

## **ROTHWELL NEIGHBOURHOOD FORUM - CONSTITUTION**

### **1. INTRODUCTION**

#### **Statutory Framework**

The Localism Act which received Royal Assent in 2011 introduced new rights to strengthen community involvement in the planning process. To deliver this, the Localism Act introduced the concept of Neighbourhood planning

The purpose of Neighbourhood Planning is to give local communities a much greater influence over how their neighbourhood develops and to increase engagement in the local planning decision making process.

The framework for achieving this comes from the Neighbourhood Planning (General) Regulations 2012 which sets out detailed provisions for the setting up and the administration of Neighbourhood Areas.

A 'Neighbourhood Area' is defined as an Area within the area of a local planning authority which has been designated by the Authority as such an Area to make decisions in relationship to:-

- Neighbourhood Forum
- Neighbourhood Development Plans.

In order for the Neighbourhood Plan Area to be established the Planning Authority needs to be satisfied that:-

- The proposed Area is appropriate to be a Neighbourhood Plan Area
- The Area has a clear boundary which is capable of being physically identified.
- The Area is a part of a single Parish.

Paragraph 3 of the Regulations contains provision for the setting up of Neighbourhood Forums who will govern activities within the Neighbourhood Area. In order for a body to be given Neighbourhood Forum Status the local Planning Authority needs to be satisfied that:-

- The purpose of the creation of the Forum is to promote or improve the social, economic and environmental well-being of the Area.
- The membership of the Forum must be open to all individuals 18 and over who live in the neighbourhood area.
- Work in the neighbourhood area.
- Are elected members for the area.
- Its membership must include a minimum of 21 eligible people
- Upon receiving approval to be officially established the Forum will enter into a formal agreement with the Council setting out their responsibilities.

A Neighbourhood Plan must meet the following set of basic conditions.

- Be in general conformity with National and Local Planning Policy ( National Planning Policy framework and Local Development Framework )
- Promote sustainable development.
- Not breach EU obligations
- Preserve or enhance the character / appearance of any conservation area.
- Preserve listed buildings and any features of special architectural/historical interest

If adopted the Plans will carry weight within the Planning System and will form part of the Statutory Local Plan.

## **2. THE CONSTITUTION.**

### **2.1. Name**

- a. The name of the Forum shall be the Rothwell Neighbourhood Forum.

### **2.2 Area.**

- a. The area covered by the Forum shall be the part of the Rothwell Ward shown on the attached map. The area shall be known as the Rothwell Neighbourhood Area.

### **2.3. Objectives.**

- a. The objectives of the Forum shall primarily be:
  - To develop a long term vision for the Rothwell Neighbourhood Area.
  - To produce a Neighbourhood Plan for the Rothwell Area in general conformity with national and local and in conjunction with the adjoining Neighbourhood Forums.
  - To reflect the needs of the people who live, work or carry out business in the area.
  - To promote the improvement of the social, economic and environmental well-being of the area within the plan and to continue after its adoption.

### **2.4. Powers**

The powers of the Forum will include:

- a. Produce a Neighbourhood Plan on behalf of the community within the designated Boundary referred to in Section 2.
- b. Arrange at least three General Meetings or other equivalent events per year

Including an Annual General Meeting (AGM) to which all Forum members will be Invited.

- c. Ensure that the Forum shall not be affiliated to any political party or organisation.
- d. To raise money or apply for funding as necessary.
- e. Buy or rent premises / equipment/ employ services and staff as required within the resources available.
- f. To continue working towards the set objectives if considered necessary beyond the adoption of the Neighbourhood Plan.

## **2.5. Values**

The Forum and its members will aim to uphold the following values in conducting its Business.

- Integrity
- Openness
- Honesty
- Accountability
- Objectivity
- Selflessness

And seek to promote these values by leadership and example.

## **2.6. Composition of the Forum and the Steering Committee**

The body responsible for producing the Neighbourhood Plan will be the Forum which will be advised by the Steering Committee who will be responsible for the day to day management of this process. The powers and responsibilities of the Steering Committee are set out in Section 3 of the document. Terms of Reference of the Steering Committee.

## **2.7. Membership of the Forum**

- a. Membership of the Forum shall be open to all residents of 16 or over living in the Area and those whose principal place of employment or whose business is located in the Forum Area.
- b. Applications can be made by individuals, corporate bodies or voluntary groups

- c. All applications for membership will be in writing stating the type of membership sought and made to the Secretary of the Forum
- d. Corporate bodies or voluntary groups which are accepted for membership must designate an individual empowered to represent them.
- e. All members of the Forum have a duty to declare at application stage any conflict of interest that could have an impact on their or the Forums work
- f. Non-voting membership shall be open to those who do not meet the requirements to be a voting member, but have an interest in assisting the Forum to achieve its aims.
- g. The Forum is designated for a period of 5 years. It can however apply to have the designation renewed.

## **2.8. Communications with the Membership**

- a. Communications with members shall normally be by e-mail and notices posted on the Neighbourhood's notice board. A written request for an alternative method of notification may be sent to the Membership Secretary. The Steering Committee will consider such a request and approve it where practical.

## **2.9. Steering Committee.**

- a. The Steering Committee shall be made up of 12 members including designated post holders (minimum number of 7) and will be responsible for the day to day management of the Forum and the management of the Forums finances, including the designation of its financial year.
- b. The Steering Committee shall be responsible for developing the Rothwell Neighbourhood Plan in conjunction with the Forum's membership and the local community.
- c. Membership of the Steering Committee shall be open to all voting members of the Forum but the proportion of members should be representative of the numbers of residents , people who work in the area or people whose business is based in the Area covered by the Forum

- d. All members of the Steering Committee shall be elected at the Forums Annual General Meeting. Retiring members shall be eligible for re-election.
- e. The Committee will appoint a Chair Person ; Vice Chair Person ; Forum Secretary; Membership Secretary ; Communications and IT Secretary and Treasurer at its first meeting after an AGM.
- f. Nominations for positions on the Steering Committee must be submitted in writing to the Chair or Vice Chair, seven days before the Annual general Meeting. The proposer the seconder and the nominee must all sign the nomination and must all be voting members of the Forum.
- g. The Steering Committee may co-opt members to the Committee to fill any vacancies that arise
- h. The Steering Committee may co-opt additional members to the Committee. Such co-opted members shall not be entitled to vote
- i. Members of the Forum may attend meetings of the Steering Committee as observers but will not be allowed to contribute to the meeting unless invited or to vote.
- j. The Steering Committee may appoint sub-committees to advise on particular subjects relative to the production of the Plan
- k. The Steering Committee will meet at least bi-monthly and the quorum of any meeting shall be at least 50% of the members.
- l. If the Steering Committee propose to disband the Forum then a Special General Meeting will be held and all members advised of the reason for the proposal. The decision to disband the Forum shall be taken if supported by two thirds of members voting at the Special General Meeting.

## **2.10. Meetings of the Forum**

- a. The first AGM will be held once the Forum has been officially designated. Information on elections to the Board including how to stand will be sent out to Forum members prior to the AGM, along with the agenda. Future AGM's will be held within six months of the designated end of the financial year and will be called with at least 14 days' notice.

- b.** Future AGM's will receive annual reports from the Chairperson and Treasurer , make new appointments for the coming year and review rules and policies of the Forum including the Constitution
- c.** Any changes to the constitution will require a majority of two thirds of the voting members all other voting shall be by a simple majority of those voting.
- d.** The quorum for the Annual General Meeting and any Special General Meeting shall be fourteen members. The quorum for an ordinary General Meeting shall be 10 members.
- e.** The election of members to the Steering Committee shall be by written ballot. All other votes shall be by show of hands except where a majority of members present vote for a written ballot.
- f.** At the Annual General Meeting a third of the Steering Committee members will resign and be eligible for re-election. Those to resign will be those who have been longest in office since their election. In the event of this being more than a third of the Committee lots will be drawn to determine who should resign.
- g.** There will be a minimum of 3 General Meetings a year, including an Annual General Meeting (AGM) to which all members will be invited.

## **2. 11. Conduct of Business**

- a.** The members and office bearers shall make and carry out decisions in accordance with the objectives of the Forum
- b.** No business shall be transacted at any meeting unless a quorum is present including the Chair or Vice Chair
- c.** The Secretary shall be responsible for the preparation and distribution of an agenda prior to each meeting. The agenda will be distributed to the membership at least four days before a meeting where possible. Items for the agenda should be forwarded to the Secretary and Chair seven days before the meeting where possible.

- d. The secretary will be responsible for ensuring minutes are taken, kept and sent out promptly, usually within seven days of the meeting.
- e. Decisions will be agreed by a simple majority, voted in through a show of hands. In the case of an equality of votes the Chair's decision shall prevail.
- f. Members must declare any conflict of interest. Commercially sensitive information must be protected. During meetings members should declare any conflict of interest prior to the agenda item where the conflict occurs. In these circumstances the member must withdraw from the debate and the vote.

## **2.12. Management of Meetings**

The following rules will apply to the management of all meetings.

- a. Chairing – All meetings will have a chairperson. The chair of the meeting will ensure that the business of the meeting is transacted in an orderly and respectful way.
- b. Decision Making - The Forum will endeavour to make decisions by consensus but in the case of a vote, decisions are made by a simple majority of those present and entitled to vote. When the vote is tied, the chair of the meeting will have a second and casting vote.
- c. Speaking - All members are entitled to speak but the chair of the meeting will have discretion to judge whether the item is relevant to the agenda and will have the power to impose time limits.
- d. Any offensive behaviour, including racist, ageist, sexist or inflammatory remarks will not be tolerated.

## **2.13. Finance**

- a. The Forum may raise funds by obtaining grants from other bodies or by fundraising schemes. All monies raised by or on behalf of the Forum shall be applied to further its objectives.



- b. All monies acquired by the Forum shall be held in the Forums bank account under the name Rothwell Neighbourhood Forum.
- c. All financial transactions must be authorised by any two of either Chair, Vice Chair or Treasurer.
- d. The Treasurer will keep a clear record of all income and expenditure and where necessary supported by receipted invoices.
- e. If the Forum is disbanded any assets after payment of all debts and liabilities will be disposed of to another organisation having similar objectives to those of the Forum. This to be agreed by a majority of 50% of remaining voting members.

#### **2.14. Complaints**

- a. Any complaints about the behaviour of a member of the Forum or sub Task-Groups in relation to the work undertaken shall be made in confidence in writing to the Secretary unless the complaint is about the Secretary in which case it shall be made to the Chair.
- b. The elected officers of the Forum will investigate and decide on action as appropriate. If the complaint concerns the officers themselves, other members of the Forum will be appointed in their place.
- c. Appeals will be held by three members of the Committee who have not been involved in the complaint.

#### **2.15. Disbanding the Forum**

The Forum can only be disbanded at a duly advertised Special General Meeting called for the purpose of deciding to disband, to which all Forum members shall be invited. The decision to disband the Forum shall be taken if supported by two thirds of the members at the Special General Meeting.

If the Forum is disbanded any assets held in the name of the Forum (after payment of all debts and liabilities) will be disposed of to other organisations having similar objectives to those of the Forum as agreed by the remaining members.

### **3. TERMS OF REFERENCE of the STEERING COMMITTEE**

#### **3.1 Purpose of the Committee**

The purpose of the Steering Committee is to advise the Forum and to ensure that the objectives of the Forum set out in the Constitution are achieved.

In achieving these objectives the Steering Committee shall ensure that the following parameters are applied.

#### **3.2 Undertakings of the Steering Committee.**

- a. To undertake on the behalf of the Forum the preparation of a Neighbourhood Plan and any associated tasks for the Rothwell Neighbourhood Area in consultation with the Forum's membership who will be required to approve all the sections of the plan as it develops.
- b. To take responsibility for the planning, budgeting and cost control of the production of the Plan.
- c. To submit to the Forum for agreement at its inception and then update on a six monthly basis a Programme of Work outlining the principal tasks to establishing a Neighbourhood Plan.
- d. The Steering Committee may appoint sub-committees to advise on particular subjects relative to the production of the Plan.
- e. To work closely with the Leeds City Council and the Planning Authority.
- f. To ensure that the Plan conforms to local and national planning policies.
- g. Identify possible sources of funding and support.
- h. Ensure the financial viability of the project, specifically to ensure income is sufficient to cover all planned expenses.
- i. Liaise with relevant authorities, organisations and adjoining Forums to ensure the Plan is as comprehensive as possible.

- j. Identify ways of involving the whole community and gather views and opinions of as many groups and organisations as reasonably possible.
- k. Be responsible for the analysis of information arising from such consultation and production and submission of the final report to the Forum.
- l. To present the draft Neighbourhood Plan to the Forum, prior to consultation with local residents and businesses and the Independent Examiner.

**Acting Chair**



6.12.20

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