

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.—(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
- (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.

Status: Point in time view as at 22/07/2004.

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

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—

- (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).

Status:

Point in time view as at 22/07/2004.

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, PART II.