

---

DRAFT STATUTORY INSTRUMENTS

---

**2004 No.**

**COUNTRYSIDE, ENGLAND**

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

*Made* - - - - 2004

*Coming into force* 2004

THE COTSWOLDS AREA OF OUTSTANDING NATURAL BEAUTY  
(ESTABLISHMENT OF CONSERVATION BOARD) ORDER 2004

PART I

*Introductory*

1. Citation and commencement
2. Interpretation

PART II

*Establishment, constitution and administration of the Board*

3. Establishment of the Board
4. Specified number of Board members
5. Appointment of local authority members
6. Appointment of parish members
7. First appointment of members
8. Resignation of office
9. Vacancies
10. Notice of appointment, etc.
11. Removal of members appointed by the Secretary of State
12. Disqualification of members
13. Vacation of office for failure to attend meetings
14. Conduct of members and staff
15. Allowances and time off for members
16. Meetings and proceedings of the Board
17. Discharge of functions, committees and sub-committees, and staff
18. Chief officer
19. Personal liability of members and staff
20. Liaison with parish councils and parish meetings

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:  
*The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 No. 1777*

21. Records, access to meetings and documents, notices and documents
22. Reports and returns
23. Financial administration and accounts, etc.
24. Maladministration

### PART III

#### *Concurrent functions of the Board*

25. Concurrent functions

### PART IV

#### *Incidental, supplemental, consequential and transitional provisions*

26. ***Land, enforceability of covenants***
27. Agreements as to incidental matters
28. Borrowing
29. Miscellaneous transactions and powers
30. Supply of goods and services
31. Power to execute works outside the Cotswolds Area of Outstanding Natural Beauty
32. Power to promote Bills
33. Restrictions on publicity
34. Contracting out
35. Continuity of exercise of functions
36. Transfer of staff  
Signature

---

## SCHEDULE 1 — SPECIFIED LOCAL AUTHORITIES

## SCHEDULE 2 — PROVISIONS FOR APPOINTMENT OF PARISH MEMBERS OF THE BOARD

### PART I — APPOINTMENT OF FIRST PARISH MEMBERS

#### *General*

1. In this Schedule— “a completed nomination form” means a form...
2. The first parish members of the Board shall be appointed...
3. Each of the 8 groups of parishes specified in Part...

#### *Notice of election and nomination of candidates*

4. (1) The Countryside Agency shall, not later than 15 days...
5. A completed nomination form shall— (a) state the full name...

#### *Decisions as to validity of nomination papers*

6. (1) Where a completed nomination form is delivered to the...

#### *Notification of persons nominated*

7. (1) Not later than 79 days from the start date...

*Withdrawal of candidates*

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

*Method of election, and notification where election uncontested*

9. Where in respect of any group of parishes specified in...

*Contested elections: the ballot*

10. (1) Where under paragraph 9(b) a poll is to be...

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

11. The Countryside Agency shall as soon as possible count the...  
12. Where after the counting of the votes is completed, an...  
13. As soon as the result of the poll has been...

*Contested elections: notification of the result*

14. As soon as the Countryside Agency have recorded a candidate...

*Retention of election papers*

15. The Countryside Agency shall retain all documents relating to an...  
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...  
17. The notice of election referred to in paragraph 16 shall—...  
18. Paragraph 5 (completed nomination form) shall apply to an appointment...

*Decisions as to validity of nomination papers*

19. Paragraph 6 (decisions as to validity of nomination papers) shall...

*Notification of persons nominated*

20. The Board shall, as soon as practicable, give to each...

*Withdrawal of candidates*

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

*Method of election, and notification where election is uncontested*

22. (1) Where one candidate remains validly nominated, that person shall...

*Contested elections: the ballot*

23. (1) Where under paragraph 22(2) a poll is to be...

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

24. (1) Paragraphs 11 to 13 (counting of votes, equality of...

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:  
*The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 No. 1777*

*Contested elections: notification of the result*

25. As soon as the Board have recorded a candidate as...

*Retention of election papers*

26. The Board shall retain all documents relating to an election...

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—  
28. (1) Where an election held in accordance with Part I...  
29. (1) Where an election held in accordance with Part II...  
30. (1) Where an election in accordance with paragraphs 28, 29...

PART IV — PARISHES

Group 1

*Parish Councils*

*Parish Meetings*

Group 2

*Parish Councils*

*Parish Meetings*

Group 3

*Parish Councils*

*Parish Meetings*

Group 4

*Parish Councils*

*Parish Meetings*

Group 5

*Parish Councils*

*Parish Meetings*

Group 6

*Parish Councils*

*Parish Meeting*

Group 7

*Parish Councils*

Group 8

*Parish Councils*

*Parish Meeting*

SCHEDULE 3 — MEETINGS AND PROCEEDINGS OF THE BOARD

*First meeting of the Board*

1. (1) The first meeting of the Board shall be convened...

**Draft Legislation:** This is a draft item of legislation. This draft has since been made as a UK Statutory Instrument:  
*The Cotswolds Area of Outstanding Natural Beauty (Establishment of Conservation Board) Order 2004 No. 1777*

*Annual general meetings and other meetings of the Board*

2. (1) The first meeting of the Board, as provided for...
3. (1) In 2005 and in each succeeding year the Board...
4. (1) The chairman of the Board or, if the office...

*Chairman and deputy chairman*

5. (1) The first chairman and deputy chairman of the Board...

*Calling of meetings*

6. (1) Meetings of the Board shall be held at such...

*Conduct of meetings*

7. (1) At a meeting of the Board the chairman, if...

*Minutes of proceedings of meetings*

8. A copy of the minutes of the proceedings at each...

SCHEDULE 4 — TRANSFER OF STAFF

1. Interpretation
2. Transfer of staff

Explanatory Note