

## SCHEDULE 1

Article 10

### MEETINGS AND PROCEEDINGS OF THE AUTHORITY

#### **First meeting and other meetings of the Authority before the operational date**

1.—(1) The first meeting of the Authority shall be convened by the acting National Park officer within 21 days beginning with the establishment date and shall be held at such place and hour as may be fixed by him.

(2) That meeting shall be treated as the annual meeting of the Authority for the year commencing 1st April 2005.

(3) Notice of that meeting shall be published at the place where the meeting is to be held and the summons to attend the meeting shall be signed by the acting National Park officer.

(4) Until the election of a chairman of the Authority at that meeting, the acting National Park officer shall exercise any functions falling to be exercised by the chairman of the Authority but the acting National Park officer shall not vote at the election of the chairman of the Authority unless the votes for election of the chairman are tied.

(5) The Authority shall hold such further meetings before the operational date as may be necessary.

(6) So far as is consistent with the preceding provisions of this paragraph, the following provisions of this Schedule shall apply to the calling and conduct of meetings under this paragraph.

#### **Annual meetings and other meetings of the Authority**

2.—(1) In the year commencing 1st April 2006 and in each subsequent year the Authority shall hold an annual meeting and those meetings shall be held at such hour as the Authority may fix or, if no hour is fixed, at twelve noon.

(2) In addition to the annual meeting, the Authority shall hold in the year commencing 1st April 2006 and in every succeeding year at least three other meetings for the transaction of general business and those other meetings shall be held at such hour and on such day as the Authority may determine but shall be held as near as may be at regular intervals.

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

**C1** Sch. 1 para. 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, **11(a)** (with reg. 2(4))

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

(2) If the offices of chairman and deputy chairman are vacant, the National Park officer may call an extraordinary meeting of the Authority at any time.

(3) Not less than five members of the Authority may requisition an extraordinary meeting of the Authority at any time.

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

(5) Where the chairman, deputy chairman or National Park officer (as the case may be) have not called an extraordinary meeting within seven days of the presentation of a requisition as mentioned

in sub-paragraphs (3) and (4), any five members of the Authority may forthwith call an extraordinary meeting of the Authority.

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

- C1** Sch. 1 para. 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, **11(a)** (with reg. 2(4))

**Chairman and Deputy chairman**

**4.—(1)** The election of a chairman and deputy chairman shall be the first business transacted at the annual meeting of the Authority.

(2) The person elected as chairman or deputy chairman of the Authority may at any time resign his office by notice in writing delivered to the National Park officer.

(3) Where a casual vacancy in the office of chairman or deputy chairman of the Authority 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.

(4) Where necessary, the meeting at which the casual vacancy is to be filled shall be convened by the National Park officer.

**Calling of meetings of the Authority**

**5.—(1)** Meetings of the Authority shall be held at such place, whether or not in the New Forest National Park, as the Authority may direct.

(2) At least three clear days before a meeting of the Authority—

- (a) notice of the time and place of the intended meeting shall be published at the principal offices of the Authority and, where the meeting is called by members of the Authority, 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 National Park officer shall, subject to sub-paragraphs (3) and (4) below, be left at or sent by post to the usual place of residence of every member of the Authority; and the National Park officer shall give a copy of that summons to the proper officer for each of the New Forest local authorities, the Countryside Agency and the Secretary of State.

(3) If a member of the Authority gives notice in writing to the National Park officer that he desires summonses to attend meetings of the Authority 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 of the Authority and the National Park officer agree in writing, summonses to attend meetings of the Authority may be given to that member by electronic communication.

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

(6) Subject to section 100B(4) of the 1972 Act<sup>(1)</sup> (consideration of items of business), except in the case of business required under this Order or any other statutory provision to be transacted at the annual meeting of the Authority and any other business brought before that meeting as a matter

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(1) Inserted by section 1 of the Local Government (Access to Information) Act 1985 (c. 43).

of urgency in accordance with the Authority's standing orders, no business shall be transacted at a meeting of the Authority other than that specified in the summons relating to that meeting.

(7) For the purpose of computing the period of three clear days under sub-paragraph (2) of this paragraph there shall be excluded any day that is a Saturday, Sunday, bank holiday (being a day which is a bank holiday in England and Wales under the Banking and Financial Dealings Act 1971<sup>(2)</sup>), Christmas Day or Good Friday.

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

**C2** Sch. 1 para. 5 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, **11(b)** (with reg. 2(4))

**Conduct of meetings**

6.—(1) At a meeting of the Authority the chairman, if present, shall preside.

(2) If the chairman is absent from a meeting of the Authority the deputy chairman, if present, shall preside.

(3) If both the chairman and the deputy chairman of the Authority are absent such other member of the Authority as the members present shall choose shall preside.

**Quorum**

7. Subject to the provisions of paragraph 45 of Schedule 12 to the 1972 Act<sup>(3)</sup> (quorum), no business shall be transacted at a meeting of the Authority unless—

- (a) at least eight members of the Authority are present; and
- (b) of those present at least one is a local authority member and at least one a member appointed by the Secretary of State.

**Minutes and proceedings of meetings**

8. A copy of the minutes of the proceedings at each meeting of the Authority shall be sent to the proper officer for each of the New Forest local authorities, the Countryside Agency and the Secretary of State within thirty five days of the date of the meeting at which those minutes were approved.

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(2) 1971 c. 80.

(3) Paragraph 45 of Schedule 12 to the 1972 Act is applied to a National Park authority by paragraph 12 (1)(a) of Schedule 7 to the 1995 Act.

**Changes to legislation:**

There are currently no known outstanding effects for the The New Forest National Park Authority (Establishment) Order 2005, SCHEDULE 1.