



## NEW FOREST NATIONAL PARK AUTHORITY

### STANDING ORDERS

#### JANUARY 2025

Author:	Solicitor and Monitoring Officer
Approved by:	Full Authority
Member approval date:	23 January 2025
Next review date:	January 2027
Version:	2.0
Distribution list:	All Members and senior Officers
Classification level:	Public

# **New Forest National Park Authority**

## **Standing Orders**

### **1. INTRODUCTION**

- 1.1 These Standing Orders are made for the regulation of the meetings, proceedings and business of the New Forest National Park Authority pursuant to Schedule 1 to the New Forest National Park Authority (Establishment) Order 2005, Schedule 12 to the Local Government Act 1972, Sections 65 and 65A and Schedule 7 of the Environment Act 1995, and all other enabling powers.

These Standing Orders shall be read in conjunction with all policies and governing documents and policies adopted by the Authority as amended from time to time, including in particular the documents listed below:

Scheme of Delegations to Committees & Officers

Code of Conduct

Arrangements for dealing with allegations

Standing Orders as to Contracts

Financial Regulations

Local Protocol on Member and Officer relations

Local Protocol for Members and Officers dealing with planning matters

Development Control Charter

- 1.2 In the event of any conflict between these Standing Orders and any of the other governing documents these Standing Orders shall prevail.

### **2. LEGISLATION**

All references to legislation refer to that legislation as amended, re-enacted or superseded from time to time.

Local Government Act 1972 ('the 1972 Act')

Local Government and Housing Act 1989 ('the 1989 Act')

Town and Country Planning Act 1990 ('the 1990 Act')

Local Authorities (Standing Orders) Regulations 1993 ('the 1993 Regulations')

Environment Act 1995 ('the 1995 Act')

Freedom of Information Act 2000

Local Government Act 2000 ('the 2000 Act')

Local Authorities (Standing Orders) (England) Regulations 2001 ('the 2001 Regulations')

Environmental Information Regulations 2004

New Forest National Park Authority (Establishment) Order 2005 ('the 2005 Order')

Natural Environment and Rural Communities Act 2006

Local Government (Access to Information) (Variation) Order 2006

Localism Act 2011 ('the 2011 Act')

Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012 ('the 2012 Regulations')

Openness of Local Government Regulations 2014 ('the 2014 Regulations')

Local Audit and Accountability Act 2014

General Data Protection Regulation 2016

Cities and Local Government Devolution Act 2016

Data Protection Act 2018

The Data Protection, Privacy and Electronic Communications (Amendments etc) (EU Exit) Regulations 2019

### 3 DEFINITIONS

**'Authority'** shall mean the New Forest National Park Authority.

**'Chair'** and **'Deputy Chair'** shall mean the Members so appointed for the time being in accordance with Standing Order 7.

**'Chief Executive (National Park Officer)'** shall mean the person appointed by the Authority in accordance with the 1995 Act and the 2005 Order. The post holder is also the **'Head of Paid Service'** designated under Section 41(1) of the 1989 Act.

**'Committee'** means any committee appointed by the Authority in accordance with Standing Orders 5.1 5.2 or 5.3

**'Deputy Monitoring Officer'** shall mean the person so designated by the Monitoring Officer pursuant to section 5(7) of the 1989 Act.

**'Disclosable Pecuniary Interest (DPI)'** shall have the meaning set out in Part 2A of the Members' Code of Conduct, the 2011 Act, and the 2012 Regulations.

**'Member'** shall mean a person elected as a councillor and appointed to the Authority by a local authority or a person appointed to the Authority by the Secretary of State in accordance with Part 2 of the 2005 Order.

**'Monitoring Officer'** shall mean the person so designated under section 5(1) of the 1989 Act.

**'Officer'** shall mean a person employed by or on behalf of the Authority.

**'Panel'** shall mean any panel appointed by the Authority or one of its committees in accordance with Standing Orders 5.2 or 5.3

**'Prejudicial Non-pecuniary Interest (PNPI)'** shall have the meaning set out in paragraphs 1 and 5 of Part 2B of the Members' Code of Conduct.

**'Sub-committee'** shall mean any sub-committee appointed by the Authority or one of its committees in accordance with Standing Orders 5.2 or 5.3.

#### **4. MEETINGS OF THE AUTHORITY**

**For the avoidance of doubt, Standing Orders 4.1, 4.2, 4.3, 4.4, 4.5, 4.11 and 4.12 shall apply only to meetings of the Authority and not its Committees, Sub-committees, Panels or other groups**

##### **Number of meetings**

- 4.1 The Authority shall hold one Annual Meeting and at least three other meetings annually for the transaction of general business.

##### **Dates of meetings**

- 4.2 The meetings of the Authority shall be held as near as may be at regular intervals on such dates as the Chief Executive (National Park Officer) shall determine. A schedule of meeting dates for each forthcoming calendar year shall be circulated to Members prior to the start of that calendar year. The Chief Executive (National Park Officer) in consultation with the Chair shall have authority to change the date of any scheduled meeting of the Authority at any time prior to the despatch of the summons for a particular meeting if, in their opinion, such change is necessary for the convenient and/or efficient dispatch of Authority business.

##### **Date of Annual Meeting**

- 4.3 The Annual Meeting of the Authority shall be the first meeting held after 31 August in any year.

##### **Extraordinary meetings**

- 4.4 An extraordinary meeting of the Authority may be called at any time by the Chair or, if the office of Chair is vacant, the Deputy Chair.
- 4.5 In addition, five Members of the Authority may request an extraordinary meeting of the Authority by written notice specifying the nature of the business to be transacted at the meeting and addressed to the Chair (or if the office of Chair is vacant the Deputy Chair and if both offices are vacant the Chief Executive (National Park Officer)). If the Chair, Deputy Chair or Chief Executive (National Park Officer) (as the case may be) have not called an extraordinary meeting within seven days of the presentation of such a requisition, any five Members of the Authority may forthwith call an extraordinary meeting of the Authority and must circulate notice of that meeting to all Members and to the Chief Executive (National Park Officer).

## **Time of meetings**

- 4.6 The meetings of the Authority, its Committees, Sub-committees and Panels shall commence at such times as the Authority shall determine. The Chief Executive (National Park Officer) in consultation with the Chair of the Authority, Committee Sub-committee or Panel shall have authority to change the time of any meeting if, in their opinion, such change is necessary for the convenient and/or efficient dispatch of Authority business.

## **Summons for a meeting**

- 4.7 The Chief Executive (National Park Officer) shall issue a notice of the time and place of any meeting of the Authority, its Committees, Sub-committees or Panels together with a summons to attend the meeting, setting out the business to be conducted, not less than five clear days before the meeting to which it relates. The notice and summons shall be placed on the Authority's website. Where practicable, the notice of the meeting shall also be held at the Authority's offices for public viewing and placed on its website, and copies shall also be sent by ordinary prepaid post to the usual place of residence of every Member of the Authority, or, if agreed, in electronic format. Where practicable, a copy shall also be sent to the proper officer of every principal council whose areas are wholly or partly comprised in the area of the National Park, to Natural England or equivalent body at that time, and to the Secretary of State.
- 4.8 If a Member of the Authority gives notice in writing to the Chief Executive (National Park Officer) that he/she desires summonses to attend meetings of the Authority, its Committees, Sub-committees or Panels, to be sent to him/her at an address other than his/her usual place of residence, any summons addressed to him/her and left at or sent by post to that address shall be deemed sufficient service of the summons.
- 4.9 Want of service of a summons on any Member of the Authority shall not affect the validity of any meeting.

## **Recording of meetings**

- 4.10 Meetings of the Authority that are open to the press and public in accordance with Standing Order 24 may be recorded by officers or others in accordance with the Local Audit and Accountability Act 2014 and the 2014 Regulations. Members of the public may record and report on open meetings of the Authority and its Committees using sound, video, film, photograph or any other means which includes blogging or tweeting, posts on social media sites, or publishing on video sharing sites. Members of the public wishing to record or report on a meeting will be encouraged to contact the Monitoring Officer or the Deputy Monitoring Officer in advance to make sure that suitable facilities are available, that it will not cause disruption and that it is carried out in accordance with any protocols and guidance published by the Monitoring Officer. The Chair has discretion to withdraw or suspend this permission should he or she deem it necessary, for example if the recording is disrupting the conduct of the meeting, or where a member of the public participating in a meeting objects to being recorded.

Meetings of the Authority that are open to the press and public in accordance with Standing Order 24 will, where practicable, routinely be streamed live either by

video or audio or both with access being made available from the Authority's website.

### **Members' interests – Speaking at meetings**

- 4.11 Any Member of the Authority who has a DPI in any item to be considered at a meeting of the Authority must not participate in any discussion of, or vote on, that matter and must withdraw from the room prior to the start of the item, unless a dispensation has first been obtained in accordance with section 33 of the 2011 Act, the Code of Conduct, and the Authority's Scheme of Delegations to Committees and Officers. If a Member has a DPI and has obtained a dispensation, the existence of that interest and the dispensation shall be declared at the start of the meeting, whether or not that DPI has previously been entered in the register of DPIs held by the Monitoring Officer.
- 4.12 Any Member of the Authority who has a PNPI in any item to be considered at a meeting of the Authority may speak at the meeting in accordance with the procedures set out in Schedule 1 Part 1 to these Standing Orders and the Members' Code of Conduct, but that Member shall not otherwise participate in discussion of, or have any right to vote upon, that item, and must withdraw from the room when those representations are concluded and before any discussion or vote takes place.

## **5. MEETINGS OF COMMITTEES**

- 5.1 Subject to Standing Order 20.1.4 and 20.1.5, at the Annual Meeting of the Authority in each year, the Authority shall appoint:
- 5.1.1 a Resources, Audit and Performance Committee with the membership and terms of reference set out in Part 1 of the Scheme of Delegations to Committees and Officers;
  - 5.1.2 a Planning Committee with the membership and terms of reference set out in Part 2 of the Scheme of Delegations to Committees and Officers; and
  - 5.1.3 a Standards Committee with the membership and terms of reference set out in Part 3 of the Scheme of Delegations to Committees and Officers.
- 5.2 Subject to Standing Order 20.1.4 and 20.1.5, the Authority may at any time:
- 5.2.1 establish any further Committee, Sub-Committee, Panel or other group it deems appropriate for the proper discharge of the Authority's functions;
  - 5.2.2 dissolve any Committee, Sub-committee, Panel or other group; or
  - 5.2.3 amend the membership or terms of reference of any Committee, Sub-committee, Panel or other group,
- and may make provision to limit the term of office of any person serving on any Committee, Sub-committee, Panel or other group.

- 5.3 Subject to Standing Order 20.1.4 and 20.1.5, a Committee may at any time establish, dissolve or amend the membership or terms of reference of any Sub-committee, Panel or other group relevant to the functions of that Committee, and receive reports from it.
- 5.4 Subject to Standing Order 20.1.4 and 20.1.5, the membership of Sub-committees shall be re-appointed annually at the first meeting of the 'parent' committee following the Annual Authority meeting in each year, or if the Sub-committee was established by the full Authority directly under 5.2.1 above, at the Annual Authority meeting in each year.
- 5.5 The number, date and time of meetings of Committees, Sub-committees, Panels or other groups shall be determined by the Committee, Sub-committee, Panel or other group or the Chair of thereof for the convenient and/or efficient dispatch of its business.
- 5.6 Unless otherwise provided, these Standing Orders shall apply to meetings of every Committee, Sub-committee and Panel in the same way as they apply to meetings of the Authority. In particular and for the avoidance of doubt, such Committees, Sub-committees and Panels shall be subject to this Standing Order and to Standing Orders 4.6 – 4.10, 5.3, 5.4, 5.5, 5.7, 5.9, 5.10, 5.12 – 5.17, 10.2, 10.3, 10.4, 15.1 or 15.2 (as appropriate), 18, 19, 20, 21, 22, 23, 24 and 27.1. Other than 5.11 these Standing Orders do not apply to any informal groups that may be established that have no decision-making capacity. For the avoidance of doubt and notwithstanding this Standing Order 5.6, the Authority and/or each of its Committees may appoint task and finish groups, working groups, or other informal groups, on such terms and subject to such of the Standing Orders as the Authority or the relevant Committee decide.
- 5.7 A Committee, Sub-committee, Panel or other group may, subject always to Section 104 of the 1972 Act (Disqualifications), include co-opted members who are not Members of the Authority, but co-opted members shall have no power to vote. The Chair and Deputy Chair of the Authority may attend and speak at any meeting of any Committee, Sub-Committee, Panel or other group of which he/she is not appointed as a member in an *ex officio* capacity but may not vote at that meeting and will not count towards the quorum.
- 5.8 In determining the membership and composition of any Committee or Sub-committee, due regard shall be had to the number of elected and appointed Members established by Article 4 and Schedule 1 to the 2005 Order, and the provisions of Articles 13(3) and (4) of Schedule 7 to the Environment Act 1995.
- 5.9 Subject to the requirements of the Members' Code of Conduct relating to Members' interests and Schedule 1 to these Standing Orders, a Member shall have the right to attend any meeting and receive the relevant paperwork in respect of a meeting of a Committee, Sub-committee, Panel or other group of which he/she is not a member, other than a Panel or group established by the Standards Committee in connection with an allegation that a Member has failed to comply with the Code of Conduct or a Local Protocol.
- 5.10 Subject to the requirements of the Members' Code of Conduct relating to Members' interests and Schedule 1 to these Standing Orders, any Member who is not a member of a particular Committee, Sub-committee or Panel may speak at a meeting of that Committee, Sub-committee or Panel in accordance with the

procedure set out in Schedule 1 to these Standing Orders, but that Member shall not otherwise participate or have any right to vote at the meeting.

- 5.11 Subject to the requirements of the Members' Code of Conduct relating to Members' interests, any Member who is not a member of an informal group of members created in accordance with Standing Orders 5.2 or 5.3 above may speak at and otherwise participate in a meeting of that informal group.
- 5.12 Any member of a Committee, Sub-committee or Panel who has a DPI in any item to be considered at a meeting of that Committee, Sub-committee or Panel must not participate in discussion of, or vote on, that matter and must withdraw from the room prior to the start of the item, unless a dispensation has first been obtained in accordance with section 33 of the 2011 Act and the Authority's Scheme of Delegations to Committees and Officers. If a Member has a DPI and has obtained a dispensation, the existence of that interest and the dispensation shall be declared at the start of the meeting, whether or not that DPI has previously been entered in the register of DPIs held by the Monitoring Officer.
- 5.13 Any member of a Committee, Sub-committee or Panel who has a PNPI may speak at the meeting in accordance with the procedures set out in Schedule 1 Parts 1 and 2 to these Standing Orders and the Members' Code of Conduct, but that Member shall not otherwise participate in discussion of, or have any right to vote upon, that item and must withdraw from the room prior to the start of the item.
- 5.14 Any Member who wishes to place on the agenda of any Committee or Sub-committee a matter appropriate to its remit may do so by giving written notice to the Chief Executive (National Park Officer) at least 9 working days before the next ordinary meeting of the Committee or Sub-committee.
- 5.15 Without prejudice to any directions of the Authority or any scheme of delegation approved by the Authority or any statutory provision to the contrary, a Committee or Sub-committee may authorise an Officer either generally or in respect of any particular matter, to carry out any of the powers and duties which have been referred to that Committee or Sub-committee.
- 5.16 The Chair of a Committee or Sub-committee may call an extraordinary meeting of the Committee or Sub-committee at any time. An extraordinary meeting shall also be called on the requisition of a quarter of the whole number of the Committee or Sub-committee, delivered in writing to the Chief Executive (National Park Officer). The summons to the special meeting shall set out the business to be considered thereat and no business other than that set out in the summons shall be considered at that meeting.
- 5.17 Meetings of the Authority's Committees that are open to the press and public in accordance with Standing Order 24 and applicable legislation may be recorded by officers or others in accordance with the 2014 Regulations.

## 6. QUORUM

- 6.1 Subject to paragraphs 6.3 and 6.4 below, no business shall be transacted at a meeting of the Authority, its Committees, Sub-committees or Panels unless:



- 6.1.1 at least one-third of the whole number of Members of the Authority, Committee, Sub-committee or Panel, as appropriate, are present; and
- 6.1.2 of those present, at least one is a local authority Member and at least one is a Member appointed to the Authority by the Secretary of State to represent the national interest.

For the avoidance of doubt, if one-third of the whole number of Members of the Authority, Committee, Sub-committee or Panel does not amount to a whole number then that fraction shall be rounded upwards to the nearest whole number for the purposes of determining the quorum.

- 6.2 If, during any meeting of the Authority, a Committee, Sub-committee or Panel, the Chair, after counting the number of persons present, declares that there is not a quorum present, subject to 6.3 below, the meeting shall stand adjourned to a date fixed by the Chair at the time the meeting is adjourned or, if this is not practicable, to a date to be arranged (by Officers on behalf of the Chair) or alternatively the Chair may state that the business shall be considered at the next meeting of the Authority or the relevant parent Committee, as appropriate.
- 6.3 In the application of this Standing Order to any Committee or Sub-committee, a meeting may continue at the discretion of the Chair provided that no decision shall be taken without submission of any proposal to the Authority. The absence of a quorum shall be noted in the minutes.
- 6.4 In accordance with paragraph 45 of Schedule 12 to the 1972 Act, where more than one-third of the Members of the Authority become disqualified at the same time, then, until the number of Members in office is increased to not less than two-thirds of the whole number of Members of the Authority, the quorum of the Authority shall be determined by reference to the number of Members of the Authority at that time remaining qualified.

## **7. CHAIR AND DEPUTY CHAIR**

- 7.1 At each Annual Meeting of the Authority the first item of business shall be to elect a Chair of the Authority. The second item of business shall be to elect a Deputy Chair of the Authority.
- 7.2 A nomination for the position of Chair must be proposed and seconded and the nomination (including details of both proposer and seconder) shall be submitted in writing or written electronic format to the Chief Executive (National Park Officer), with a copy to the Corporate Services Manager, prior to the commencement of the meeting (subject to Standing Orders 7.6 and 7.10 below). At the Annual meeting, the Chief Executive (National Park Officer) or the Monitoring Officer (or the Deputy Monitoring Officer if the Chief Executive and Monitoring Officer are not present) will facilitate the appointment of a Member who is not standing for the office of Chair to chair the meeting for this item of business (the 'Interim Chair'). –The Authority's Monitoring Officer or Deputy Monitoring Officer shall be responsible for scrutinising the election process.
- 7.3 If more than one nomination is received for a vacancy the election shall proceed by secret ballot.

- 7.4 In the event of an equality of votes where there are only two candidates standing for that vacancy, the Member presiding at the meeting shall have a second or casting vote.
- 7.5 Where there are more than two persons nominated for a vacancy and the election does not result in one candidate achieving both a greater number of votes than any of the other candidates and over 50% of the votes cast (a 'clear majority'), the name of the person having the fewest votes shall be struck off the list and a further election held by way of secret ballot, and so on, until one candidate achieves a clear majority and is duly appointed.
- If on any round of voting during this process apart from the final round there is no one candidate having the fewest votes (for example where the vote for the two candidates with fewest votes is tied) there will be an interim round of voting by ballot to eliminate one of these candidates, with the candidate(s) achieving most votes in that interim round then entering further rounds of voting with the remaining candidates as necessary to arrive at one candidate with a clear majority.
- 7.6 The Deputy Chair shall be elected in a like manner, save that the Chair duly elected under this Standing Order 7 shall chair the meeting and that any unsuccessful candidate for the Chair may declare at the meeting their willingness to stand as Deputy Chair without separate prior written nomination.
- 7.7 Subject to Standing Order 4.1, the Chair and Deputy Chair shall be elected for the period up to the date of the next Annual meeting of the Authority but both such persons shall, on ceasing to hold office at the end of their elected term, be eligible for re-election.
- 7.8 The Chair or Deputy Chair may at any time resign his/her office by notice in writing delivered to the Chief Executive (National Park Officer).
- 7.9 A person shall cease to hold office as Chair or Deputy Chair of the Authority upon ceasing to be a Member of the Authority.
- 7.10 In the event that for any reason Members are unable to appoint a Chair at the Annual Authority Meeting, the Interim Chair will appoint a Chair for the duration of that meeting.
- 7.11 If a vacancy in the office of Chair or Deputy Chair arises it shall be the duty of the Members of the Authority to secure that the vacancy is filled as soon as possible, in accordance with the procedure set out in this Standing Order 7. Where a vacancy in the office of Chair has arisen and a replacement is required to be made at a meeting other than the Annual meeting of the Authority the Deputy Chair shall preside over the vote on that matter, in accordance with Standing Order 7.4, as the first item of business. Should a casual vacancy in the office of Chair or Deputy Chair arise after the summons has been issued for an Authority meeting, there will be no need to submit nominations in writing prior to that meeting and nominations may be made and voted on at the meeting in question, subject to the need to be seconded and for the candidate(s) to indicate their acceptance of the nomination.
- 7.11.12 Where a vacancy in the office of Chair or Deputy Chair of the Authority is filled, the person then elected shall hold office until the next Annual Meeting of the Authority.

## **8. ELECTION OF CHAIR OF COMMITTEES**

- 8.1 The Chair and Deputy Chair of each Committee shall be elected each year by the full Authority at its Annual Meeting.
- 8.2 The elections for Committee Chairs and Deputy Chair shall follow the appointments to each Committee at the Annual Meeting. The Authority's Monitoring Officer or Deputy Monitoring Officer shall be responsible for scrutinising the election process. Nominations for the positions of Chair and Deputy Chair of each committee shall be submitted verbally at the Annual Meeting of the Authority.
- 8.3 Voting on these appointments will take place in accordance with Standing Order 20 and this Standing Order 8. If more than one nomination is received for a vacancy the election shall proceed by secret ballot.
- 8.4 In the event of an equality of votes between two candidates for Chair of a Committee where only two candidates are standing, the Chair of the Authority, or in his or her absence the Deputy Chair, shall have a second or casting vote.
- 8.5 In the event of an equality of votes between two candidates where only two candidates are standing for Deputy Chair of a Committee, the newly elected Chair of that Committee shall have a casting vote.
- 8.6 Where there are more than two persons nominated for a vacancy and the first ballot does not result in one candidate receiving a clear majority, the ballot(s) will proceed as set out in Standing Order 7.5.
- 8.7 The Chair or Deputy Chair of the relevant Committee may at any time resign his/her office by notice in writing delivered to the Chief Executive (National Park Officer).
- 8.8 A person shall cease to hold office as Chair or Deputy Chair of the relevant Committee upon ceasing to be a Member of the Authority.
- 8.9 If a vacancy in the office of Chair or Deputy Chair of a Committee arises it shall be the duty of the Members present at the first scheduled meeting of that Committee after the vacancy arises to secure that the vacancy is filled as soon as possible. The Chair or Deputy Chair may be elected at that Committee meeting by a majority of the members of the Committee present. Election of Chair shall be facilitated by the Chief Executive or Monitoring Officer. Election of the Deputy Chair shall be presided over by the relevant Committee Chair.
- 8.10 Where a vacancy in the office of Chair or Deputy Chair of the relevant Committee is filled, the person then elected shall hold office until the next Annual Meeting of the Authority.
- 8.11 Unless otherwise determined by a particular Committee, the Chair and Deputy Chair of the 'parent' committee shall automatically be appointed Chair and Deputy Chair respectively of any Sub-committee or Panel appointed by that 'parent' committee.

## **9. APPOINTMENT OF CHIEF EXECUTIVE (NATIONAL PARK OFFICER)**

9.1 Pursuant to Schedule 7 of the 1995 Act, the Authority shall ensure that there is at all times a person appointed as Chief Executive (National Park Officer) with responsibility for the execution, maintenance and co-ordination of the Authority's duties, functions and responsibilities. Where a vacancy occurs in the office of Chief Executive (National Park Officer), the Authority shall appoint an officer to act as Chief Executive (National Park Officer) until the position is filled.

9.2 Procedures relating to the appointment of, review of performance of, disciplinary action against and investigation of alleged misconduct by the Chief Executive (National Park Officer) are set out in Schedules 2 and 3 to these Standing Orders, together in Schedule 3 with procedures relating to disciplinary action against the Chief Finance Officer or the Monitoring Officer in accordance with the Establishment Order and the 2001 Regulations.

## **10. CONDUCT OF MEETINGS**

**For the avoidance of doubt, Standing Orders 10.2 to 10.4 inclusive shall apply to all meetings of the Authority's Committees, Sub-committees and Panels.**

10.1 At a meeting of the Authority the Chair, if present, shall preside, except for the election of Chair of the Authority when the Chief Executive (National Park Officer) or the Monitoring Officer shall, under the provisions of Standing Order 7, facilitate the appointment of a Member of the Authority as an interim Chair.

10.2 If the Chair is absent from a meeting of the Authority, a Committee, Sub-committee or Panel the relevant Deputy Chair, if present, shall, subject to the provisions of Standing Order 7, preside.

10.3 If both the Chair and Deputy Chair of the Authority, Committee, Sub-committee or Panel are absent, the Members of the Authority present at that meeting shall choose a person from their number to preside as Chair for that meeting.

10.4 For the avoidance of doubt, any powers or duties assigned to the Chair in relation to the conduct of a meeting may be exercised by any person presiding at a meeting in accordance with Standing Order 10.3.

## **11. ATTENDANCE AT MEETING**

11.1 Every Member attending a meeting of the Authority or any of its Committees, Sub-committees or Panels of which he/she is a member, shall certify his/her attendance by signing against his/her name on the record sheet provided for that purpose.

## **12. MINUTES**

12.1 Not less than five clear days prior to every meeting of the Authority a copy of the minutes of the previous meeting shall be sent to every Member, where practicable by electronic means.

- 12.2 Provided that Standing Order 12.1 has been complied with, the minutes shall be taken as read and, at the next meeting of the Authority in accordance with the order of business set out in Standing Order 13, the Chair shall put the question *‘May the minutes of the meeting held on the X day of Y be approved as a correct record?’*
- 12.3 There shall be no discussion upon the minutes, except upon their accuracy. If no such question is raised, or if it is raised then as soon as it has been resolved, the Chair shall sign the minutes.
- 12.4 Minutes of the proceedings of a meeting of the Authority shall be drawn up, consecutively numbered, and entered in a book kept for that purpose or may be recorded on loose leaves, the minutes of any meeting being signed, and each leaf comprising those minutes being initialled, at the same or next suitable meeting of the Authority, by the person presiding thereat, and any minute purporting to be so signed shall be received in evidence without further proof. For the avoidance of doubt, this requirement does not extend to reports appended to the minutes.
- 12.5 A copy of the minutes of the proceedings at each meeting of the Authority shall be sent to the proper officer of the council for every principal area the whole or any part of which is within the National Park for which the Authority is established, to Natural England or its equivalent, and to the Secretary of State within thirty-five days of the date of the meeting at which those minutes are approved.

### **13. ORDER OF BUSINESS**

- 13.1 Subject to paragraphs 13.2, 13.3, 13.4 and 13.5 of this Standing Order (and excepting Standing Order 13.1.1 which shall apply only to meetings of the full Authority) and any statutory requirements, the order of business at every meeting of the Authority and its Committees and Sub-committees shall be:
- 13.1.1 at the Annual Meeting in every year, the election of the Chair and Deputy Chair in accordance with the procedure set out in Standing Order 7;
  - 13.1.2 to choose a person to preside if the Chair and Deputy Chair are absent;
  - 13.1.3 to deal with any business required by statute to be done before any other substantive business;
  - 13.1.4 to receive apologies for absence from Members;
  - 13.1.5 to receive Members’ declarations of interest in connection with any item to be considered at the meeting, as set out in the Authority’s Code of Conduct;
  - 13.1.6 to approve and sign as a correct record the minutes of the last meeting of the Authority or the relevant Committee or Sub-committee. At an extraordinary meeting of the Authority, the minutes may be signed if practicable to do so, or otherwise will be held over until the next Authority meeting. For the avoidance of doubt, where the business transacted at an extraordinary meeting alters or affects in any way any resolution passed at a previous meeting of the Authority for which the minutes have not received approval and signature the business shall not be transacted

until after such time as the minutes of the previous meeting have been approved;

- 13.1.7 to hear the Chair's announcements and correspondence;
- 13.1.8 to hear any questions, statements or petitions made by any member of the public or any Member with a PNPI as described in Standing Orders 4.12 or 5.13 as appropriate, or in the case of a Committee or Sub-committee a Member of the Authority who is not a member of that Committee or Sub-committee as described in Standing Order 5.10, in accordance with Part 1 or Part 2 as appropriate of Schedule 1 to these Standing Orders;
- 13.1.9 to consider motions pursuant to Standing Order 16 in the order in which notice has been received;
- 13.1.10 to consider questions from Members of which notice has been given in accordance with Standing Order 14 in the order in which notice has been received;
- 13.1.11 to deal with other business specified in the agenda;
- 13.1.12 to deal with any business expressly required by statute to be done;
- 13.1.13 to introduce any business with regard to which by reason of special circumstances the Chair, after consultation with the Chief Executive (National Park Officer), is of the opinion that the matter should be considered as a matter of urgency; and
- 13.1.14 to resolve to exclude the press and public and deal with any confidential or exempt item or items under Part VA and Schedule 12A of the 1972 Act.

13.2 The order of business falling under items 13.1.1, 13.1.2 and 13.1.3 shall not be varied.

13.3 At an extraordinary meeting the order of business falling under items 13.1.2 and 13.1.3 shall not be varied and any other business shall be exactly that set out in the summons and no other business shall be considered.

13.4 Subject to paragraphs 13.2 and 13.3 of this Standing Order the order of any other business may be varied either at the Chair's discretion or by a resolution passed on a motion duly moved, seconded and put without debate.

13.5 No business shall be transacted at a meeting of the Authority other than as set out in Standing Order 13.1 above.

## **14. QUESTIONS BY MEMBERS**

### **Notice of questions and replies thereto**

**For the avoidance of doubt, Standing Order 14 shall apply to meetings of the Authority and not to its Committees, Sub-committees, Panels or other groups**

14.1 A Member may ask any question relating to the business before the Authority (i.e. included in the summons for the meeting), if the question is put before the Authority's consideration of such business is concluded.

14.2 Furthermore, a Member may also:

14.2.1 ask any question relating to any business of the Authority, other than that before the meeting, provided written notice is received at the office of the Chief Executive (National Park Officer) at least 9 working days before the meeting, and may ask for a response to be made at the meeting; and

14.2.2 with the permission of the Chair, put any question relating to urgent business, but a copy of such question shall, unless not reasonably practicable, be delivered to the Chief Executive (National Park Officer) not later than 9.00 am on the day of the meeting.

Provided that:

14.2.3 where the desired information is contained in any publication of the Authority it shall be deemed a sufficient reply if the publication containing the information is indicated;

14.2.4 if a reply to any question cannot conveniently be given at the meeting, it will be deemed a sufficient reply if the answer is circulated to Members with the minutes of the meeting at which the question has been asked;

14.2.5 every question shall be put and answered without discussion and no provision shall be made for asking supplementary questions; and

14.2.6 a person to whom a question is put may decline to answer.

**15. PUBLIC QUESTIONS**

15.1 Part 1 of Schedule 1 to these Standing Orders shall regulate public questions at meetings of the Authority and its Committees, with meetings of the Planning Committee being regulated in Part 2 of Schedule 1.

15.2 Public speaking at meetings of the Authority's Sub-committees, Panels and other groups shall be at the discretion of the Chair or Deputy Chair of the relevant Sub-committee or Panel (or in their absence the person appointed to preside, in accordance with Standing Order 10.3 or otherwise).

**16. MOTIONS**

**With the exception of Standing Orders 16.5, 16.6 and 16.7 which shall apply only to meetings of the full Authority, this Standing Order 16 shall apply to all meetings of the Authority, its Committees, Sub-committees and Panels.**

**This Standing Order shall be relevant to any business not before the Authority (i.e. any business not included in the summons for that meeting).**

#### **Notice of motion**

- 16.1 Notice of every motion (other than those which under Standing Order 17 may be moved without notice and those relating to business set out on the summons for the meeting) shall be given in writing and signed by the Member or Members giving the notice and delivered at least 9 clear working days before the next meeting of the Authority to the Chief Executive (National Park Officer) with a copy to the Member Services section. Upon receipt it shall be dated, numbered in the order in which it is received, and entered into a register which shall be open to the inspection of every Member.

#### **Motions to be set out in summons**

- 16.2 The Chief Executive (National Park Officer) shall set out in the summons for every meeting of the Authority all motions of which notice has been duly given in the order in which they have been received, unless the Member when giving such notice intimated in writing that they propose to move it at some later meeting or has since withdrawn it in writing.

#### **Motion not moved**

- 16.3 If a motion which is set out in the summons is not moved either by a Member who gave notice thereof or by some other Member on his/her behalf and duly seconded at the meeting it shall, unless postponed by consent of the Authority, be treated as withdrawn and shall not be moved without fresh notice.

#### **Scope of motion**

- 16.4 Every motion shall be relevant to some matter in relation to which the Authority has power or duties or which affects the New Forest National Park and its environs or which affects national parks and national park authorities in general.

#### **Referral to Committee or Sub-committee**

- 16.5 With the exception of items of business that have already been considered and determined by a Committee or Sub-committee, where the subject matter of any motion of which notice has been duly given comes within the delegated powers of any Committee or Sub-committee it shall, upon being moved and seconded, stand referred without discussion to such Committee or Sub-committee as the Authority may determine for consideration and report.
- 16.6 If the Chair considers it convenient and/or conducive to the efficient dispatch of business, the Chair may allow the motion to be dealt with at the meeting at which it is brought forward.
- 16.7 A Member who has moved a motion which has been referred to any Committee or Sub-committee shall have notice of the meeting of the Committee or Sub-



committee at which it is proposed to consider the motion and shall have an opportunity to explain the motion.

## **17. MOTIONS WHICH MAY BE MOVED WITHOUT NOTICE**

**With the exception of Standing Orders 17.1.7, 17.1.15 and 17.1.16 which shall apply only to meetings of the full Authority, this Standing Order 17 applies to all meetings of the Authority and its Committees and Sub-committees.**

**This Standing Order 17 only applies to the business before the Authority, Committee or Sub-committee (i.e. included in the summons for that meeting).**

17.1 The following motions and amendments need not be in writing and may be moved without notice:

- 17.1.1 appointment of the Chair and/or Deputy Chair of the meeting at which the motion is made when a vacancy has arisen;
- 17.1.2 motions relating to the accuracy of the minutes;
- 17.1.3 to vary the order of business;
- 17.1.4 for leave to be given to withdraw a motion.
- 17.1.5 to propose a motion relevant to an item of business on the summons;
- 17.1.6 to propose an amendment to a motion;
- 17.1.7 to refer the motion to a Committee or Sub-committee;
- 17.1.8 that the question be now put;
- 17.1.9 that the Authority, Committee or Sub-committee proceed to the next item of business;
- 17.1.10 that the debate be now adjourned;
- 17.1.11 that the Authority, Committee or Sub-committee meeting do now adjourn;
- 17.1.12 to exclude the public in accordance with Standing Order 24;
- 17.1.13 that a Member be not further heard (Standing Order 22.1);
- 17.1.14 that a Member leave the meeting (Standing Order 22.2);
- 17.1.15 to give the consent of the Authority where the consent of the Authority is required by these Standing Orders;
- 17.1.16 appointment of a Committee, Sub-committee, Panel or other group, or member thereof, occasioned by an item mentioned in the summons to the meeting.

## **18. RULES OF DEBATE**

### **This Standing Order 18 applies to all meetings of the full Authority and its Committees, Sub-committees and Panels**

In dealing with the majority of the Authority's business the respective Chair of the meeting of the Authority or one of its Committees, Sub-committees or Panels shall adopt the more informal style of debate as referred to at paragraph 18.21 below, unless, in his or her absolute discretion, the Chair adopts the formal rules of debate detailed in the remainder of Standing Order 18.

#### **Discussion of a motion or amendment**

- 18.1 A motion or amendment to a motion shall not be discussed unless it has been proposed and seconded and, unless any necessary notice has already been given in accordance with Standing Order 16, the Chair may require it to be put into writing and handed to him or her before it is further discussed or put to the meeting. For the avoidance of doubt, an Officer's recommendation set out in any report to the meeting whether written or oral or in the summons for the meeting should be proposed and seconded by Members before being voted upon.

#### **Secunder's speech**

- 18.2 A Member when seconding a motion or amendment to a motion may declare his/her intention to reserve speaking until later in the debate.

#### **Speaking in debate**

- 18.3 A Member when speaking shall address the Chair. If two or more Members indicate a wish to speak, the Chair shall call one to speak; the other or others shall then await their opportunity to speak. While a Member is speaking the other Members shall refrain from speaking unless raising a point of order.

#### **Content and length of speeches**

- 18.4 A Member shall direct his/her speech to the question under discussion or to a personal explanation or to a point of order. No speech at a meeting of the full Authority, its Committees, Sub-committees or Panels may exceed 5 minutes except with the consent of the Chair.

#### **Speaking more than once**

- 18.5 Subject to the discretion of the Chair, a Member shall not, at a meeting of the full Authority, its Committees, Sub-committees or Panels, address the meeting more than once on any motion or amendment, provided always that a Member may speak:
- 18.5.1 to a point of order;
  - 18.5.2 in explanation of some material part of a speech made by him/her at the meeting which appears in the course of the debate to have been misunderstood;

- 18.5.3 once on an amendment moved by another Member;
- 18.5.4 if the motion has been amended since that Member last spoke, to move a further amendment; or
- 18.5.5 if his/her first speech was on an amendment moved by another Member, on the main issue, whether or not the amendment on which he/she originally spoke was carried.

### **Motions which may be moved during debate**

- 18.6 When a motion is under debate no other motion shall be moved except the following:
  - 18.6.1 to amend the motion;
  - 18.6.2 that the question be now put;
  - 18.6.3 to adjourn the debate or defer decision in relation to that motion to another meeting;
  - 18.6.4 to proceed to the next item of business;
  - 18.6.5 to adjourn the meeting;
  - 18.6.6 a motion under Standing Order 24 to exclude the public;
  - 18.6.7 that a Member be not further heard (Standing Order 22.1);
  - 18.6.8 that a Member leave the meeting (Standing Order 22.2),

but notice of any number of other motions may be given and these further motions shall be dealt with in the order received and one at a time once the previous motion has been dealt with.

### **Amendments to motions**

- 18.7 An amendment shall be relevant to the motion and shall be either:
  - 18.7.1 to leave out words; or
  - 18.7.2 to insert or add words; or
  - 18.7.3 to leave out words and insert or add others,

but such omission, insertion or addition of words shall not have the effect of negating the motion before the Authority, Committee, Sub-committee or Panel, nor of deferring that item of business, nor of introducing a substantially new proposal.

### **Discussion of amendments**

18.8 Only one amendment may be moved and discussed at a time and no further amendment shall be moved until the amendment under discussion has been disposed of but notice of any number of amendments may be given.

18.9 The Chair may permit two or more amendments to be discussed together (but not voted on together) if he/she is of the opinion that this course would facilitate the proper conduct of Authority business.

#### **Further amendments**

18.10 If an amendment is lost, other amendments may be moved on the original motion. If an amendment is carried, the motion as amended shall take the place of the original motion and shall become the motion upon which any further amendment may be moved.

18.11 The mover and seconder of a motion or an amendment rejected by the Authority shall not be entitled to move any further amendment at that meeting on the question under discussion.

#### **Withdrawal of motion or amendment**

18.12 A motion or amendment may be withdrawn by the mover of that motion or amendment, in which case the seconder may be asked if he/she still wishes to move that motion and whether he/she has a further seconder. If not, no Member may speak upon it after the mover and seconder have withdrawn the motion.

#### **Right of reply**

18.13 The mover of a motion has a right of reply at the close of the debate on the motion, immediately before it is put to the vote, but the reply shall be strictly confined to answering previous speakers and shall not introduce any new matters into the debate. If an amendment is moved, the mover of the original motion shall also have a right of reply at the close of the debate on the amendment and shall not otherwise speak on the amendment. The mover of the amendment shall have no right of reply to the debate on his/her amendment.

#### **Closure motions**

18.14 A Member who has not already spoken may move without comment at the conclusion of a speech of another Member: "That the Authority proceed to the next item of business", "That the question be now put", "That the debate be now adjourned" or "That the Authority do now adjourn", on the seconding of which the procedure shall be as follows:

18.14.1 on a motion to proceed to the next item of business, unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, the Chair shall first give the mover of the original motion a right of reply, and then put to the vote the motion to proceed to next business;

18.14.2 on a motion that the question be now put, unless in the Chair's opinion the matter before the meeting has been insufficiently discussed, the Chair shall first put to the vote the motion that the question be now put, and if it is passed then give the mover of the original motion their right of reply before putting the motion to the vote;

18.14.2 on a motion to adjourn the debate or the meeting, if in the Chair's opinion the matter before the meeting has not been sufficiently discussed and cannot reasonably be sufficiently discussed on that occasion the Chair shall put the adjournment motion to the vote without giving the mover of the original motion a right of reply on that occasion.

### **Points of order**

- 18.15 A Member may raise a point of order or a matter of personal explanation and shall be entitled to be heard forthwith.
- 18.16 A point of order shall relate only to an alleged breach of a Standing Order or statutory provision and the Member shall specify the Standing Order or statutory provision and the way in which he/she considers it has been broken.
- 18.17 A personal explanation shall be confined to some material part of a former speech by him/her which appears to have been misunderstood in the present debate.
- 18.18 The ruling of the Chair on a point of order or on the admissibility of a personal explanation shall not be open to discussion.

### **Voting on a motion**

18.19 Voting on each motion shall take place in accordance with Standing Orders 20 and 21. Subject to Standing Order 18.12, each motion must be debated and voted on, including any amendments that have become part of that motion in accordance with Standing Orders 18.8-18.11 and any motions that can be moved in accordance with Standing Order 18.6, before any other motions can be voted upon. If no proposal has been approved and no further or alternative proposal is forthcoming, so that a particular matter cannot be resolved by that meeting, the matter shall be automatically referred as follows:

(i) in the case of a matter before the Authority for decision, to the next meeting of the Authority;

(ii) in the case of a matter before a Committee for decision, to the next meeting of the Authority;

(iii) in the case of a matter before a Sub-committee or Panel for decision, to the next meeting of the parent Committee of that Sub-committee or Panel.

### **Respect for the Chair**

18.20 If the Chair intervenes during a debate any Member then speaking shall immediately stop and the Members of the Authority present shall be silent.

### **Discretion of the Chair**

18.21 The application of this Standing Order 18 shall be at the discretion of the Chair of the Authority, that Committee or Sub-committee in that, if the Chair wishes to permit a more informal style of debate than that prescribed by this Standing Order, he/she may do so.

## **19. REVERSAL OF PREVIOUS RESOLUTION**

- 19.1 No motion to rescind, reverse or amend any resolution passed by one of the Authority's Committees, Sub-committees or Panels within the preceding six months, and no motion or amendment which has the same effect as one which has been rejected within the preceding six months, shall be proposed unless the notice thereof given in accordance with Standing Order 16 bears the names of at least six Members. Any such motion shall go before a meeting of the full Authority.

## **20. VOTING**

### **This Standing Order 20 applies to all meetings of the full Authority and its Committees, Sub-committees and Panels**

- 20.1 The Chair shall have discretion to ask the meeting to indicate its agreement to a motion by general consent, except:
- 20.1.1 where any Member requests that the motion be determined by a show of hands;
  - 20.1.2 where a majority of the meeting decides that voting should be by means of a secret ballot;
  - 20.1.3 subject to 20.1.4 and 20.1.5 below, where a position to be filled is contested by two or more persons, in which case the vote will proceed by means of a secret ballot to be held in accordance with the procedure set out in Standing Order 7.5;
  - 20.1.4 where the full membership of a Committee, Sub-Committee, Panel or other group falls to be appointed pursuant to Standing Order 5.1, 5.2, 5.3 or 5.4 and there are more candidates than available positions in that Committee, Sub-Committee, Panel or other group, the election shall proceed by way of a secret ballot in accordance with the procedure outlined in Standing Order 20.1.5, and it will not be necessary for any Member to achieve a clear majority (described in Standing Order 7.5) in respect of their appointment to that Committee, Sub-Committee, Panel or other group;
  - 20.1.5 where appointments fall to be made pursuant to 20.1.4, all candidates will be listed on the ballot paper and Members will indicate their preferences based on the number of available vacancies (for example, members will be asked to select five from six named candidates). The candidates will be appointed in order of the most votes received until all the vacancies are filled. In the event that there are two or more candidates with an equality of votes for the final position(s) then a further round(s) of voting will take place, following the procedure outlined above, to determine the appointment. Where a particular balance is sought between Local Authority and Secretary of State appointed Members on a Committee or Sub-Committee pursuant to Standing Order 5.8 and there is more than one candidate standing within a particular category of appointment, there will be a separate ballot for each category of Member if required, in accordance with this procedure.

- 20.2 Pursuant to Schedule 12 of the 1972 Act, all questions coming or arising before a meeting of the Authority, its Committees or Sub-committees shall be decided by a majority of the Members present and voting at that meeting.
- 20.3 On the Chair putting the question no further discussion on it shall take place. The question having been put by the Chair and voting having commenced no Member shall speak, nor any questions be asked.
- 20.4 Subject to Standing Orders 7.5, 8.5 and 8.6, where an equality of votes on any matter arising throughout the course of any meeting occurs, the person presiding at that meeting in accordance with these Standing Orders shall have a second or casting vote, provided that the person presiding is a Member of the Authority, Committee, Sub-committee or Panel to which these Standing Orders apply.
- 20.5 If immediately after a vote is taken any Member so requests, a record shall be kept in the minutes of that meeting whether that Member cast his/her vote for the question, against the question or abstained from voting. Where a vote has been determined by secret ballot in accordance with Standing Orders 20.1.2 or 20.1.3 and a Member subsequently immediately requests that his or her vote be recorded, that Member shall be asked to state for the record which way he or she voted in the ballot.

## **21. RECORDED VOTES**

**This Standing Order 21 applies to all meetings of the full Authority and its Committees, Sub-committees and Panels**

- 21.1 Before a vote is taken any Member may request that it is recorded. Members who support the request shall raise an arm. Subject to Standing Order 21.2 below, if five other Members at meetings of the full Authority, or one third of the total number of Members present at meetings of Committees, Sub-Committees or Panels, are in support, the vote shall be taken as follows:

The Chief Executive (National Park Officer), Monitoring Officer or Deputy Monitoring Officer shall call the name of each Member in turn. Those Members:

- 21.1.1 voting for the proposition shall respond “for”;
- 21.1.2 voting against the proposition shall respond “against”;
- 21.1.3 not voting shall respond “abstain”.

The manner in which each Member voted shall be recorded in the minutes.

- 21.2 For the avoidance of doubt, should a secret ballot take place in accordance with Standing Order 20.1.2 or 20.1.3 it will not be possible for a recorded vote to take place under Standing Order 21.1, although notwithstanding this provision one or more individual Members may request that his/her own vote be recorded as set out in Standing Order 20.5 above.

## **22. DISORDERLY CONDUCT – MEMBERS**

- 22.1 If during any meeting of the Authority, its Committees, Sub-committees, Panels or other groups the Chair presiding over the meeting forms the opinion and notifies the meeting that any Member is engaging in misconduct by persistently disregarding the ruling of the Chair, or by behaving irregularly, improperly or offensively, or by wilfully obstructing the business of the Authority, Committee or Sub-committee, the Chair or any other Member may move "That the member named be not further heard", and the motion if seconded shall be put and determined without discussion.
- 22.2 If the Member named continues the misconduct after a motion under the foregoing paragraph has been carried the Chair shall:
- 22.2.1 either move "that the member named do leave the meeting" (the motion being put and determined without seconding or debate); or
  - 22.2.2 adjourn the meeting for such period as in the opinion of the Chair is expedient.
- 22.3 In the event of a general disturbance which, in the opinion of the Chair renders the due and orderly dispatch of business impossible, in addition to any other power vested in him/her the Chair may, without the question being put, adjourn the meeting for such period as he/she shall consider expedient.
- 22.4 All Members, including any person co-opted as a member of the Authority or one of its Committees, Sub-committees, Panels or other groups, shall at all times when conducting the business of the Authority, or conducting the business of the office to which the Member has been appointed or elected, or acting as a representative of the Authority, act in accordance with:
- 22.4.1 the Members' Code of Conduct;
  - 22.4.2 the Local Protocol for Member and Officer Relations; and
  - 22.2.3 the Local Protocol for Members and Officers Dealing with Planning Matters.

## **23. DISORDER – MEMBERS OF THE PUBLIC**

- 23.1 If a member of the public interrupts the proceedings at any meeting of the Authority, its Committees or Sub-committees, the Chair shall warn him/her. If the interruption continues the Chair shall ask that person to leave the room. If the interruption continues the Chair shall order his/her removal from the room. In case of general disturbance in any part of the room open to the public the Chair shall order that part to be cleared.
- 23.2 In the event of a general disturbance which in the opinion of the Chair renders the due and orderly dispatch of business impossible, in addition to any other power vested in him/her the Chair may, without the question being put, adjourn the meeting for such period as the Chair shall consider expedient.



## **24. MEETINGS TO BE OPEN TO THE PRESS AND PUBLIC**

### **This Standing Order 24 applies to all meetings of the full Authority and its Committees and Sub-Committees**

- 24.1 Every meeting of the Authority or any Committee or Sub-committee shall be open to the press and public except in the following circumstances:
- 24.1.1 the press and public shall be excluded from the meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that, if members of the public were present during that item, confidential information as defined in Section 100A(3) of the 1972 Act would be disclosed to them in breach of the obligation of confidence;
  - 24.1.2 the press and public may by resolution under s100A(4) of the 1972 Act be excluded from the meeting during an item of business whenever it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in Section 100 I of the 1972 Act and in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
  - 24.1.3 If any question arises at a meeting of the Authority or any Committee or Sub-committee as to the appointment, promotion, dismissal, salary, superannuation, conditions of service or conduct of any Officer, or where persons are being considered for an appointment with the Authority, a motion under Section 100A(4) of the 1972 Act to exclude the public shall be moved forthwith by the Chair and put without debate.
- 24.2 A resolution under Standing Order 24.1 shall identify the proceedings, or the part of the proceedings, to which it applies, and state the description, in terms of Schedule 12A to the 1972 Act, of the exempt information giving rise to the exclusion of the press and public.
- 24.3 All items where it is likely that the public shall be excluded from the meeting shall be grouped at the end of the agenda (under Part II) and the agenda shall indicate that the public are likely to be excluded from the meeting during the discussion of these items, unless the matter is one that was not included in the summons for that meeting or it becomes apparent at the meeting that the item is likely to involve discussion of exempt or potentially exempt information. Reports relating to an item that is considered exempt may also be withheld from publication and disclosure provided that this is done in compliance with all applicable legislation including the 1972 Act and all statutory provisions relating to access to information.
- 24.4 Unless the Chair shall direct otherwise, the business the subject of any resolution under Standing Order 24.1 shall, upon the passing of that resolution, forthwith stand adjourned until the conclusion of all other business at the meeting, whereupon the Chair shall invite the press and public to leave the meeting so that the adjourned business shall be considered.

## **25. THE AUTHORITY'S SEAL**

### **Custody of seal**

- 25.1 The Common Seal of the Authority shall be kept in the custody of the Authority's Solicitor and Monitoring Officer.

### **Sealing of documents**

- 25.2 The Common Seal of the Authority shall not be affixed to any document unless the matter has been authorised by a resolution of the Authority or one of its Committees, Sub-committees or Panels or by an Officer to whom the Authority has delegated its powers in this behalf.

### **Attestation of sealing**

- 25.3 The Seal shall be attested by the Chief Executive (National Park Officer) or by a senior Officer of the Authority to whom authority has been delegated for this purpose, and an entry of every sealing of a document shall be made and consecutively numbered in a sealing register kept by the Monitoring Officer or person authorised by him/her.

## **26. AUTHENTICATION OF DOCUMENTS**

- 26.1 Where any document will be a necessary step in legal proceedings or shall be a legal agreement, contract, notice, or order under hand on behalf of the Authority it shall (unless any other enactment requires or authorises or the necessary delegated authority shall have been given to some other person) be signed by the Chief Executive (National Park Officer) or in his/her absence by a senior Officer of the Authority to whom authority has been delegated for this purpose subject to the specific delegations set out in the Scheme of Delegations to Committees and Officers (for example in relation to planning matters).

## **27. FINANCIAL REGULATIONS**

- 27.1 The Authority and its Committees, Sub-committees, Panels or other groups and every Member and Officer shall at all times act in accordance with and behave in conformity with all Financial Regulations and Standing Orders as to Contracts as may be made by the Authority.

## **28. CANVASSING FOR APPOINTMENTS**

- 28.1 Any candidate for employment by the Authority or for any appointment by or on behalf of the Authority who canvasses any Member, Committee or Sub-committee of the Authority in respect of his/her employment or appointment, whether directly or indirectly, or who seeks any reference or testimonial as to his/her ability, expertise or character in order to accompany or support his/her application for employment or appointment, shall be disqualified from that employment or appointment.

- 28.2 A Member of the Authority shall not solicit for any person any employment with the Authority or appointment by the Authority.
- 28.3 A Member of the Authority shall not provide any reference or testimonial to a candidate's ability, expertise or character to accompany or support any application for employment with the Authority or appointment by the Authority.

## **29. RELATIVES OF MEMBERS OR OFFICERS**

- 29.1 Every candidate for employment with the Authority or appointment by the Authority shall, when making his/her application, be required to declare whether he/she knows himself/herself to be related to any Member or Officer of the Authority. Any person who knowingly or recklessly makes a false declaration shall be disqualified from that employment or appointment and if already employed or appointed shall be liable to be dismissed forthwith from that employment or appointment.
- 29.2 Every Member and Officer of the Authority shall disclose to the Chief Executive (National Park Officer) any relationship known to him/her to exist between himself/herself and any person whom he/she knows or believes to be a candidate for employment with the Authority or appointment by the Authority.
- 29.3 The effect of this Standing Order shall be included in any form of application for employment with the Authority or appointment by the Authority.
- 29.4 For the purpose of this Standing Order, persons shall be deemed to be related to one another if their relationship is one of:
- A spouse or partner
  - A father or mother
  - A son or daughter
  - A brother or sister
  - A grandparent or grandchild
  - An aunt, uncle, niece, nephew or cousin
  - A step-son, step-daughter or child of the family
  - The spouse or partner of any of the preceding persons.

For the avoidance of any doubt, the term "partner" above shall refer to any two persons not married to one another but living together as a couple in one household.

## **30. INTERPRETATION OF STANDING ORDERS**

- 30.1 The decision of the Chair on all points of procedure, order and interpretation of these Standing Orders shall be final and no debate shall be permitted thereon.

## **31. SUSPENSION OF STANDING ORDERS**

**For the avoidance of doubt, Standing Order 31 shall apply only to meetings of the Authority and not to its Committees, Sub-committees or Panels**

31.1 A motion to suspend the Standing Orders shall not be moved unless it is permitted by statute and there shall be present at least two thirds of the whole number of Members of the Authority and that motion shall not be passed unless two thirds of the Members present indicate their assent.

**Part 1: Public Speaking at Authority and Committee Meetings**

(Part 2 of Schedule 1 deals with public speaking at Planning Committee meetings)

The order of proceedings is as follows:

1. Any member of the public wishing to ask a public question, make a statement or present a petition at a meeting of the Authority or a Committee of the Authority, in relation to any item on the relevant Authority or Committee agenda, or on any matter that falls within the Authority's powers or the terms of reference of a Committee, must inform the Member Services section of the Authority at least two clear working days prior to the commencement of the meeting and must at that time notify the Authority as to the subject matter that they wish to raise and must identify the agenda item when notifying their intention to speak.
2. The Chair shall have discretion to allow members of the public to attend and speak at any meeting by electronic means (such as through Microsoft Teams or similar technology that is supported by the Authority's systems) where practicable and where issues of health and disability apply. Any member of the public wishing to attend in this way who would not otherwise be able to attend the meeting must inform the Member Services section of their requirements in accordance with this paragraph at the time of registering to speak in accordance with paragraph 1 above.
3. Where a member of the public or a Parish, District or County Councillor or Member wishes to make a representation in the circumstances outlined in paragraph 2 above but is unable or unwilling to attend by remote or virtual means or it is not possible for the Authority to make provisions for remote attendance, the Chair shall have discretion to allow that person to submit a written statement to the Authority two clear working days beforehand to be read out by an officer at the meeting. Where in the Chair's reasonable opinion such a statement contains defamatory or offensive material or would breach data protection provisions or any other legislation, or it takes longer than three minutes to read out, the Chair may in his or her absolute discretion instruct the relevant officer not to read out that statement or may ask the relevant officer to cease reading out the statement at any time. There shall be no questions on any representation made by way of a written statement.
4. The Chief Executive (National Park Officer) shall inform the Chair presiding at the meeting, before the commencement of that meeting, of all question(s), statements or petitions notified by any member of the public.
5. Subject to Standing Order 15.1 and paragraphs 5, 6 and 7 below, the Chair will invite those members of the public who have given prior notice to speak, in the following order:

- 5.1 Each individual or group (having appointed a spokesperson) who has indicated that they wish to speak otherwise than in connection with an item on the summons for the meeting may do so for up to three minutes each, or longer at the Chair's discretion;
- 5.2 Each individual or group (having appointed a spokesperson) who has indicated that they wish to speak in connection with an item on the summons for the meeting may do so for up to three minutes each, or longer at the Chair's discretion;
- 5.3 Any Member of the Authority who has declared an interest in an item to be considered at a meeting as described in Standing Order 4.12 or 5.13 and the Authority's Code of Conduct may speak for up to three minutes each, or longer at the Chair's discretion. The Chair shall have discretion to waive the notice requirement where that Member was unable to give notice because he/she was unaware that such an interest would arise under that item.
6. Where there are a large number of individual speakers who in the opinion of the Chair appear to be concerned with the same subject matter, the Chair may ask those concerned to nominate one of their number to ask the question or present the statement or petition. In such cases the Chair will allow up to five minutes to enable the spokesperson to be appointed and the question formulated.
7. The time allowed for public and Member questions, statements and petitions at any meeting under these Standing Orders shall not normally exceed 20 minutes unless the Chair directs otherwise.
8. In accordance with the Members' Code of Conduct, any Member who has spoken pursuant to paragraph 5.3 of this Schedule shall immediately afterwards leave the meeting and, for the avoidance of doubt, shall take no part in the debate or vote.
9. Any questions posed may be answered at that time without debate. If the matter raised is on the agenda for discussion later in the meeting it may be noted for consideration when the relevant agenda item is reached. The Chair may allow a supplementary question wherever in his/her discretion it would be reasonable and appropriate to do so, or in exceptional circumstances the Chair may adjourn the meeting to allow views to be expressed more freely.
10. If a person who wishes to speak at a meeting of the Authority or a Committee fails to comply with the requirements of this Schedule, for example by failing to notify his/her intention to speak within the time limit set out in paragraph 1, or otherwise requests any variation to these procedures, the Chair may at his/her discretion make any variation to these procedures as requested or otherwise as he/she thinks appropriate, provided that in his/her view the balance of the public interest would lie in favour of allowing that variation in order to ensure that the Authority or Committee has all information relevant to making an informed decision. In exercising this discretion the Chair shall take into account any relevant factors underlying any request for variation or accounting for any delay or failure to comply with these rules, including but not limited to the time at which

the person received notice of the meeting, any relevant health or accessibility issues, and general principles of fairness and transparency.

11. If in the opinion of the Chair and at his/her absolute discretion it would be necessary for the efficient or proper dispatch of the Authority or relevant Committee's business or would otherwise be appropriate in view of the subject matter of a speaker's presentation, the Chair may ask any speaker to draw his/her remarks to a close at any time.
12. For the avoidance of doubt, in this Schedule "Chair" shall mean the person presiding at the meeting of the Authority or any Committee of the Authority in accordance with Standing Order 10.

**Part 2: Public Speaking at Planning Committee**

The order of proceedings is as follows:

1. Any member of the public, any Member of the Authority speaking in accordance with paragraphs 15 or 16 below, and any representative of a Parish, District or County Council, wishing to ask a question, make a statement or present a petition at a meeting of the Planning Committee must inform the Member Services section of the Authority at least two clear working days prior to the commencement of the meeting in writing, by e-mail or telephone. The notice must identify the agenda item and planning application number in question and speaking will only be allowed in relation to a matter listed on the agenda (broader questions regarding the Authority's powers and duties as the local planning authority should be raised at an Authority meeting in accordance with Part 1 of this Schedule 1). Public speakers are also required to indicate whether they wish to speak in support of or against an application; however, this latter provision shall not apply to representatives of a Parish, District or County Council nor to Members of the Authority (excluding those with an interest as described in Standing Order 5.13 – paragraph 15 below refers).
2. The Chair shall have discretion to allow members of the public to attend and speak at any meeting by electronic means (such as through Microsoft Teams or similar technology supported by the Authority's systems) where practicable and where issues of health or disability apply. Any member of the public wishing to attend in this way who would otherwise be unable to attend the meeting must inform the Member Services section of their requirements in accordance with this paragraph at the time of registering to speak in accordance with paragraph 1 above.
3. Where a member of the public or a Parish, District or County Councillor or Member wishes to make a representation in the circumstances outlined in paragraph 2 above or for any other reason but that person is unable or unwilling to attend by remote or virtual means or it is not possible for the Authority to make provisions for remote attendance, the Chair shall have discretion to allow that person to submit a written statement to the Authority two clear working days beforehand to be read out by an officer at the meeting. Where in the Chair's reasonable opinion such a statement contains defamatory or offensive material or would breach data protection provisions or any other law, or it takes longer than three minutes to read out, the Chair may in his or her absolute discretion instruct the relevant officer not to read out that statement or may ask the relevant officer to cease reading out the statement at any time. There shall be no questions on any representation made by way of a written statement.
4. The Member Services section of the Authority will inform the Chair presiding at the meeting, before the commencement of that meeting, of all questions, statements and petitions notified by any member of the public. Officers will produce a list of public speakers for all members of the Committee and relevant officers for the Committee meeting.



5. In the event that a speaker wishes to refer to a visual aid or other supporting document or evidence, it must be submitted to the case officer at least two clear working days before the meeting. Where in the case officer's view it is appropriate and practicable for inclusion, the case officer will be responsible for ensuring that any information for visual display at the meeting is scanned into the Authority's electronic document system, having verified the contents. For the avoidance of doubt, no visual aid or other document or evidence may be submitted for consideration at a meeting of the Committee unless either (i) it has been submitted two clear working days in advance of the meeting and is considered appropriate for inclusion, or (ii) the Committee Chair has given his or her express consent.
6. A representative from the Member Services section of the Authority will be available half an hour before the start of each meeting to meet public speakers and explain the procedure.
7. On each agenda item the planning officer or tree officer, as appropriate, will introduce the proposal with a short presentation following which questions may be asked of the officer by Members.
8. The Chair will then invite those members of the public and Authority Members who have given prior notice to speak.
9. A total of three minutes is allowed for the applicant, agent, and supporters of an application (or alternatively for a statement to be read out by officers, as outlined above). Where more than one person wishes to speak in support, the time must be shared between the speakers accordingly or they may select a single speaker to represent the group. No questions may be asked by the speaker(s) of the officer or Members.
10. The members of the Committee may then ask the speaker(s) any questions of fact.
11. A total of three minutes is allowed for the objectors to an application (or alternatively for a statement to be read out by officers, as outlined above). Where more than one person wishes to speak against an application, the time must be shared between the speakers accordingly or they may select a single speaker to represent the group. No questions may be asked by the speaker(s) of the officer or Members.
12. The members of the Committee, as appropriate, may then ask the speaker(s) any questions of fact.
13. A representative of a Parish or Town Council who has given notice to speak on an application may then address the Committee in order to state the Parish Council's view on the item of business (no time limit) (or their statement may be read out as outlined above). The members of the Committee may then ask the representative any questions of fact.
14. Any District and County Councillors who are not also Members of the Authority and have given notice that they wish to speak on an application may then speak (no time limit) (or their statement may be read out as outlined above). The

members of the Committee may then ask that/those Councillor(s) any questions of fact.

15. Subject to paragraph 17 below, any Member of the Authority who has declared an interest, as described in Standing Order 5.13, in an application to be considered at a meeting may speak at the meeting.
16. A Member of the Authority who is not a member of the Committee who wishes to speak at a meeting of the Committee may do so (no time limit) (unless they have declared an interest, as described in Standing Order 5.13).
17. A Member wishing to speak pursuant to paragraph 15 above must indicate whether he/she wishes to speak in support of or against a particular application and must share the three minutes allowed with the members of the public speaking in support of or against (as appropriate) that application.
18. The Committee will then debate the proposal and may ask officers any questions.
19. Paragraphs 20 – 22 below do not apply where the relevant speaker(s) have made a representation in writing to be read out by officers at a meeting.
20. Once the debate has ended, the Chair will invite the applicant/supporter(s) to sum up and/or reply to the debate for up to a total of one minute (i.e. those speaking further to paragraph 9 above). Speakers will not be allowed to raise new issues.
21. The Chair will then invite the objector(s) to sum up and/or reply to the debate for up to a total of one minute (i.e. those speaking further to paragraph 11 above). Speakers will not be allowed to raise new issues.
22. The Chair will then invite the Parish or Town Council representative to sum up and/or reply to the debate for up to a total of one minute (i.e. those speaking further to paragraph 13 above). Speakers will not be allowed to raise new issues.
23. The Chair will then invite any District or County Councillor(s) and Authority Member(s) speaking pursuant to paragraphs 14 and 16 above, to sum up and/or reply to the debate for up to a total of one minute each. Speakers will not be allowed to raise new issues.
24. The planning officer may then respond to any issues raised by the speakers.
25. There will be no further speaking unless at the discretion of the Chair.
26. The Chair will then take the matter forward to the vote.
27. If a person who wishes to speak at a meeting of the Committee fails to comply with the requirements of this Schedule, for example by failing to notify his/her intention to speak within the time limit set out in paragraph 1, or otherwise requests any variation to these procedures, the Chair may at his/her discretion make any variation to these procedures as requested or otherwise as he/she thinks appropriate, provided that in his/her view the balance of the public interest would lie in favour of allowing that variation in order to ensure that the Committee has all information relevant to making an informed decision. In exercising this

discretion the Chair shall take into account any relevant factors underlying any request for variation or accounting for any delay or failure to comply with these rules, including but not limited to the time at which the person received notice of the meeting, any relevant health or accessibility issues, and general principles of fairness and transparency.

28. If in the opinion of the Chair and at his/her absolute discretion it would be necessary for the efficient or proper dispatch of the Committee's business or would otherwise be appropriate in view of the subject matter of a speaker's presentation, the Chair may ask any speaker to draw his/her remarks to a close at any time.

References to the Chair in this Schedule are to the Chair of the Committee, or, where appropriate, the Deputy Chair.

**The Chief Executive (National Park Officer)**

**1. Appointment** (*in consultation with Natural England*)

1.1 Where the Authority proposes to appoint a Chief Executive (National Park Officer) (“the Chief Officer”) and it is not proposed that the appointment should be made exclusively from among the existing Officers of the Authority, it shall:

1.1.1 draw up a statement specifying—

- (a) the duties of the Chief Officer, and
- (b) any qualifications or qualities to be sought in the person to be appointed;

1.1.2 make arrangements for the post to be advertised in such a way as is likely to bring it to the attention of persons who are qualified to apply for it; and

1.1.3 make arrangements for a copy of the statement mentioned in paragraph (a) above to be sent to any person on request.

1.2 Where a post has been advertised as provided in sub-paragraph 1.1.2 above, the Authority shall:

1.2.1 make arrangements for a short list of qualified applicants for the post to be selected for interview; and

1.2.2 appoint a panel to interview the shortlisted candidates and to appoint the Chief Officer. The panel should include the Chair or Deputy Chair of the Authority and at least one other Member, and, if possible, will receive advice and input from a representative of Natural England although that representative shall have no right to vote upon the appointment.

1.3 Where no qualified person has applied or is able to be appointed, the Authority shall make further arrangements for re-advertisement in accordance with paragraph 1.1.2 above.

**2. Review of Performance**

2.1 The performance of the Chief Officer shall be managed by the Chief Executive’s Performance Management Panel, details of which are set out in the Scheme of Delegations to Committees and Officers.

**Disciplinary action against Chief Executive (National Park Officer), Monitoring Officer or Chief Finance Officer**

1.1 In accordance with the 2001 Regulations\*, no disciplinary action (within the meaning of the 1993 and 2001 Regulations) in respect of the Chief Officer, the Monitoring Officer, or the Chief Finance Officer, except action described in paragraph 1.2 below, may be taken by the Authority, or by a Committee, Subcommittee, relevant joint committee or any other person acting on their behalf, other than in accordance with a recommendation in a report made by a designated independent person under Regulation 7 of the 2001 Regulations.

1.2 The action mentioned in paragraph 1.1 above is suspension of the officer for the purpose of investigating the alleged misconduct occasioning the action; and any such suspension shall be on full pay and terminate no later than the expiry of two months beginning on the day on which the suspension takes effect.

**2. Investigation of alleged misconduct**

2.1 Where it appears to the Authority that a complaint of misconduct involving the Chief Officer, the Monitoring Officer, or the Chief Finance Officer, requires to be investigated, the Authority shall appoint a person (*“the designated independent person”*), being such person as may be agreed between the Authority and the Chief Officer or other relevant officer or, in default of such agreement, appointed by the Secretary of State.

2.2 The designated independent person—

2.2.1 may direct—

- (a) that the Authority terminate any suspension of the Chief Officer, the Monitoring Officer, or the Chief Finance Officer, or
- (b) that any such suspension shall continue after the expiry of the period mentioned in Paragraph 1.2 above or the expiry of any period specified in any such previous direction, as the case may be, or
- (c) that the terms on which any such suspension has taken place shall be varied in accordance with the direction;
- (d) that no steps (whether by the Authority or any Committee, Subcommittee or officer of theirs) towards disciplinary action or further disciplinary action against the Chief Officer, the Monitoring Officer, or the Chief Finance Officer, other than steps taken in the presence, or with the agreement, of the designated independent person, are to be taken before a report is made under subparagraph 2.2.4 below;

2.2.2 may inspect any documents relating to the conduct of the Chief Officer the Monitoring Officer, or the Chief Finance Officer, which are in the

possession of the Authority, or which the Authority has power to authorize him/her to inspect;

2.2.3 may require any officer of the Authority to answer questions concerning the conduct of the Chief Officer, the Monitoring Officer, or the Chief Finance Officer;

2.2.4 shall make a report to the Authority—

(a) stating his/her opinion as to whether (and if so, the extent to which) the evidence he/she has obtained supports any allegation of misconduct against the Chief Officer, the Monitoring Officer, or the Chief Finance Officer, and

(b) recommending any disciplinary action which appears to him/her to be appropriate for the Authority to take against the Chief Officer the Monitoring Officer, or the Chief Finance Officer; and

2.2.5 shall no later than the time at which he/she makes his/her report under sub-paragraph 2.2.4, send a copy of the report to the Chief Officer, the Monitoring Officer, or the Chief Finance Officer.

2.3 The Authority shall pay the remuneration of the designated independent person, and reimburse any costs and expenses incurred by him/her in or in connection with the discharge of his/her functions.

\*Note that the provisions of the 2015 amendment to the 2001 Regulations (which, among other things, required the inclusion in this process of independent persons who have been appointed under section 28(7) of the Localism Act 2011) do not apply to the Authority by virtue of regulation 2.