

Cheltenham Borough Council

Cabinet 5th December 2017

Application for designation of a Neighbourhood Area and Neighbourhood Forum by the Hesters Way Neighbourhood Development Forum

Accountable member	Councillor McKinlay – Lead Member for Local Development Plan
Accountable officer	Tracey Crews – Director of Planning
Ward(s) affected	Hesters Way
Executive summary	<p>Cheltenham Borough Council has a statutory duty to advise or assist communities in the preparation of Neighbourhood Development Plans (NDP). The Localism Act 2011 sets out the Local Planning Authority's (LPA) responsibilities including designating Neighbourhood Plan Areas by inserting provisions into the Town and Country Planning Act 1990 and the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012 (as amended).</p> <p>An application to designate a neighbourhood plan area and designate the Hesters Way Neighbourhood Development Forum as the neighbourhood forum for that area has been received. This application has been assessed against the requirements set out in the legislation and is considered to meet the requirements to enable designation of the neighbourhood area and of the neighbourhood forum. The Council's Neighbourhood Planning Protocol has been used to guide officers in assessing the application.</p> <p>Approval of this application enables the Hesters Way Neighbourhood Development Forum to prepare a NDP for the area covered by the designation.</p>
Recommendations	<ol style="list-style-type: none">1. To approve the designation of the Hesters Way Neighbourhood Development Forum area (the current Hesters Way Ward) for the purpose of preparing a Neighbourhood Development Plan.2. To approve the designation of the Hesters Way Neighbourhood Development Forum as neighbourhood forum as defined by the Localism Act 2011.

<p>Financial implications</p>	<p>Additional financial contributions are available from DCLG to support Neighbourhood Planning. This is in recognition of the legal obligations placed upon the Council to provide advice and support to those seeking to introduce a Neighbourhood Development Plan (NDP). This advice and support also includes arranging for the examination of the NDP and the referendum on the NDP. The Council may submit claims to the DCLG to cover the expenditure within the set limits. At present a local authority may submit claims of up to £30,000 for each completed NDP for consideration by the DCLG, made up of £20,000 once they have set a date for a referendum following a successful examination; £5,000 for the first five neighbourhood areas designated and £5,000 for the first five neighbourhood forums designated.</p> <p>There will be resource implications for Officers due to the requirement to provide some assistance and advise communities in the preparation of a Neighbourhood Plan; checking a submitted Plan meets legal requirements, arranging for the independent examination of the Plan; determining whether the Neighbourhood Plan meets the basic conditions and other legal requirements, arranging a referendum, and, subject to the results of the referendum, bringing the Plan into force.</p> <p>Appropriate claims to the DCLG will need to be made to ensure the additional cost burden to the Council is mitigated.</p> <p>Contact officer: Sarah Didcote, Business Partner Manager sarah.didcote@cheltenham.gov.uk, 01242 264125</p>
<p>Legal implications</p>	<p>This work is pursuant to Sections 61G and 61H of the Town and Country Planning Act 1990 as inserted by the Localism Act 2011 and applied by Section 38C of the Planning and Compulsory Purchase Act 2004 and the Neighbourhood Planning (General) Regulations 2012 as amended by the Neighbourhood Planning (General) (Amendment) Regulations 2015.</p> <p>Contact officer: Nick Jonathan, nick.jonathan@tewkesbury.gov.uk, 01684 272032</p>
<p>HR implications (including learning and organisational development)</p>	<p>As detailed above in the financial implications section there will be resource implications for the planning service. This will need to be monitored and where necessary additional resource allocated.</p> <p>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk, 01242 264355</p>
<p>Key risks</p>	<p>Local authorities are required to provide assistance to parish councils and neighbourhood forums in the neighbourhood planning process. They must take decisions as soon as possible and within statutory time periods. If the Council does not act constructively and make decisions on time then there is a risk that it will fail its statutory duties.</p>

Environmental/Social/Equality Implications	<p>There are no known implications at this stage; however a neighbourhood development plan may require a strategic environmental assessment (SEA) under the EU Regulations and/or a Habitat Regulations Assessment (HRA). This will depend on the content of the neighbourhood plan.</p> <p>Preparation of Neighbourhood Development Plans could have implications for biodiversity, habitats, energy usage, waste and recycling and/or protected species. These would need to be considered by the body preparing the Plan as appropriate.</p> <p>The responsibility resides with the authorised body however the Borough Council may wish to support the authorised body to undertake a SEA/HRA screening of draft plans to determine whether a SEA and/or HRA will be required.</p>
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1. Background

- 1.1 The planning system helps decide what gets built, where and when. It is essential for supporting economic growth, improving people’s quality of life, and protecting the natural environment. The Government’s intention is to give local communities a greater say in planning decisions by providing the opportunity to prepare a ‘Neighbourhood Development Plan’, also known as a Neighbourhood Plan (NP).
- 1.2 Neighbourhood planning was introduced through the Localism Act 2011 with specific legislation the *Neighbourhood Planning (General) Regulations 2012* and subsequently amended by the *Neighbourhood Planning (General) Regulations 2015* came into force in April 2012 and February 2015 respectively. The report will refer to these as “the 2012 Regulations”.
- 1.3 NPs are a statutory community-led framework for guiding the future development and growth of an area. NPs relate to the use and development of land and associated social, economic and environmental issues. NPs can establish general planning policies for the development and use of land in a neighbourhood, for example where new homes and offices should be built and what they should look like. The NP can be detailed or general, depending what local people want. However, NPs still need to meet the needs of the wider area, which will be set out through the Joint Core Strategy and the Cheltenham Plan.
- 1.4 NPs will be subject to full public engagement, examination and a public referendum. Once adopted a NP will form part of the statutory development plan (along with the Joint Core Strategy and Cheltenham Plan), which is used for guiding decisions on planning applications.
- 1.5 The presumption is that local authorities will designate neighbourhood areas on existing parish boundaries unless there is a valid planning reason not to do so. In non-parished areas, community and business groups can apply as long as they are able to demonstrate that they qualify as a relevant body and that its neighbourhood area/boundaries are justified. They will be classified as a neighbourhood forum. There are specific rules associated with running a forum.
- 1.6 Local Planning Authorities have a statutory duty to advise or assist communities in the preparation of NPs and to take Plans through a process of independent examination. The Council’s responsibilities include:
 - Designating the area of the NP;
 - Designate neighbourhood forums;

- Advising or assisting communities in the preparation of a Neighbourhood Plan;
- Checking a submitted Plan meets legal requirements;
- Arranging for the independent examination of the Plan;
- Determining whether the NP meets the basic conditions and other legal requirements;
- Arranging a referendum to ensure that the local community has the final say on whether a NP comes into force in their area; and
- Subject to the results of the referendum, bringing the Plan into force.

1.7 This is the third application the Borough has received to designate a neighbourhood forum in the west of Cheltenham. The first application, submitted by the West Cheltenham Neighbourhood Forum, was consulted on in September and October 2016 and refused by Cabinet on 13th December 2016. The reasons for refusal were:

“The Council considers that the submitted forum application has been made for an area which is not appropriate as a neighbourhood area. The area cuts across ward boundaries and includes a number of separate communities, which would reduce community cohesion.

The Council considers that because the area applied for is not agreed as constituting an appropriate area, the membership of the applied for forum cannot be found to comply with Section 61F(5) of the Town and Country Planning Act 1990 part (c); having a membership of “a minimum of 21 individuals each of whom lives in the neighbourhood area concerned”

- 1.8** The second application received to designate a neighbourhood forum in this part of the town was submitted by the Springbank Neighbourhood Forum in March 2017. Following a consultation the forum was designated by Cabinet on 16th May 2017. The boundary of that forum area is the same as the Springbank ward.
- 1.9** The current application has been submitted by Hesters Way Neighbourhood Development Forum. The application area follows the boundary of the Hesters Way ward.

2. Process for designation of a neighbourhood area

2.1 The 2012 Regulations specify that the following must be submitted by the relevant body:

- A map identifying the proposed Neighbourhood Area (Regulation 5(1)(a));
- A statement explaining why the area is appropriate to be designated as a Neighbourhood Area (Regulation 5(1)(b)); and
- A statement explaining that the body making the area application is capable of being a relevant body (Regulation 5(1)(c)).

2.2 Prior to determining the application the Council is required to publicise the application for a period of not less than six weeks to invite representations on the proposal. The application is required to be publicised on the Borough Council’s website and in any other such manner as is considered likely to bring the application to the attention of people who live, work or carry out business in the area to which the application relates.

2.3 The Local Authority is required to determine this application within thirteen weeks of first being publicised having regard to the following matters set out in Sections 61G and 61H of the Town and Country Planning Act 1990 and the 2012 Regulations (as amended):

1. Is the organisation making the application a relevant body?

2. Is the area identified for designation as a Neighbourhood Area considered appropriate?
3. Would the area more appropriately be designated as a business area i.e. the area is wholly or predominantly in business use?
4. Does the area overlap with another designated area?
5. Any comments received during the public consultation.

3. Process for designation of a neighbourhood forum

3.1 The 2012 Regulations (as amended) specify that the following must be submitted by the relevant body as part of an application for designation of a neighbourhood forum:

- The name of the proposed neighbourhood forum;
- A copy of the written constitution of the proposed neighbourhood forum;
- The name of the neighbourhood area to which the application relates and a map which identifies the area;
- The contact details of at least one member of the proposed neighbourhood forum to be made public in regulations 9 and 10; and
- A statement which explains how the proposed neighbourhood forum meets the conditions contain in section 61F(5) of the 1990 Act.

4. Hesters Way Neighbourhood Development Forum Application

4.1 An application to designate a neighbourhood plan area and designate the Hesters Way Neighbourhood Development Forum as the neighbourhood forum for that area was accepted on 11th October 2017. The application must be determined before the 16th of January 2018.

4.2 Consultation on the applications began on 16th October and ran for six weeks until 27th November 2017. The application was published on the Council's website (www.cheltenham.gov.uk/info/1004/planning_policy/1155/neighbourhood_plans) and was made available in the following locations:

- Municipal Offices; Charlton Kings Library; Cheltenham Library; Hesters Way Library and Community Resource Centre; Prestbury Library; Up Hatherley Library; Bishop's Cleeve Library; Springbank Community Resource Centre, Cheltenham West End Partnership Community Resource Centre; and Oakley Community Resource Centre.

4.3 The application has been considered and assessed against the matters set out in sections two and three:

1. The Hesters Way Neighbourhood Development Forum qualifies as a relevant body to make an application (see Appendix 2 for the criteria set out in section 61F of the 1990 Act and section 8 of the 2012 regulations);
2. The area proposed to be designated does not include any parish or any organisation currently seeking to be designated and there are no other designated areas that overlap with the proposed area;
3. The area proposed for designation cannot be described as being wholly or predominantly in business use and, therefore, it would be inappropriate to designate the area as a business area;
4. The area proposed is supported by a statement explaining why the area is considered

appropriate.

- 4.4 At the time of writing 1 representation has been received in respect of this designation. This representation is in support of the application.
- 4.5 On the basis of these points raised above, officers can see no planning reason to object to this application. Officers recommend the designation should be approved and the Forum should be enabled to continue to produce their neighbourhood plan.

5. Relevant Council Policies and Strategies

5.1 The following plans are considered relevant:

- Cheltenham Borough Council Local Plan, Second Review (adopted July 2006)
- Joint Core Strategy: Submission version (November 2014)
- Joint Core Strategy Main Modifications (February 2017)
- Emerging Cheltenham Plan (part one). Preferred Options consultation: February to April 2017

6. Alternative options Considered

6.1 The neighbourhood area application process is a statutory requirement, so for this reason there is no suitable alternative to its approval. Sign-off has been delegated to Cabinet as per the Council's Neighbourhood Planning Protocol adopted on 14th December 2015.

7. Consultation and feedback

7.1 The prescribed date for determining an area application is thirteen weeks from the date immediately following that on which the application is first publicised.

8. Performance management –monitoring and review

8.1 The main consideration for the Council is to ensure it carries out its duty to determine the application within eight weeks of the application first being publicised. This has been achieved.

Report author	Contact officer: John Rowley, Senior Planning Policy Officer John.rowley@cheltenham.gov.uk, 01242 774928
Appendices	1. Risk Assessment 2. Neighbourhood Planning Criteria 3. Application for Designation of a Neighbourhood Plan Forum and Area 4. Hesters Way Neighbourhood Development Forum Constitution 5. Consultation Representations
Background information	All background information regarding the application will be made available on the Council's website.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Local authorities are required to provide assistance to parish councils and neighbourhood forums in the neighbourhood planning process. They must take decisions as soon as possible and within statutory time periods. If the Council does not act constructively and make decisions on time then there is a risk that it will fail its statutory duties.	Tracey Crews	26.4.17	2	2	4	Accept	None	N/A	John Rowley	N/A if the recommendations of this report are agreed.
Explanatory notes											
<p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											

Extract from The Town and Country Planning Act 1990 as amended**61F Authorisation to act in relation to neighbourhood areas**

- (1) For the purposes of a neighbourhood development order, a parish council are authorised to act in relation to a neighbourhood area if that area consists of or includes the whole or any part of the area of the council.
- (2) If that neighbourhood area also includes the whole or any part of the area of another parish council, the parish council is authorised for those purposes to act in relation to that neighbourhood area only if the other parish council have given their consent.
- (3) For the purposes of a neighbourhood development order, an organisation or body is authorised to act in relation to a neighbourhood area if it is designated by a local planning authority as a neighbourhood forum for that area.
- (4) An organisation or body may be designated for a neighbourhood area only if that area does not consist of or include the whole or any part of the area of a parish council.
- (5) A local planning authority may designate an organisation or body as a neighbourhood forum if the authority are satisfied that it meets the following conditions—
 - (a) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),
 - (b) its membership is open to—
 - (i) individuals who live in the neighbourhood area concerned,
 - (ii) individuals who work there (whether for businesses carried on there or otherwise), and
 - (iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
 - (c) its membership includes a minimum of 21 individuals each of whom—
 - (i) lives in the neighbourhood area concerned,
 - (ii) works there (whether for a business carried on there or otherwise), or
 - (iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,
 - (d) it has a written constitution, and
 - (e) such other conditions as may be prescribed.
- (6) A local planning authority may also designate an organisation or body as a neighbourhood forum if they are satisfied that the organisation or body meets prescribed conditions.
- (7) A local planning authority—
 - (a) must, in determining under subsection (5) whether to designate an organisation or body as a neighbourhood forum for a neighbourhood area, have regard to the desirability of designating an organisation or body—

- (i) which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of sub-paragraphs (i) to (iii) of subsection (5)(b),
 - (ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
 - (iii) whose purpose reflects (in general terms) the character of that area,
- (b) may designate only one organisation or body as a neighbourhood forum for each neighbourhood area,
- (c) may designate an organisation or body as a neighbourhood forum only if the organisation or body has made an application to be designated, and
- (d) must give reasons to an organisation or body applying to be designated as a neighbourhood forum where the authority refuse the application.
- (8) A designation—
- (a) ceases to have effect at the end of the period of 5 years beginning with the day on which it is made but without affecting the validity of any proposal for a neighbourhood development order made before the end of that period, and
 - (b) in the case of the designation of an unincorporated association, is not to be affected merely because of a change in the membership of the association.
- (9) A local planning authority may withdraw an organisation or body's designation as a neighbourhood forum if they consider that the organisation or body is no longer meeting—
- (a) the conditions by reference to which it was designated, or
 - (b) any other criteria to which the authority were required to have regard in making the designation;
- and, where an organisation or body's designation is withdrawn, the authority must give reasons to the organisation or body.
- (10) A proposal for a neighbourhood development order by a parish council or neighbourhood forum may not be made at any time in relation to a neighbourhood area if there is at that time another proposal by the council or forum in relation to that area that is outstanding.
- (11) Each local planning authority must make such arrangements as they consider appropriate for making people aware as to the times when organisations or bodies could make applications to be designated as neighbourhood forums for neighbourhood areas.
- (12) Regulations—
- (a) may make provision in connection with proposals made by qualifying bodies for neighbourhood development orders, and
 - (b) may make provision in connection with designations (or withdrawals of designations) of organisations or bodies as neighbourhood forums (including provision of a kind mentioned in section 61G(11)(a) to (g)).
- (13) The regulations may in particular make provision—

- (a) as to the consequences of the creation of a new parish council, or a change in the area of a parish council, on any proposal made for a neighbourhood development order,
- (b) as to the consequences of the dissolution of a neighbourhood forum on any proposal for a neighbourhood development order made by it,
- (c) suspending the operation of any duty of a local planning authority under paragraph 6 or 7 of Schedule 4B in cases where they are considering the withdrawal of the designation of an organisation or body as a neighbourhood forum,
- (d) for determining when a proposal for a neighbourhood development order is to be regarded as outstanding, and
- (e) requiring a local planning authority to have regard (in addition, where relevant, to the matters set out in subsection (7)(a)) to prescribed matters in determining whether to designate an organisation or body as a neighbourhood forum.

Extract from The Neighbourhood Planning (General) Regulations 2012**Application for designation of a neighbourhood area**

- 6. —(1) Where a relevant body(1) submits an area application to the local planning authority it must include—
 - (a) a map which identifies the area to which the area application relates;
 - (b) a statement explaining why this area is considered appropriate to be designated as a neighbourhood area; and
 - (c) a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.
- (2) A local planning authority may decline to consider an area application if the relevant body has already made an area application and a decision has not yet been made on that application.

Application for designation of a neighbourhood forum

- 9. Where an organisation or body submits a neighbourhood forum application to the local planning authority it must include—
 - (a) the name of the proposed neighbourhood forum;
 - (b) a copy of the written constitution of the proposed neighbourhood forum;
 - (c) the name of the neighbourhood area to which the application relates and a map which identifies the area;
 - (d) the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10; and
 - (e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

Neighbourhood Forum Application Information

Below is the information prepared for Cheltenham Borough Council in relation to the application process for designation of a neighbourhood forum.

1. Name of the proposed Neighbourhood Area

Hesters Way

2. Name of the proposed/designated Neighbourhood Forum

Hesters Way Neighbourhood Forum

3. Written Constitution (attached)

The constitution for the neighbourhood forums contains the following:

- the name and purpose of the neighbourhood forum,
- aims and objectives
- working arrangements including sub-groups, partners and their roles,
- pattern of meetings and details of how decisions will be made,
- details of governance, including official positions,
- arrangements for management and financial management,
- membership rules and regulations.

4. Contact/s for proposed Neighbourhood Forum

The contact details below are of two steering committee members.

Title: Mrs

First Name: Charmian

Surname: Sheppard

Address: 191 Alstone Lane,
Cheltenham

Postcode: GL51 8JA

Email:
charmiansheppard@virginmedia.

Title: Mrs

First Name: Rachel

Surname: Shingler

Address: Hesters way
Community Resource Centre,
Cassin Drive, Cheltenham

Postcode: GL51 7SU

Email
rachelshingler@hwpartnership.or

5. Statement

This section provides / includes the purpose, aims and ambitions of the neighbourhood forum and enables it to demonstrate how its membership is representative of the local community.

Please set out the purpose, aims and ambitions of the proposed neighbourhood forum here:

The proposed Hesters Way Neighbourhood Forum purpose is to produce a Neighbourhood Plan which will achieve amongst others the following goals;

- To further the social, economic, health, educational and environmental well-being of Hesters Way
- To allocate sites for business, retail and housing development including affordable housing
- To detail aspirations for transport, traffic and parking
- To mitigation against the effects of climate change.

We have gathered over 21 individuals including local residents and employees of local businesses plus the requisite local councillors to establish the forum. (a list is attached) These members represent a wide range of local interests from across the area and consider themselves to be a 'relevant body' capable of being designated as a Neighbourhood Forum.

6. Membership of proposed Neighbourhood Forum

The attached spreadsheet includes the names and addresses the forum members

7. Map of proposed Neighbourhood Forum

A map of the Neighbourhood Forum area is attached

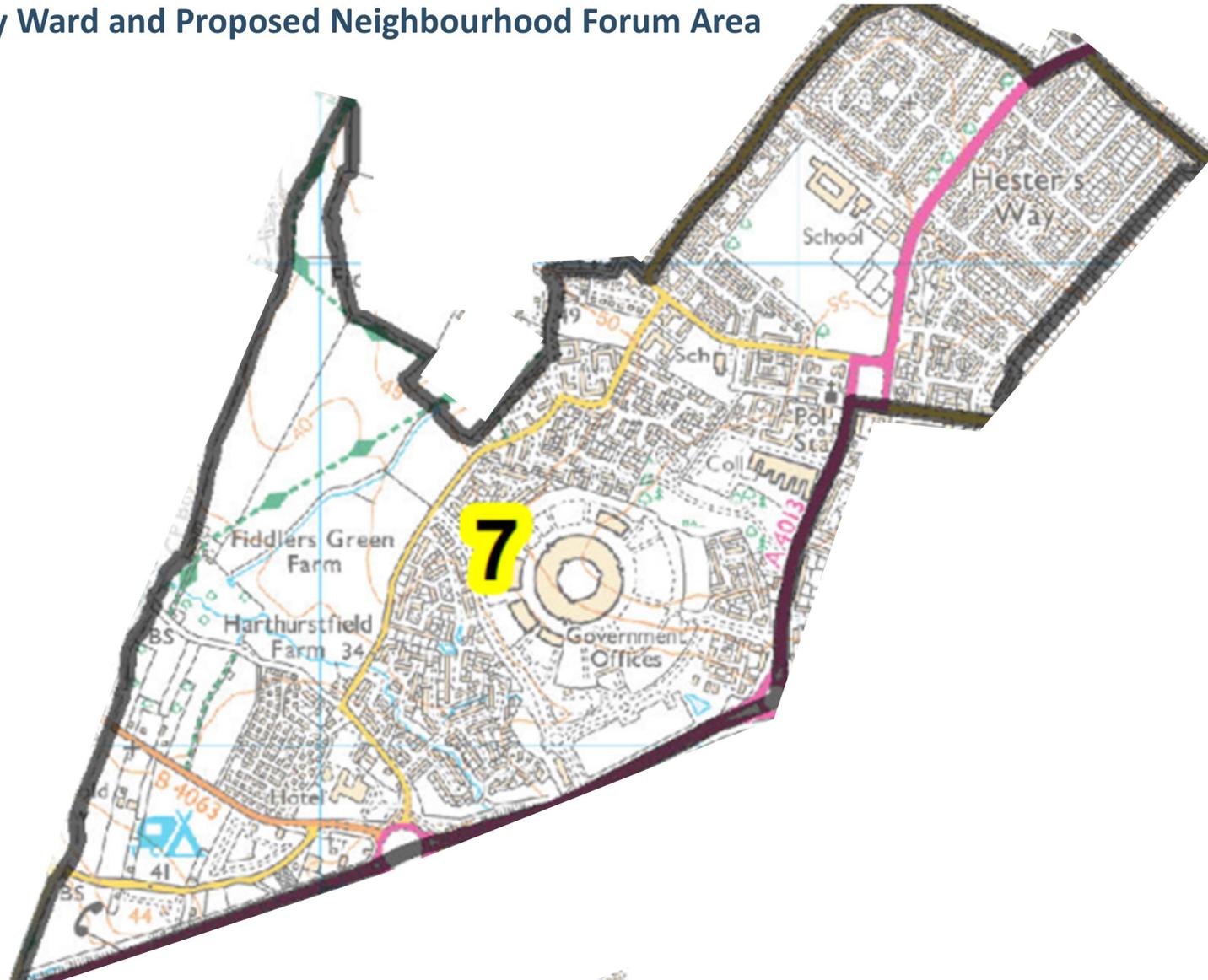
8. Declaration

We hereby apply to designate a neighbourhood forum as described on this form and the accompanying information.

Name(s): Charmian Sheppard
Name(s): Rachel Shingler

Date: 28/09/17
Date: 28/09/17

Hesters Way Ward and Proposed Neighbourhood Forum Area



HESTERS WAY NEIGHBOURHOOD DEVELOPMENT FORUM

CONSTITUTION

1. Background

The Forum has been established to draw up and maintain a Neighbourhood Development Plan for Hesters Way in Cheltenham, using the powers in the Localism Act 2011.

2. Area covered by the Forum

The Area covered by the Forum is the council ward of Hesters Way defined by the attached map.

3. Aims & purposes of the Forum

The Forum shall:

- Draw up a **plan for the future development** of the area.
- Further the **social, economic, health, educational and environmental well-being** of Hesters Way Cheltenham.
- **Allocate sites for business, retail and housing development** including affordable housing.
- Plan for **public realm improvements** and **consider and recommend improvements** for the street environment in the area.
- Express aspirations for **transport, traffic and parking**.
- Ensure developments **mitigate against the effects of climate change**.
- Seek to **protect existing buildings/areas of note** and worth.
- Aim to **support local businesses, associations, organisations and employers**.
- Consider and **recommend improvements for the street environment** in the area.
- Seek to **protect and improve community resources** and facilities such as libraries, community centres and public facilities.
- Consider how to **protect green spaces** and bring environmental benefits to the area.
- **Involve as many residents**, local workers and local businesses in the process as possible.
- **Attract wide support** for the plan across the area, taking in a range of views.
- **Campaign to have the plan adopted** by relevant bodies and by referendum.
- Work to **maintain and update the plan** as necessary.
- Plan to **improve community safety**.

The Forum shall aim to be as inclusive as possible and shall not discriminate on the grounds of age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation.

The Forum will be open to local councillors and other politicians who represent the area, but shall not be a party political body.

4. Membership

- Membership will be open to anyone who lives or works or has a business in the area defined in Article 2. Associate membership may be given to any interested local resident living or working outside the area.
- Individuals will become members of the Forum once they have given their contact details (Including where possible an email address) to the Secretary or other officer.

- An up to date record of the membership shall be kept by the Secretary. It is the obligation of members to notify the secretary in writing of changes of circumstance that affect their membership rights.
- Members may resign from the Forum at any time in writing to the Secretary or verbally at a meeting.
- There shall be no group membership of the Forum. However, residents' associations and other local groups shall be encouraged to support and assist the work of the Forum.

5. Officers

- Members of the Forum shall elect by simple majority officers to carry out the business of the Forum. In order to stand for election as an officer, a candidate will need to be a member of the Forum. He/she will also need to be proposed and seconded by two other members of the Forum. Associate members of the Forum shall not be eligible for election.
- The officers of the Forum shall be:
 - A Chair - who shall chair the meetings.
 - A Vice-Chair– who shall provide support and assistance to the Chair.
 - A Secretary - who shall be responsible for the taking of minutes; keeping a record of members; and distribution of internal paperwork and emails.
 - A Treasurer - who shall be responsible for the Forum's bank accounts.
 - A Marketing and Communications officer – who shall be responsible for external paper/electronic circulars and a website.
- Any vacancies for these posts shall be filled by an election at a subsequent general meeting, provided at least 14 days' notice is given of the meeting and the election.
- Any officer who does not attend two consecutive meetings without apology will be deemed to have resigned effective from the second meeting.

6. General Meetings

- The Forum will hold general meetings open to all members.
- The Secretary shall ensure that notice of the date of all general meetings is given to all members (by email where possible) not less than 14 days before the meeting.
- The minutes of all general meetings shall be available (by email where possible) to all members and associate members, as well as those who have attended recent meetings. Minutes of each meeting shall be approved by the following meeting.
- The quorum for all general meetings shall be 8 members including Chair or Vice-Chair and one other officer.
- In the event of a general meeting failing to achieve a quorum, business may be discussed and proposals put to the next meeting for ratification. In the event of two consecutive

ordinary meetings being inquorate, the second meeting may call a Special General Meeting. Such a Special General Meeting will be deemed to be quorate.

- A general meeting may decide, by majority vote, to establish a steering committee to lead the day-to-day running of the Forum. A general meeting may also, by majority vote, decide to establish sub-committees and working groups to work on specific areas to be covered by the Plan. All committees and working groups shall report on their work to general meetings.

7. Special General Meetings

- The Chair, the Vice-Chair or the Secretary may at any time call a Special General Meeting of the Forum, either for the purpose of altering the Constitution, or for considering any matters which the officers may decide should be specially referred to members.
- A Special General Meeting may also be called at the written request to the Secretary of not less than 5 members, who must give reasons for their request. Any matters notified to the Secretary 14 days before the Special General Meeting shall be discussed at the meeting.
- The Secretary shall give at least 14 days' notice to members of a Special General Meeting called in the circumstances set out in Article 6(v) above.

8. Voting

- Voting at all meetings shall be by a show of hands of members, unless otherwise resolved. Each member present shall have one vote. Votes are not transferable. Associate members shall not have a vote, unless otherwise resolved.
- A simple majority of votes shall prevail, except where otherwise provided in these rules. In the event of a tied vote, the Chair shall have a second or casting vote.
- Any member or associate member with a conflict of interest on an issue being discussed at a meeting shall declare it. A conflict of interest is any situation in which a member or associate member's personal interests, or duties which they owe to another body, and those of the Forum arise simultaneously or appear to clash.
- Proxy voting is not accepted.

9. Financial Records & Funding

- The Treasurer shall open a bank account in the name of the Forum. The account shall have at least three signatories. Any payments over £500 need to be agreed by the Forum, authorised by two signatories and countersigned by a third signatory. All other payments need to be authorized by at least two of the signatories, and counter-signed by a third.
- The Treasurer shall keep proper financial records and produce annual accounts, which will be presented at appropriate meetings.
- The Forum shall seek to raise money from individuals and local groups. This shall pay for the running costs of the Forum, such as administration, printing and room hire.

- Where appropriate, the Forum may apply for grants and donations from public authorities, charities and other organisations.
- The Forum may also seek funds and sponsorship from local businesses. However, in order to avoid any conflict of interest, all donations/gifts of more than £100 will need to be approved by a majority vote at a general meeting of the Forum.
- All money raised by the Forum shall be spent for the purposes laid out in the Aims of the Forum (Article 3).

10. Changes to the Constitution

- The Constitution may be altered at a Special General Meeting.
- Any proposed changes must be given to the Secretary at least 21 days before the meeting. Any proposed changes must be circulated to all members at least 14 days before a Special General Meeting where they will be discussed. Any proposed changes must be circulated on paper to all members present at the meeting where they are being discussed.
- Changes to the Constitution must be agreed by at least two-thirds of members present.

11. Dissolution

- If a meeting by simple majority decides that it is necessary or appropriate to close down the Forum, a Special General Meeting shall be called by the Secretary to consider whether or not to do so.
- The Forum may only be dissolved at a Special General Meeting called for that purpose. All members must be notified of such a meeting at least 21 days before it takes place.
- Upon dissolution, funds and possessions held by the Forum will be disposed of according to
 - (a) the wishes of the meeting and
 - (b) in so far as not disposed of under (a), for any of the aims and purposes set out in Article 3.

(This Constitution was adopted as the Constitution of the Hesters Neighbourhood Development Forum at a meeting held on 28th September 2017).

