

COLDEAN NEIGHBOURHOOD PLANNING FORUM CONSTITUTION

1. Name of Organisation.

The Coldean Neighbourhood Planning Forum, hereinafter referred to as "the Forum", agrees to be the designated "Neighbourhood Forum" for the Coldean Neighbourhood Area, hereinafter referred to as "the Neighbourhood Area" as outlined by a bold line on the attached plan.

2. Aims

The Forum is established for the express purpose of promoting and improving the social, economic and environmental well-being of the Neighbourhood Area, particularly through the preparation and implementation of a Neighbourhood Plan.

3. Membership

- a. Unless stated otherwise, all participants in Forum matters must be Forum Members who must be:
 1. individuals who live in the Neighbourhood Area or,
 11. individuals who work in the Neighbourhood Area or,
 111. individuals who are elected members of Brighton & Hove City Council of a City Ward falling within the Neighbourhood Area.
- b. The Forum must have a minimum membership of twenty-one individuals.
- c. The Forum will seek to have at least one Forum Member from each of the three categories in 3a above.
- d. Membership will begin as soon as the Membership Secretary. has received the request for membership.

- e. A list of Forum Members will be kept by the Membership Secretary and this information will not be disclosed to any persons except Forum members, Committee Officers and Brighton and Hove City Council Officers on condition that its contents are not disclosed to any third parties.
- f.
 - i. Forum Members may resign at any time in writing to the Secretary.
 - ii. If eligible under Clause 3.a., a Forum member may restart as a Member only after a 12 months grace period has elapsed from the date of resignation or termination of Membership; Membership will begin as soon as the Membership Secretary has received the new request for Membership after the 12 months has elapsed.
- g. The Forum Committee shall terminate the membership, with immediate effect, of those who fail to comply with 3.a. above.
- h. The Forum Committee may terminate, with immediate effect, the Forum Membership of anyone expressing racist, sexist, inflammatory and other offensive remarks within the Forum meetings, electronic communication or documents. The Forum Committee must give a Forum Member a minimum of twenty-one days' written notice of their intention to terminate a Forum Member's membership and the reason for proposing to do so. The Forum Member has a right to be heard by the Forum Committee before the proposal is considered.
- i. The Forum will not make Forum Membership subject to a subscription.

4. Equal Opportunities

The Forum will not discriminate on ground of gender, race, colour, ethnic or national origins, sexuality, disability, religious or political belief, marital status, or age.

5. Officers and Committee

The business of the Forum will be managed by a Forum Committee comprised of Committee Officers and Committee Representatives

Officers -

Chairperson. Shall chair Annual and Special General and Forum Committee meetings. The Chairperson will be the principal contact with Brighton and Hove City Council.

Secretary. Shall be responsible for conducting correspondence, the taking of minutes and keeping records of Forum membership.

Treasurer. Shall be responsible for maintaining accounts for each Forum Financial Year. The Forum Financial Year to be from 1st October in each year or such other date as shall from time to time be decided at an Annual or Special General Meeting.

Publicity. Shall be responsible for all media output and distribution.

Representatives-

- a. Business**
- b. Environment**
- c. Residential**
- d. Neighbourhood Organisation (national)**

6. Committee Management

- a. In the event of a Committee Officer or Representative standing down during the year, the Forum Committee shall appoint a replacement for the period up to the next Annual or Special General Meeting.
- b.
 - i. Any Committee Officer or Member not attending three consecutive meetings without apology may be dismissed by a simple majority vote of the Committee Officers.
 - ii. Committee Member(s) or Members can be removed if behaving improperly so as to jeopardise the production of a Neighbourhood Plan, or if found to be disclosing or using Forum data for personal, or non-Forum, purposes, and may be dismissed from the Committee and/or from Membership by a simple majority vote of the Committee Officers.
 - iii. The Forum Committee shall meet on no fewer than four occasions in any financial year.
- c. The Forum Committee meetings will be open to all Forum Members as observers.
- d. Agenda papers and minutes will be posted on the Forum Website and will be available in printed format on request.
- e. A quorum for the Forum Committee will be four Committee Officers and Committee Representatives.
- f. Voting shall be based on a simple majority of Committee Officers and Members.

7. The Annual General Meeting.

- a. The Annual General Meeting (AGM) will be held within three months of the end of the Forum Financial Year with entry restricted to Forum Members.
- b. All Forum Members will be notified in writing, giving the venue, date and time, at least fourteen days before the date of the AGM.
- c. Nominations for Committee Officers and Members are to be made in writing by a Forum Member to the Secretary at least seven days prior to the date of the AGM and are to be seconded by one other Forum Member and endorsed by the nominee.
- d. A quorum for the AGM will be 20% of the membership or seven Committee Officers and Members, whichever is the lesser number.

8. At the AGM

- a. The Committee Officers will present a report of the work of the Coldean Neighbourhood Forum over the previous year.
- b. The Committee will present the accounts of the Forum for the previous Forum Financial Year
- c. The Committee Officers and Committee Members for the next year will be elected.

9. Special General Meetings

- a. The Secretary will call a Special General Meeting at the request of the majority of the Forum Committee or at least eight other Forum Members on the receipt of a written request to do so to the Secretary stating the reason for their request.
- b. The meeting will take place within twenty-eight days of the receipt of the request.
- c. All members will be given fourteen days notice of such a meeting, giving the venue, date, time and agenda.
- d. The Quorum for the Special General Meeting will be 10% of the membership or seven members whichever is the lesser.

10. Rules of Procedure for Committee Meetings, Annual General Meetings and Special General Meetings

- a. All questions that arise at any meeting will be discussed openly and the meeting will seek to find general agreement.
- b. All decisions and elections made at meetings shall be decided by a simple majority of those attending and shall, if required by a minimum of three Forum Members at the meeting, be by a secret ballot supervised by the Secretary.
- c. Proxy votes may be registered with the Chairperson for those members unable to attend meetings. The proxy votes are cast at the discretion of the chairperson and any voting is final. Proxy votes will not be used during elections of Committee members.
- d. The Chairperson shall not vote except when using proxy votes or in the event of tied voting or in the election of a Chairperson.
- e. All notices to Forum Members may be served by telephone, post or electronically and may be posted on the Forum Website.

11. Meetings of the Forum: Have Your Say Events

- a. These events are open to all Forum Members and members of the public.
- b. The Forum may hold a minimum of three events in the year following the AGM.
- c. The content and structure of these events will vary according to priorities determined by the Forum Committee. Generally, the programme will enable the Forum to:
- d. Showcase its activities, particularly the evolving the Neighbourhood.
- e. Recruit new Forum Members.
- f. Enable Forum Working Groups to have discussions with wider groups of local people.
- g. Facilitate Q&A sessions with Brighton & Hove City Council officers, councillors, and developers with an interest in the area; and
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- h. Share experiences with voluntary and community sector organisations from elsewhere in the city and other towns and cities which are preparing and involved in implementing Neighbourhood Plans.

12. Working Groups

- a. The Forum Committee may establish Forum Working Groups under the supervision of a convener.
- b. Working Groups are to comprise a minimum of two Forum Members.
- c. Working Groups are to develop the working arrangements that suit them best and meet as required to investigate and discuss the issues assigned to them.
- d. The Convener or Deputy Convener shall report to the Forum Committee at Committee Meetings.

13. Liaison With Other Interested Parties

- a. The Forum will maintain contact with Brighton and Hove City Council on any issues affecting the Neighbourhood.
- b. The Forum will engage with the South Downs National Park on any issues affecting the Park area or the Neighbourhood.
- c. The Forum will engage with each other and people, groups and Forums in adjacent areas and take their views into account in the drafting of any Neighbourhood development plan.
- d. The Forum may appoint a Member or a group of Members who will:
 - i. Consider issues outside of the Forum area (including the impacts on immediately adjoining residents and businesses) as well as engaging and liaising with other residents' groups or individuals in neighbouring areas.
 - ii. will work on cross-boundary issues.
 - iii. identify immediately adjoining residences and businesses and conduct consultation directly with the occupants prior to the drafting of the Neighbourhood plans.
 - iv. Liaise with Brighton and Hove City Council regarding strategic issues, such as traffic and transport, and links to the City Plan.

14. Partner Organisations

- a. To further its aims, the Forum will work in partnership with relevant public, private and community/voluntary sector organisation.
- b. In particular, the work of the Forum will complement, rather than duplicate, the work of voluntary and community sector organisations in the area.

15. Professional Consultant

Subject to available funds the committee will appoint a professional planning consultant to advise and assist with the preparation of the Neighbourhood Plan.

16. Delegation

(1) The Forum shall delegate all financial operations of the Forum to Coldean Neighbourhood Planning Forum Ltd. ('CNPF LTD') for each operational year. (2) The delegated powers will cease if the membership of the Forum remains less than 21 members for more than three months. In this event CNPF LTD will return to Neighbourhood Planning.org all surplus funds beneficial to the Forum derived from grant funding,

(3) The Treasurer of the Forum will be a Director of CNPF LTD
Financial operations

(4) The CNPF Ltd acts as the accountable body on behalf of the Forum

(5) CNPF LTD takes responsibility for the legal and financial management of a grant given to a particular project. The accountable body will receive the funding from the Neighbourhood Planning programme, will hold and administer grant funds on behalf of the unincorporated Coldean Neighbourhood Planning Forum and are legally responsible for the proper use and management of those funds.

(6) CNPF LTD will conform to the principles of the administration of grant funds as directed by "Groundworks" Financial year The financial year of CNPF LTD is specified in the schedule. Funds and accounts

- (7) CNPF LTD must open an account with a financial institution from which all expenditure of the Forum is made and into which all of the Forum's revenue is deposited.
- (8) Subject to any restrictions imposed by the Forum at a general meeting, the CNPF LTD may approve expenditure on behalf of the Forum within the limits of the budget.
- (9) All cheques, drafts, bills of exchange, promissory notes and other negotiable instruments must be signed by 2 CNPF LTD members.
- (10) All funds of the Forum must be deposited into the financial account of CNPF LTD no later than 5 working days after receipt or as soon as practicable after that day.
- (11) With the approval of the CNPF LTD, the Treasurer may maintain a cash float provided that all money paid from or paid into the float is accurately recorded at the time of the transaction.
- (12) Accounts and audits The responsibility of the CNPF LTD under clause 34(2) for ensuring compliance with the Act includes meeting the requirements of Part 5 of the Act and regulations made for that Part relating to: (a) the keeping of accounting records; (b) the preparation and presentation of the Forum's annual statement of accounts; and (c) the auditing of the Forum's accounts
- (13) CNPF LTD will indemnify the Forum and its members against all financial claims arising from the operation of these delegated powers.
- (14) ASSETS. CNPF LTD is constrained from any real estate transactions or holding real estate assets on behalf of the Forum.

SCHEDULE 1. "The Act" refers to the Companies Act 2006

2. The Financial Year will commence on receipt of the first grant from Neighbourhood planing. Org

17. Amendments to the Constitution

- a. Amendments to the constitution may only be made at the Annual General Meeting or a Special General Meeting.
- b. Any proposal to amend the constitution must be given to the Secretary in writing. The proposal must then be circulated with the notice of the meeting.
- c. Any proposal to amend the constitution will require a two thirds majority of those present and entitled to vote.

18. Dissolution

- a. If the Forum Committee, or Forum Members in the event of it having ceased to function, decide that it is necessary to close down the Forum, a Special General Meeting may, on giving fourteen days notice to the last known addresses of all known Forum Members, be convened with the sole business being to dissolve the group.
- b. If, by a simple majority of Members attending, it is agreed to dissolve the group, all remaining money and other assets, once outstanding debts have been paid, will be donated to a local charitable organisation. The organisation to receive the donation would be agreed at the meeting held to agree the dissolution.

Continued/

AGREEMENT

This constitution was agreed at the Meeting of the Coldean Neighbourhood Planning Forum on the Nineteenth day of December 2023.

Signed:.....*C. Patel*.....Chairperson

Signed:.....*Manish Suchak*.....Member



