each parish council and parish meeting specified in Part IV of Schedule 2;
  - (c) the Countryside Agency; and
  - (d) English Nature.

**Changes to legislation:**

There are currently no known outstanding effects for the The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004, SCHEDULE 3.