

SCHEDULE 2

PROVISIONS FOR APPOINTMENT OF PARISH MEMBERS OF THE BOARD

PART II

APPOINTMENT OF PARISH MEMBERS OF THE BOARD TO FILL A VACANCY

Notice of election and nomination of candidates

16. Where a vacancy in the membership of the Board is created by a parish member of the Board (“the former parish member”), the Board shall, as soon as practicable, give to each of the parish councils and parish meetings (if any) specified in the group of parishes which elected the former parish member written notice of the election by each of those parish councils and parish meetings of one parish member of the Board.

17. The notice of election referred to in paragraph 16 shall—

- (a) be accompanied by a form of nomination by the parish council or the parish meeting, as the case may be, for one candidate for election as a parish member of the Board;
- (b) state that the completed nomination form shall be delivered to the Board not later than 42 days from the receipt of the notice of election; and
- (c) explain the effect of the provisions of this Part of the Schedule.

18. Paragraph 5 (completed nomination form) shall apply to an appointment of a parish member of the Board under this Part as it applies to an appointment of a parish member under Part I.

Decisions as to validity of nomination papers

19. Paragraph 6 (decisions as to validity of nomination papers) shall apply to an appointment of a parish member of the Board under this Part as it applies to an appointment of a parish member under Part I but with the references to the Countryside Agency being construed as references to the Board.

Notification of persons nominated

20. The Board shall, as soon as practicable, give to each of the parish councils and parish meetings (if any) specified in the group of parishes which elected the former parish member a statement showing the persons who have been, and stand, nominated to be elected by that group of parishes.

Withdrawal of candidates

21. A candidate may withdraw his candidature by notice of withdrawal—

- (a) signed by him and attested by one witness, and
- (b) given to the Board.

Method of election, and notification where election is uncontested

22.—(1) Where one candidate remains validly nominated, that person shall be recorded by the Board as being elected and the Board shall forthwith—

- (a) give written notice thereof to that candidate and to each of the parish councils and parish meetings within the group of parishes in respect of which the election was held; and

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, PART II. (See end of Document for details)

(b) give public notice of the name of the candidate elected.

(2) Where more than one candidate remains validly nominated, a poll shall be taken in accordance with paragraphs 23 to 25.

Contested elections: the ballot

23.—(1) Where under paragraph 22(2) a poll is to be taken, the Board shall give to each of the parish councils and parish meetings (if any), within the group of parishes in respect of which a poll is to be taken, a ballot paper.

(2) The ballot paper shall—

(a) be prepared by the Board;

(b) include the names of the candidates as shown in the statement of the persons nominated in accordance with paragraph 20; and

(c) be given to the parish councils and parish meetings as mentioned in sub-paragraph (1) at the same time as the statement of persons nominated is given in accordance with paragraph 20.

(3) Not later than 42 days from the receipt of the ballot paper, each parish council and parish meeting within that group of parish councils and parish meetings may record on the ballot paper its vote for one candidate and shall forthwith deliver the completed ballot paper to the Board.

Contested elections: counting of votes, equality of votes and recording the result

24.—(1) Paragraphs 11 to 13 (counting of votes, equality of votes and recording the result) shall apply to an appointment of a parish member of the Board under this Part as it applies to an appointment of a parish member under Part I but with the references to the Countryside Agency being construed as references to the Board.

(2) As soon as the result of the poll has been ascertained, the Board shall record the candidate with the most number of votes to be elected.

Contested elections: notification of the result

25. As soon as the Board have recorded a candidate as being elected, the Board shall—

(a) give written notice thereof to that candidate and to each parish council and parish meeting (if any) within the group of parishes in respect of which that election was held; and

(b) give public notice of the name of the candidate elected.

Retention of election papers

26. The Board shall retain all documents relating to an election under this Part for a period of six months from—

(a) in the case of an uncontested election, the giving of the public notice as mentioned in paragraph 22(1)(b); or

(b) in the case of a contested election, the giving of the public notice as mentioned in paragraph 25(b).

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