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STATUTORY INSTRUMENTS

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**2004 No. 1777**

**The Cotswolds Area of Outstanding Natural Beauty  
(Establishment of Conservation Board) Order 2004**

**PART II**

*Establishment, constitution and administration of the Board*

**Discharge of functions, committees and sub-committees, and staff**

17.—(1) Sections 101 to 104 and 106 of the 1972 Act (arrangements for committees and sub-committees) shall apply in relation to the Board as if the Board were a local authority for the purposes of those sections.

(2) Accordingly, section 13 of the 1989 Act (voting rights of members of certain committees) shall apply as if the Board were a relevant authority for the purposes of that section.

(3) It shall be the duty of the Board in relation to any committee or sub-committee to which this paragraph applies, to secure that—

- (a) the membership of the committee or sub-committee consists at least one local authority member of the Board, one member of the Board appointed by the Secretary of State and one parish member of the Board;
- (b) subject to sub-paragraph (a), the division of members of the Board who are members of the committee or sub-committee between—
  - (i) local authority members,
  - (ii) members appointed to the Board by the Secretary of State, and
  - (iii) parish members,

is (as nearly as possible using whole numbers) in the same proportions as required, by virtue of article 4, in the case of the Board themselves; and

- (c) the quorum of the committee or sub-committee includes at least one local authority member of the Board, one member of the Board appointed by the Secretary of State and one parish member of the Board.

(4) Paragraph (3) applies to the following committees and sub-committees of the Board except those appointed under section 102(4) or (4A) <sup>M1</sup> of the 1972 Act (advisory committees), that is to say—

- (a) any committee or sub-committee of the Board;
- (b) any joint committee on which the Board is represented; and
- (c) any sub-committee of such a joint committee.

(5) The proceedings of a committee or sub-committee to which paragraph (3) applies shall not be invalidated by any failure of the Board to perform their duty under that paragraph.

(6) Sections 112 to 119 of the 1972 Act (staff of local authorities) and section 30 of the Local Government (Miscellaneous Provisions) Act 1976 <sup>M2</sup> (power to forgo repayment of remuneration)

shall apply in relation to the Board as if the Board were a local authority for the purposes of those sections.

(7) The following provisions of the 1989 Act shall apply in relation to the Board as if the Board were a relevant authority for the purposes of those provisions—

- (a) section 4 (designation and reports of head of paid service);
- (b) section 5 (designation and reports of monitoring officer);
- (c) section 7 (staff to be appointed on merit);
- (d) section 8 (standing orders with respect to staff) with the omission of subsection (4)(d) (assistants for political groups); and
- (e) section 12 (conflict of interest in staff negotiations).

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**Marginal Citations**

- M1** Section 102(4A) of the Local Government Act 1972 was inserted by the Local Government and Housing Act 1989, Schedule 11, paragraph 25.
- M2** 1976 c. 57.

**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, Section 17.