

SCHEDULE 1

Article 5

SPECIFIED LOCAL AUTHORITIES

F1 ...

Textual Amendments

F1 Words in Sch. 1 omitted (1.4.2009) by virtue of [The Local Government \(Structural Changes\) \(Miscellaneous Amendments and Other Provision\) Order 2009 \(S.I. 2009/837\)](#), arts. 1, **20(3)(a)**

Textual Amendments

F1 Words in Sch. 1 omitted (1.4.2009) by virtue of [The Local Government \(Structural Changes\) \(Miscellaneous Amendments and Other Provision\) Order 2009 \(S.I. 2009/837\)](#), arts. 1, **20(3)(a)**

F2 ...

Textual Amendments

F2 Words in Sch. 1 omitted (1.4.2020) by virtue of [The Buckinghamshire \(Structural Changes\) \(Supplementary Provision and Amendment\) Order 2020 \(S.I. 2020/348\)](#), arts. 1, **2(3)(a)**

Textual Amendments

F2 Words in Sch. 1 omitted (1.4.2020) by virtue of [The Buckinghamshire \(Structural Changes\) \(Supplementary Provision and Amendment\) Order 2020 \(S.I. 2020/348\)](#), arts. 1, **2(3)(a)**

Hertfordshire County Council

Oxfordshire County Council

[^{F3}Buckinghamshire Council]

Textual Amendments

F3 Words in Sch. 1 inserted (1.4.2020) by [The Buckinghamshire \(Structural Changes\) \(Supplementary Provision and Amendment\) Order 2020 \(S.I. 2020/348\)](#), arts. 1, **2(3)(b)**

Textual Amendments

F3 Words in Sch. 1 inserted (1.4.2020) by [The Buckinghamshire \(Structural Changes\) \(Supplementary Provision and Amendment\) Order 2020 \(S.I. 2020/348\)](#), arts. 1, **2(3)(b)**

Status: Point in time view as at 04/04/2020.

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

F2
...

Textual Amendments

F2 Words in Sch. 1 omitted (1.4.2020) by virtue of [The Buckinghamshire \(Structural Changes\) \(Supplementary Provision and Amendment\) Order 2020 \(S.I. 2020/348\)](#), arts. 1, **2(3)(a)**

[^{F4}the Central Bedfordshire Council]

Textual Amendments

F4 Words in Sch. 1 inserted (1.4.2009) by [The Local Government \(Structural Changes\) \(Miscellaneous Amendments and Other Provision\) Order 2009 \(S.I. 2009/837\)](#), arts. 1, **20(3)(b)**

Textual Amendments

F4 Words in Sch. 1 inserted (1.4.2009) by [The Local Government \(Structural Changes\) \(Miscellaneous Amendments and Other Provision\) Order 2009 \(S.I. 2009/837\)](#), arts. 1, **20(3)(b)**

F2
...

Textual Amendments

F2 Words in Sch. 1 omitted (1.4.2020) by virtue of [The Buckinghamshire \(Structural Changes\) \(Supplementary Provision and Amendment\) Order 2020 \(S.I. 2020/348\)](#), arts. 1, **2(3)(a)**

Dacorum Borough Council

Luton Borough Council

F5
...

Textual Amendments

F5 Words in Sch. 1 omitted (1.4.2009) by virtue of [The Local Government \(Structural Changes\) \(Miscellaneous Amendments and Other Provision\) Order 2009 \(S.I. 2009/837\)](#), arts. 1, **20(3)(c)**

Textual Amendments

F5 Words in Sch. 1 omitted (1.4.2009) by virtue of [The Local Government \(Structural Changes\) \(Miscellaneous Amendments and Other Provision\) Order 2009 \(S.I. 2009/837\)](#), arts. 1, **20(3)(c)**

North Hertfordshire District Council

F5
...

Textual Amendments

F5 Words in Sch. 1 omitted (1.4.2009) by virtue of [The Local Government \(Structural Changes\) \(Miscellaneous Amendments and Other Provision\) Order 2009 \(S.I. 2009/837\)](#), arts. 1, **20(3)(c)**

F2
...

Textual Amendments

F2 Words in Sch. 1 omitted (1.4.2020) by virtue of [The Buckinghamshire \(Structural Changes\) \(Supplementary Provision and Amendment\) Order 2020 \(S.I. 2020/348\)](#), arts. 1, **2(3)(a)**

South Oxfordshire District Council

Three Rivers District Council

F2
...

Textual Amendments

F2 Words in Sch. 1 omitted (1.4.2020) by virtue of [The Buckinghamshire \(Structural Changes\) \(Supplementary Provision and Amendment\) Order 2020 \(S.I. 2020/348\)](#), arts. 1, **2(3)(a)**

SCHEDULE 2

Articles 6 and 9(1)(c)

PROVISIONS FOR APPOINTMENT OF PARISH MEMBERS OF THE BOARD

PART I

APPOINTMENT OF FIRST PARISH MEMBERS OF THE BOARD

General

1. In this Schedule—

“a completed nomination form” means a form complying with paragraph 5; and

“the start date” means the date this Order comes into force.

Status: Point in time view as at 04/04/2020.

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

2. The first parish members of the Board shall be appointed in accordance with the election procedures set out in paragraphs 3 to 14.

3.—(1) The groups of parishes numbered 1 (“group 1”) and 2 (“group 2”) in the groups of parishes specified in Part IV of this Schedule shall each appoint one parish member of the Board in accordance with the election procedures set out in paragraphs 4 to 14.

(2) The groups of parishes numbered 3 (“group 3”) and 4 (“group 4”) in the groups of parishes specified in Part IV of this Schedule shall each appoint two parish members of the Board in accordance with the election procedure set out in paragraphs 4 to 14.

Notice of election and nomination of candidates

4.—(1) The Countryside Agency shall, not later than 15 days from the start date, give to each of the parish councils and to the parish meeting specified in groups 1 and 2 written notice of the election by each of those groups of one parish member of the Board.

(2) The Countryside Agency shall, not later than 15 days from the start date, give to each of the parish councils and parish meetings specified in groups 3 and 4 written notice of the election by each of those groups of two parish members of the Board.

(3) The notice of election referred to in sub-paragraph (1) 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 Countryside Agency not later than 57 days from the start date; and
- (c) explain the effect of the provisions of this Part of the Schedule.

(4) The notice of election referred to in sub-paragraph (2) shall—

- (a) be accompanied by a form of nomination by the parish council or the parish meeting, as the case may be, for two candidates for election as parish members of the Board;
- (b) state that the completed nomination form shall be delivered to the Countryside Agency not later than 57 days from the start date; and
- (c) explain the effect of the provisions of this Part of the Schedule.

5. A completed nomination form shall, in respect of the candidate or each candidate, as the case may be—

- (a) state the full name of the candidate, placing the surname first;
- (b) state the home address in full of the candidate;
- (c) state that the candidate is—
 - (i) a member of a parish council for a parish the whole or any part of which is comprised in the Chilterns Area of Outstanding Natural Beauty, or
 - (ii) the chairman of the parish meeting of a parish, which does not have a separate parish council, the whole or any part of which is comprised in the Chilterns Area of Outstanding Natural Beauty;
- (d) if desired, give a description of the candidate in not more than 300 words in relation to that candidate’s appropriateness to be a parish member of the Board;
- (e) be signed—
 - (i) on behalf of a parish council, by the chairman of that parish council or by one of the parish councillors of that council acting on his behalf; or

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- (ii) on behalf of a parish meeting of a parish which does not have a separate parish council, by the chairman of that parish meeting or by one of the local government electors for that parish acting on his behalf; and
- (f) include the consent of the candidate to nomination and that consent shall be signed by the candidate.

Decisions as to validity of nomination papers

6.—(1) Where a completed nomination form is delivered to the Countryside Agency in accordance with paragraph 4(3) or (4), the candidate or each candidate, as the case may be, shall be deemed to stand nominated unless and until—

- (a) the Countryside Agency decide that the completed nomination form is invalid;
- (b) proof is given of the candidate's death; or
- (c) the candidate withdraws.

(2) As soon as practicable after a completed nomination form has been delivered, the Countryside Agency shall examine it and decide whether the candidate, or each candidate, has been validly nominated.

(3) The Countryside Agency are entitled to hold a nomination invalid only on the grounds that the requirements of paragraph 5 have not been complied with.

(4) Where the Countryside Agency decide that a nomination is invalid, they shall endorse and sign on the completed nomination form the fact and the reason for their decision.

(5) The Countryside Agency shall send notice of their decision that a nomination is valid or invalid to the candidate (at his home address as given in the completed nomination form) and to the parish council or parish meeting on whose behalf the completed nomination form was signed.

Notification of persons nominated

7.—(1) Not later than 79 days from the start date the Countryside Agency shall give to each of the parish councils and parish meetings (if any) within each group of parishes specified in Part IV of this Schedule a statement of the persons who have been, and stand, nominated to be elected by that group of parishes.

(2) The statement shall show in alphabetical order the names, addresses and descriptions of the candidates as given in the completed nomination papers.

(3) In the case of a candidate nominated by more than one parish council or parish meeting, the Countryside Agency shall take the particulars required by sub-paragraph (2) as the candidate (or in default the Countryside Agency) may select.

Withdrawal of candidates

- 8.** A candidate may withdraw his candidature by notice of withdrawal—
- (a) signed by him and attested by one witness, and
 - (b) given to the Countryside Agency.

Method of election, and notification where election uncontested

9.—(1) Where in respect of the parishes within group 1 or group 2—

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- (a) one candidate remains validly nominated, that person shall be recorded by the Countryside Agency as being elected in respect of that group and the Agency shall forthwith—
 - (i) give written notice thereof to that candidate and each of the parish councils within that group and, where relevant, to the parish meeting in group 2; and
 - (ii) give public notice of the name of the candidate elected;
 - (b) more than one candidate remains validly nominated, a poll shall be taken in accordance with paragraphs 10 to 14.
- (2) Where in respect of the parishes within group 3 or group 4—
- (a) no more than two candidates remain validly nominated, that candidate, or those candidates, as the case may be, shall be recorded by the Countryside Agency as being elected in respect of that group and the Agency shall forthwith—
 - (i) give written notice thereof to that candidate, or those candidates, as the case may be, and to each of the parish councils and parish meetings within that group; and
 - (ii) give public notice of the name of the candidate, or candidates, elected;
 - (b) there are more than two candidates remaining validly nominated, a poll shall be taken in accordance with paragraphs 10 to 14.

Contested elections: the ballot

10.—(1) Where under paragraph 9(1)(b) or paragraph 9(2)(b) a poll is to be taken, the Countryside Agency 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 Countryside Agency;
 - (b) include the names of the candidates as shown in the statement of the persons nominated in accordance with paragraph 7; 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 7.
- (3) Not later than 42 days from the receipt of the ballot paper, each parish council and parish meeting within that group may record on the ballot paper—
- (a) in respect of a parish council within group 1 or a parish council or parish meeting within group 2, its vote for one candidate;
 - (b) in respect of a parish council or a parish meeting within group 3 or group 4, its vote for no more than 2 candidates;

and shall forthwith deliver the completed ballot paper to the Countryside Agency.

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

11. The Countryside Agency shall as soon as possible count the votes recorded in the ballot papers delivered in accordance with paragraph 10(3).

12. Where after the counting of the votes is completed, an equality of votes is found to exist between candidates and the addition of a vote would entitle any of those candidates to be recorded as being elected, the Countryside Agency shall forthwith decide between those candidates by lot and proceed as if the candidate on whom the lot falls had received an additional vote.

13. As soon as the result of the poll has been ascertained, the Countryside Agency shall—

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- (a) as respects the parishes specified in group 1 or group 2, record the candidate with the greatest number of votes to be elected in respect of that group; and
- (b) as respects the parishes specified in group 3 or group 4, record the two candidates with the greatest number of votes to be elected in respect of that group.

Contested elections: notification of the result

14. As soon as the Countryside Agency have recorded a candidate as being elected the Agency shall—

- (a) give written notice thereof to that candidate and to each of the parish councils and parish meetings (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

15. The Countryside Agency 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 9(1)(a)(ii) or paragraph 9(2)(a)(ii), as the case may be; or
- (b) in the case of a contested election, the giving of the public notice as mentioned in paragraph 14(b).

PART II

APPOINTMENT OF PARISH MEMBERS OF THE BOARD TO FILL A VACANCY

Notice of election and nomination of candidates

16.—(1) Except where sub-paragraph (2) applies, 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.

(2) Where two vacancies in the membership of the Board are created by both parish members of the Board (“the former parish members”) who were elected by—

- (a) the parish councils and parish meeting specified in group 3, or
- (b) the parish councils and parish meetings specified in group 4,

the Board shall, as soon as practicable, give to each of the parish councils and parish meetings specified in the group of parishes which elected the former parish members written notice of the election by that group of two parish members of the Board.

17.—(1) The notice of election referred to in paragraph 16(1) 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

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- (c) explain the effect of the provisions of this Part of the Schedule.
- (2) The notice of election referred to in paragraph 16(2) shall—
 - (a) be accompanied by a form of nomination by the parish council or the parish meeting, as the case may be, for two candidates for election as parish members 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, or the former parish members, as the case may be, 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 paragraph 16(1) applies (one vacancy in the number of parish members of the Board) and one candidate remains validly nominated, that person shall be recorded by the Board as being elected in respect of that group 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
- (b) give public notice of the name of the candidate elected.

(2) Where paragraph 16(1) applies and there is more than one candidate remaining validly nominated, a poll shall be taken in accordance with paragraphs 23 to 25.

(3) Where paragraph 16(2) applies (two vacancies in the number of parish members of the Board in respect of the parishes specified in group 3 or group 4) and no more than two candidates remain validly nominated, that candidate, or those candidates, as the case may be, shall be recorded by the Board as being elected and the Board shall forthwith—

- (a) give written notice thereof to that candidate, or those candidates, as the case may be, and to each of the parish councils and parish meetings within that group; and
- (b) give public notice of the name of the candidate, or candidates, elected.

(4) Where paragraph 16(2) applies and there are more than two candidates remaining 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) or paragraph 22(4) 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 (if any) within that group of parish councils and parish meetings may record on the ballot paper—

- (a) in respect of an election to which paragraph 16(1) applies, its vote for one candidate;
- (b) in respect of an election to which paragraph 16(2) applies, its vote for not more than two candidates

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 chief officer of the Board shall—

- (a) as respects an election to which paragraph 16(1) applies, record the candidate with the most number of votes to be elected; and
- (b) as respects an election to which paragraph 16(2) applies, record the two candidates 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—

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

- (a) in the case of an uncontested election, the giving of the public notice as mentioned in paragraph 22(1)(b) or paragraph 22(3)(b), as the case may be;
- (b) in the case of a contested election, the giving of the public notice as mentioned in paragraph 25(b).

PART III

ELECTION FAILING TO PROVIDE A CANDIDATE FOR THE POSITION OF A PARISH MEMBER OF THE BOARD

27. Where an election held in accordance with—

- (a) Part I of this Schedule (appointment of first parish members of the Board), or
- (b) Part II of this Schedule (appointment of parish members of the Board to fill a vacancy),

fails to provide a validly nominated candidate for the post or each post (as the case may be) of a parish member of the Board, the resulting vacancy, or vacancies, in the parish membership of the Board shall be filled in accordance with paragraphs 28 to 30.

28.—(1) Where an election held in accordance with Part I of this Schedule fails to provide a validly nominated candidate as mentioned in paragraph 27, the Board shall, within three years of the start date, give to each of the parish councils and parish meetings (if any), within the group of parishes which failed to nominate a candidate, written notice of the election of one, or two (as the case may be) parish members of the Board.

(2) Paragraphs 17 to 26 shall apply to an election required under sub-paragraph (1) as they apply to the election of a parish member of the Board as mentioned in paragraph 16.

29.—(1) Where an election held in accordance with Part II of this Schedule fails to provide a validly nominated candidate as mentioned in paragraph 27, the Board shall, within three years of giving notice of that election under paragraph 16, give to each of the parish councils and parish meetings (if any), within the group of parishes which failed to nominate a candidate, written notice of the election of one, or two (as the case may be) parish members of the Board.

(2) Paragraphs 17 to 26 shall apply to an election required under sub-paragraph (1) as they apply to the election of a parish member of the Board in accordance with Part II.

30.—(1) Where an election in accordance with paragraphs 28, 29 or this paragraph fails to provide a validly nominated candidate as mentioned in paragraph 27, the Board shall, within three years of the previous notice of election, give further written notice of election to each of the parish councils and parish meetings (if any) within the group of parishes which failed to nominate a candidate until such time as the parish member of the Board, or parish members of the Board (as the case may be) are appointed.

(2) Paragraphs 17 to 26 shall apply to an election required under sub-paragraph (1) as they apply to an election of a parish member of the Board in accordance with Part II.

PART IV

PARISHES

Group 1

PARISH COUNCILS

BARTON-LE-CLAY

DUNSTABLE

EATON BRAY

HARLINGTON

KENSWORTH

STREATLEY

STUDHAM

SUNDON

TOTTERNHOE

WHIPSNADDE

Group 2

PARISH COUNCILS

ALDBURY

BERKHAMSTED

BOVINGDON

CHORLEYWOOD

Status: Point in time view as at 04/04/2020.

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FLAMSTEAD

FLAUNDEN

GREAT GADDESSEN

LILLEY

LITTLE GADDESSEN

MARKYATE

NETTLEDEN WITH POTTEN END

NORTHCHURCH

OFFLEY

PIRTON

SARRATT

SHILLINGTON

TRING

TRING RURAL

WIGGINTON

PARISH MEETING

HEXTON

Group 3
PARISH COUNCILS

AMERSHAM

ASHLEY GREEN

ASTON CLINTON

BEACONSFIELD

BLEDLOW-CUM-SAUNDERTON

BRADENHAM

CHALFONT ST GILES

CHALFONT ST PETER

CHARTRIDGE

CHENIES

CHEPPING WYCOMBE

CHESHAM BOIS

CHESHAM

CHOLESBURY-CUM-ST LEONARDS

COLESHILL

DOWNLEY

DRAYTON BEAUCHAMP

Status: Point in time view as at 04/04/2020.

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EDLESBOROUGH

ELLESBOROUGH

GREAT AND LITTLE HAMPDEN

GREAT AND LITTLE KIMBLE

GREAT MARLOW

GREAT MISSENDEN

HALTON

HAMBLEDEN

HAZLEMERE

HUGHENDEN

IBSTONE

IVINGHOE

LACEY GREEN

LANE END

LATIMER

LITTLE MARLOW

LITTLE MISSENDEN

MARLOW

MARSWORTH

MEDMENHAM

PENN

PIDDINGTON AND WHEELER END

PITSTONE

PRINCES RISBOROUGH

RADNAGE

SEER GREEN

STOKENCHURCH

THE LEE

TURVILLE

WENDOVER

WEST WYCOMBE

WOOBURN

PARISH MEETING

FAWLEY

Group 4

PARISH COUNCILS

ASTON ROWANT

BENSON

Status: Point in time view as at 04/04/2020.

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

BIX AND ASSENDON

CHECKENDON

CHINNOR

CHOLSEY

CROWMARSH

EWELME

EYE AND DUNSDEN

GORING

GORING HEATH

HARPSDEN

HENLEY-ON-THAMES

HIGHMOOR

IPSDEN

KIDMORE END

LEWKNOR

MAPLEDURHAM

MOULSFORD

NETTLEBED

NUFFIELD

PISHILL WITH STONOR

PYRTON

ROTHERFIELD GREYS

ROTHERFIELD PEPPARD

SHIPLAKE

SONNING COMMON

SOUTH STOKE

STOKE ROW

SWYNCOMBE

WALLINGFORD

WATLINGTON

WHITCHURCH-ON-THAMES

WOODCOTE

PARISH MEETINGS

BRIGHTWELL BALDWIN

BRITWELL SALOME

CROWELL

SHIRBURN

Status: Point in time view as at 04/04/2020.

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

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) disappplied (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, **10(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 days 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 disappplied (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, **10(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.

(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 Chilterns 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.

Status: Point in time view as at 04/04/2020.

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

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, **10(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.

SCHEDULE 4

Article 36

TRANSFER OF STAFF

1. In this Schedule—

“contract of employment” means any agreement between an employee and his employer determining the terms and conditions of his employment;

Status: Point in time view as at 04/04/2020.

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

“employee” means any individual who works for another person whether under a contract of service or apprenticeship or otherwise but does not include anyone who provides services under a contract for services; and

“list of staff” means a list marked with the name of Wycombe District Council followed by the words “List of Staff” which is signed by the Secretary of State, one copy of which is deposited with Wycombe District Council and one with the Board.

2.—(1) This paragraph applies to any person—

(a) who immediately before the operative day was employed by Wycombe District Council under a contract of employment; and

(b) whose name is set out in a list of staff.

(2) The contract of employment of a person to whom this paragraph applies shall not be terminated on the operative day but shall have effect as if originally made between that person and the Board.

(3) This paragraph is without prejudice to any provision of the Transfer of Undertakings (Protection of Employment) Regulations 1981^{M1}.

Marginal Citations

M1 [S.I. 1981/1794](#), amended by the [Trade Union Reform and Employment Rights Act 1993 \(c. 19\)](#) and [S.I. 1995/2587](#); there are other amending instruments but none is directly relevant to this Order.

Status:

Point in time view as at 04/04/2020.

Changes to legislation:

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