

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 must be convened by the acting National Park officer within 21 days beginning with the establishment date and are to be held at such place and hour as may be fixed by that acting officer.

(2) That meeting will be treated as the annual meeting of the Authority for the year commencing 1st April 2010.

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

(4) Until the election of a chairman of the Authority at that meeting, any functions to be exercised or exercisable by the chairman of the Authority (once elected) are to be exercised or exercisable by the acting National Park officer.

(5) The acting National Park officer must not vote at the election of the chairman of the Authority unless the votes for election of the chairman are tied.

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

(7) So far as is consistent with the preceding provisions of this paragraph, the following provisions of this Schedule will 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 2011 and in each subsequent year the Authority must hold an annual meeting, and those meetings are to 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 must hold in the year commencing 1st April 2011 and in every succeeding year at least three other meetings for the transaction of general business and those other meetings are to be held at such hour and on such days as the Authority may determine but must be as near as may be at regular intervals.

Modifications etc. (not altering text)

C1 Sch. 1 para. 2 disappplied (E.) (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, **12(a)** (with reg. 2(4))

3.—(1) The relevant officer may call an extraordinary meeting of the Authority at any time.

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

(3) A requisition under sub-paragraph (2) must be in writing and must be presented to the relevant officer.

(4) Where the relevant officer has not called an extraordinary meeting within seven days of the presentation of a requisition under sub-paragraph (2), any five members of the Authority may forthwith call an extraordinary meeting of the Authority.

(5) In this paragraph, “the relevant officer” means—

(a) if both the offices of chairman and deputy chairman are vacant, the National Park officer;

- (b) if the office of chairman (only) is vacant, the deputy chairman; and
- (c) in any other case, the chairman.

Chairman and deputy chairman

4.—(1) The election of a chairman and deputy chairman must 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 their 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 appointed to fill that vacancy holds office until the date upon which the person last holding that office would have retired in the ordinary course.

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

Calling of meetings of the Authority

5.—(1) Meetings of the Authority are to be held at such place, whether or not in the South Downs 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 must be published at the principal offices of the Authority and, where the meeting is called by members of the Authority, the notice must be signed by those members and specify the business 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, must, 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
- (c) the National Park officer must send a copy of that summons to the proper officer of each of the South Downs local authorities, Natural England and the Secretary of State.

(3) If a member of the Authority gives notice in writing to the National Park officer requesting that any notice (“summons”) inviting or requiring the attendance of that member at a meeting of the Authority be served at some address specified in the notice other than the usual place of residence of that member, any summons so addressed and left at or sent by post to that address is to be deemed sufficient service of the summons.

(4) Where a member of the Authority and the National Park officer so agree in writing, any summons 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 does not affect the validity of a meeting of the Authority.

(6) 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 of urgency in accordance with the Authority's standing orders, no business may be transacted at a meeting of the Authority other than that specified in the summons relating to that meeting^{M1}.

(7) For the purpose of calculating the period of three clear days under sub-paragraph (2) of this paragraph, 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^{M2}), Christmas Day or Good Friday is to be excluded.

Modifications etc. (not altering text)

- C2** Sch. 1 para. 5 modified (E.) (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, **12(b)** (with reg. 2(4))

Marginal Citations

- M1** But see section 100B(4) of the 1972 Act (consideration of items of business), inserted by section 1 of the [Local Government \(Access to Information\) Act 1985 \(c. 43\)](#), and applied to National Park authorities by section 100J(1)(cd) of the 1972 Act (inserted by paragraph 12(2)(a) of Schedule 7 to the 1995 Act), which provides that an item may be considered where the chair of the meeting considers it is a matter of urgency by reason of special circumstances which are to be specified in the minutes.
- M2** [1971 c. 80](#).

Conduct of meetings

- 6.—(1) At a meeting of the Authority the chairman, if present, must preside.
- (2) If the chairman is absent from a meeting of the Authority the deputy chairman, if present, must preside.
- (3) If both the chairman and the deputy chairman are absent, such other member of the Authority as the members present choose is to preside.

Quorum

7. No business is to be transacted at a meeting of the Authority unless ^{M3}—
- (a) at least one third of the whole number of 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.

Marginal Citations

- M3** But see paragraph 45 of Schedule 12 to the 1972 Act (quorum) which is applied to a National Park authority by paragraph 12(1)(a) of Schedule 7 to the 1995 Act. Paragraph 45 provides that, where more than one third of members are disqualified, the calculation is to be by reference to the number remaining qualified, not the full membership.

Minutes and proceedings of meetings

8. A copy of the minutes of the proceedings at each meeting of the Authority must be sent to the proper officer of each of the South Downs local authorities, Natural England and the Secretary of State within thirty five days of the date of the meeting at which those minutes were approved.

Changes to legislation:

There are currently no known outstanding effects for the The South Downs National Park Authority (Establishment) Order 2010, SCHEDULE 1.