

# **Durham City Neighbourhood Planning Forum Constitution**

## **1. Name and Area:**

- 1.1 The name of this Forum shall be “Durham City Neighbourhood Planning Forum” hereinafter referred to as “the Forum”.
- 1.2 The Area of the Forum will be decided by the Forum, or as adjusted by Durham County Council under its statutory powers.

## **2. Location**

The place of meeting for the Forum, or any sub group, will be decided the Chair or any Chair of any sub group.

## **3. Neighbourhood Planning Forum Structure:**

A minimum of 21 individuals each of whom live, work or are elected Members of the Neighbourhood Plan Area and at least one person representing each of these three categories. The Forum is open to all individuals who meet one of the above criteria. The Forum is seeking representatives to reflect the character of the geographical area to be covered by the Forum, and also from different sections of the community. Membership is voluntary.

## **4. Forum officers and roles**

- 4.1 The Forum will include the following official positions, hereinafter referred to as “the Officers”, with the roles set out below: Chair, Vice Chair, Secretary, Treasurer and Engagement Officer, to be elected annually by simple majority vote.
- 4.2 The officers may co-opt up to two further officers to assist them in carrying out their duties.
- 4.3 **Chair.**

- Shall be the principal presiding officer and chairperson for the Forum and meetings.
- Shall possess a casting vote in occasions where voting is tied.
- Shall lead the Forum in all communication and business with external organisations and individuals, including being the Forum’s spokesperson.
- Shall have the power to take urgent decisions for the interim in between meetings on the Forum. These will then be reviewed at the next Forum meeting.
- Shall enforce the Constitution.

#### **4.4 Vice Chair.**

- Shall stand in for the Chair in their absence, with all the duties and responsibilities of the Chair in their absence.
- Shall be from another geographical area within the Forum's scope than the Chair.

#### **4.5 Secretary.**

- Shall be responsible for maintaining all records and notes.
- Shall be responsible for all correspondence with Forum members.
- Shall be responsible for maintaining an up to date list of members.

#### **4.6 Treasurer.**

- Shall be responsible for keeping all budgeting records.
- Shall be responsible for monitoring expenditure.
- Shall be responsible for the publication of a statement of accounts.

#### **4.7 Engagement Officer.**

- Shall be responsible for developing community involvement in the Forum.
- Shall be responsible for community consultation on behalf of the Forum.
- Shall be responsible for promotion and publicity on behalf of the Forum.
- Shall assist the Chair in communication with external individuals.

### **5. Forum Membership:**

5.1 New members may join by applying in writing (including email) to the Forum Chair or Secretary.

5.2 The decision to accept an application of new individual membership is the responsibility of the Officers, to be determined by majority vote. Refusal to accept an application for membership must be given to the applicant, along with a full and valid reason.

5.3 The Secretary shall be responsible for the maintenance of an up to date list of membership.

5.4 The list of membership shall be open for inspection to all members.

5.5 Lists of members and contact details are the sole ownership of the Forum. Subject to any statutory requirements relating to the release of and access to information, any outside organisation or individual may request to see a list of members of the Forum in writing to the Chair or Secretary, including a reason for asking to see the list. The

Officers will then decide whether or not to accept the request. No reason for any decision needs to be given.

5.6 Members may be excluded from the Forum by the Officers. They must give reasons in writing to the excluded member.

## **6. Objectives:**

6.1 To promote or improve the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned.

6.2 To establish all necessary sub groups to enable progress on and completion of all sections of the Neighbourhood Plan.

6.3 Ensure full community involvement, from all sections of the community.

6.4 To make necessary arrangements for the publication of the Neighbourhood Plan, including publicising the Plan.

6.5 To liaise with the County Council, its relevant Committees and its representatives on preparation of specific aspects of the Plan.

6.6 To obtain guidance on any Supplementary Planning Guidance for incorporation of the Neighbourhood Plan into the Local Development Framework (the 'County Durham Plan').

## **7. Affiliations, Operations and Independence:**

7.1 The Forum shall be politically independent.

7.2 All members of the Forum shall act in the best interests of the Forum and the residents of the area and shall follow the good governance guidelines set out in the attached guidance (any any subsequent updates):

<http://www.goodgovernancecode.org.uk>.

7.3 The Forum shall also act in accordance with best practice in the preparation of the Neighbourhood Plan and in accordance with Government guidance for such preparation and shall seek to work collaboratively with the Local Planning Authority to achieve this.

## **8. Declaration of Interest**

8.1 All forum members must:

8.1.1 Declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the Forum or in any transaction or arrangement entered into by the Forum which has not been previously declared; and

8.1.2 Absent himself or herself from any discussions of the Forum members in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the Forum and any personal interest (including but not limited to any personal financial interest).

8.2 Any forum member absenting himself or herself from any discussions in accordance with this clause must not vote or be counted as part of the quorum in any decision of the Forum on the matter.

## **9. Forum Group Meetings**

9.1 The Officers shall call meetings of the forum from time to time as appears necessary to them.

9.2 The first **Annual General Meeting** shall be held within 15 months of the adoption of this constitution, and thereafter annually.

9.3 An **Extraordinary General Meeting** may be requisitioned in writing by at least one third of the membership of the forum giving notice to the Secretary, who shall convene the EGM within 21 days of receipt of the notice.

9.4 At least 7 days notice shall be given to its members for a Forum or sub group meetings to take place. This will be publicised.

9.5 The Forum Group Meeting may:

9.5.1 Receive and comment on reports from the Officers and any sub group

9.5.2 Confirm the identity of the community organisations entitled to attend the Forum

9.5.3 Approve the annual report and accounts where relevant

9.5.4 Adopt constitutional amendments

9.6 At least 5 non-council members must be present at the start of the Forum or group meetings for it to be declared quorate. The public Forum meetings shall be open to any member of the public to observe.

9.7 All Forum members shall be entitled to attend the Forum meeting to propose and vote for motions and to stand for election.

## **10. Conflict Resolution within the Forum**

At all times the Forum will recognise the primary need to encourage community involvement in, and support for, the Neighbourhood Plan. If it proves not possible for the

Forum to reach agreement during any stage of preparing the Plan, every effort shall be made by the membership of the Forum to resolve the difference by negotiation. Where this does not resolve the situation, the Forum will ensure that the alternative view is included in the relevant stage of community engagement.

## **11. Confidentiality**

It is understood, and agreed to, that the disclosure of confidential information may provide certain information that is, and must be kept, confidential. To ensure the protection of such information and to preserve any confidentiality necessary, it is agreed that:

- 11.1 The Recipient shall limit disclosure of Confidential Information to members of the Forum having a need to know. Forum members will not disclose the confidential information obtained from the discloser unless required to do so by law.
- 11.2 This Agreement imposes no obligation upon Recipient with respect to any Confidential Information (a) that was in Recipient's possession before receipt from Discloser; (b) is or becomes a matter of public knowledge through no fault of the Recipient; (c) is rightfully received by Recipient from a third party not owing a duty of confidentiality to the Discloser; (d) is disclosed without a duty of confidentiality to a third party by, or with the authorization of, Discloser; or (e) is independently derived by Recipient.

## **12. Constitution Amendments:**

- 12.1 This Constitution shall become effective upon approval by the first General Meeting.
- 12.2 This Constitution may only be amended at a meeting of the Forum by a two-thirds majority vote of members present. Proposed amendments must be submitted with a seconder in writing at least twenty-one days before the meeting, and the proposed amendment must be included in the notice of the meeting at which it shall be considered.

## **13. Dissolution**

**The Forum shall be dissolved if:**

- 13.1 A motion to that effect is circulated in the notice of the meeting and carried by the members in a majority vote at an EGM or AGM.
- 13.2 The Forum is superseded by qualifying body as outlined in The Localism Act 2011.

**13.3** Any assets or remaining funds after debts have been paid shall be transferred to local charities or similar groups at the discretion of the Officers.

**14. Declaration**

**Durham City Neighbourhood Planning Forum hereby adopts and accepts this constitution as a current operating guide regulating the actions of its members**

**Member Name**

**Sign**

**Date**