

***Birkenhead & Tranmere  
Neighbourhood Planning  
Forum***

**CONSTITUTION**

Adopted 08 December 2014

Amended 26 January 2015

## 1) NAME AND STATUTORY STATUS

This document serves to incorporate the “**Birkenhead & Tranmere Neighbourhood Planning Forum**” (hereinafter “the Forum”) as a proposed “qualifying body” for the purposes of s.38A (1) of the *Planning & Compulsory Purchase Act (2004)*.

## 2) OBJECT

In compliance with s.61F of the *Town & Country Planning Act (1990)*, the object of the Forum is **to promote or improve the social, economic and environmental well-being of the Birkenhead & Tranmere area** (hereinafter “the area”, as defined in clause 3)). This object shall be pursued by:

- a) Preparing a statutory neighbourhood plan for the area and engaging in other neighbourhood initiatives, including neighbourhood management, in partnership with the Local Planning Authority (hereinafter “the LPA”) and any other relevant office of The Metropolitan Borough of Wirral;
- b) Engaging with the LPA and all statutory agencies, businesses, voluntary sector groups and community associations with an interest in the area, in order to collaborate for mutual benefit;
- c) Fostering the goodwill and involvement of the whole community through the equal treatment of all, regardless of age, belief, ethnicity, gender, impairment, sexual orientation or any other difference;
- d) Fostering community spirit and encouraging civic pride;

- e) Planning for the provision of decent and adaptable residential, commercial and community buildings and spaces that meet the needs of people who live or work in the area, and
- f) Working towards a more sustainable, prosperous and secure future for the area and its people.

### **3) NEIGHBOURHOOD PLAN AREA**

The area shall be defined as that within the boundary shown on the map at Appendix A.

### **4) MEMBERSHIP**

In compliance with s.61F of the *Town & Country Planning Act (1990)*, the Forum shall be composed of no fewer than 21 individual people and membership shall be open to:

- a) People living within the neighbourhood plan area;
- b) People working within the neighbourhood plan area, and
- c) Ward Councillors for the neighbourhood plan area.

Application for membership shall be made to the Honorary Secretary on the forms provided for this purpose. Members shall comply with the rules of the Forum and abide by its adopted constitution. The Management Committee shall have the power to refuse, suspend or terminate membership in cases where it considers that individual membership would be inconsistent with or detrimental to the pursuit of the Forum's object. Any member or prospective

member subject to these measures shall have a right of appeal to the Management Committee and the final decision as to the status of the member or prospective member shall be confirmed by a resolution adopted by a majority of members of the Forum voting at a General Meeting. Any member of the Forum may resign his/her membership by providing the Honorary Secretary with written notice. The Honorary Secretary shall actively maintain a list of members and make it available to the Management Committee upon request. Members will be deemed to have given consent for their name, address and other communication details to be used by the Management Committee to keep them informed of business and social matters relevant to the object of the Forum.

#### 5) **MANAGEMENT**

The Forum shall be governed by a Management Committee, elected at each Annual General Meeting by members of the Forum, whose responsibilities shall be to:

- a) Pursue the Forum's object, as described in Clause 2);
- b) Promote sustainable development, environmental improvement and the conservation of identified heritage assets through research, education and practical collaboration with the governing structures of bodies referred to at Clause 2 b);
- c) Apply for, invite and receive voluntary financial contributions, charitable funds and public grants in order to further the pursuit of the Forum's object, and to open and administer a bank account to manage such funds;

- d) Publicise and promote the work of the Forum by organising meetings, training, consultation and any other events or initiatives required in pursuit of the Forum's object;
- e) Employ staff and/or volunteers as and when required in pursuit of the Forum's object, and
- f) Take all forms of action that are lawful and necessary in pursuit of the Forum's object, including entering into contracts and other legal agreements.

## **6) MANAGEMENT COMMITTEE**

The Management Committee shall be composed of no fewer than three (3) and no more than twelve (12) members of the Forum. Management Committee members shall be elected for a period of one (1) year, but may stand for re-election at each Annual General Meeting. The Committee shall meet as often as is required but no less frequently than four (4) times per year.

## **7) OFFICERS**

At each Annual General Meeting members of the Forum shall elect the following honorary officers from amongst the Management Committee:

- a) Chair
- b) Treasurer
- c) Secretary
- d) any additional officers needed to effectively pursue the Forum's object.

## 8) MEETINGS OF THE FORUM

- a) It shall be the responsibility of the Honorary Chair to conduct all meetings. If the Honorary Chair is unable to conduct any meeting s/he shall appoint a deputy, who is also a member of the Management Committee, to do so.
  - b) The Honorary Secretary must ensure that a true and accurate record is made of all meetings, such record to be circulated to members of the Forum and made available to any other interested party upon request.
  - c) A proposal to amend this Constitution and any other motion or resolution may only be made at a General Meeting and no such amendment, motion or resolution shall take effect unless it be voted upon and confirmed by a majority of those present and entitled to vote.
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- d) A **General Meeting** of all Forum members shall be held at least four (4) times in each twelve (12) month period following the establishment of the Forum (i.e. the date of signing of this document) in order to review and discuss progress made in pursuit of its object.
  - e) The Honorary Secretary shall ensure that all members are given at least fourteen (14) days' notice of the date, venue and start time for each General Meeting.
  - f) Wherever possible, the agenda and any supporting papers shall be distributed to all members of the Forum by the Honorary Secretary at least ten (10) days before each General Meeting.

- g) The Management Committee shall ensure that each General Meeting shall also be publicised in the area to non-members.
- h) The defined quorum for a General Meeting shall be six (6) current members, at least two (2) of whom must also be current officers of the management committee. Where the defined quorum has not been reached, a General Meeting may proceed but any vote taken at that meeting shall be invalid.
- i) Each member of the Forum whose name appears on the current membership list shall be entitled to vote at a General Meeting.
- j) Each member of the Forum shall have one vote.
- k) Voting shall be by a show of hands, except in the case of elections when voting shall be by ballot. Issues considered sensitive by the Management Committee may also be voted upon by ballot.
- l) In the case of a tied vote, the Honorary Chair (or appointed deputy) shall have a casting vote.

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- m) An **Annual General Meeting** shall take place no later than three (3) months after the end of each financial year provided that fifteen (15) months must not elapse without an Annual General Meeting having taken place.
  - n) The Honorary Secretary shall ensure that all members are given at least twenty one (21) days' notice of each Annual General Meeting.
  - o) Amendments to the proposed agenda may be submitted in writing to the Honorary Secretary by any member of the Forum up to seven (7) days prior to the date of the Annual General Meeting.

p) An **Extraordinary Meeting** may be convened by the Management Committee or on application in writing to the Honorary Secretary, signed by no fewer than five (5) members of the Forum whose names appear on the current membership list. Each application to convene an Extraordinary Meeting must state the reason for convening the meeting. All of the rules applying to a General Meeting shall apply equally to an Extraordinary Meeting.

## 9) FINANCE

All monies acquired by the Forum shall be paid into a bank account operated by the Management Committee in the name of *Birkenhead & Tranmere Neighbourhood Planning Forum* (B&TNPF). All funds must be applied solely to the object of the Forum and to no other purpose. All disbursements from the account must be agreed by at least two (2) Management Committee members, authorised to sign as such, one of whom must be either:

- a) Honorary Chair
- b) Honorary Treasurer, or
- c) Honorary Secretary

The Honorary Treasurer shall be accountable for all Forum income and expenditure; shall ensure that funds are utilised effectively, and that the Forum remains solvent. The Honorary Treasurer shall maintain full and accurate accounting records which shall be examined annually by an independent person who is not a member of the Forum. A financial report

for the previous accounting year shall be presented at each Annual General Meeting. The Forum's accounting year shall run from 01 April to 31 March.

## **10) NEIGHBOURHOOD PLANNING**

- a) Any decision to undertake, consult upon or submit to the LPA for approval any Neighbourhood Plan shall be subject to a vote of all members of the Forum.
- b) All Neighbourhood Plan consultations shall be open to anyone who lives or works in the area, whether members of the Forum or not.
- c) The Forum shall publicise the Neighbourhood Plan process, seek to involve everyone who lives or works in the area and make an accurate record of the outcome of all consultations.
- d) The Management Committee, on behalf of all members of the Forum, shall be required to work collaboratively on the preparation of the Neighbourhood Plan with the LPA, independent experts or advisors and any other interested party.
- e) At the discretion of the Management Committee, one or more work groups may be delegated the task of preparing the Neighbourhood Plan (or part(s) of it), organise consultation events and undertake any other lawful activity required to further the Forum's object. The remit and membership of any such work group shall be decided by a vote of members of the Forum at a General Meeting. Once duly formed, a work group may co-opt additional members as it sees fit.
- f) If membership of the Forum falls below 21 persons the result of any vote taken in regard to Neighbourhood Planning during this time shall

be invalid but business related to other activity referred to in Clause 2a) may continue to be conducted and the result of any vote shall be valid.

## **11) DISSOLUTION**

The Forum may be dissolved by a majority vote of its members at a General Meeting. Any assets and/or remaining monies after debts have been paid shall be returned to their providers or transferred to local charities or bodies with similar objects to those of the Forum at the discretion of the Management Committee.

This constitution was unanimously adopted at the inaugural meeting of the *Birkenhead & Tranmere Neighbourhood Planning Forum* held at St Catherine's Community Centre on 8<sup>th</sup> December 2014.

Signed: (original signed by Philip Barton, Chair)

Signed: (original signed by Greg Vogiatzis, Secretary)

# **APPENDIX A**

# Birkenhead & Tranmere Neighbourhood Planning Forum Proposed Neighbourhood Plan Area

