

Constitution
of the
Soho and Handsworth Neighbourhood Planning Forum
(aka Soho and Handsworth NPF)

1. Name

1.1. The name of the organisation is the “Soho and Handsworth Neighbourhood Planning Forum” (hereinafter “the Forum”).

2. Aims and Objects

2.1. The aim of the Forum is to promote the social, economic and environmental wellbeing of all communities in the designated Neighbourhood Area.

2.2. The Forum’s objects are to:

- Promote a distinctive and dynamic neighbourhood across Soho and Handsworth Neighbourhood Area for all residents, businesses, and other local stakeholders.
- Protect the physical, cultural, social, and community (including faith and non-faith) heritage of the neighbourhood for future generations.
- Embed Soho and Handsworth Neighbourhood Area as an area of regional, national and international importance.

2.2. The Forum may do all such lawful things as are necessary for the attainment of these objects, including:

- Actively encouraging all forum members to participate fully in its activities for the promotion and improvement of Soho and Handsworth Neighbourhood Area in a tolerant, respectful and transparent manner.
- Preparing a Neighbourhood Plan and/or Neighbourhood Development Order(s) which will set out policies for the development and use of land.
- Exercising any powers which attach to the Forum as a designated neighbourhood forum within the meaning of the Localism Act 2016.
- Providing a forum for discussion of issues that may affect the lives of members in Soho and Handsworth Neighbourhood Area.
- Supporting projects that are of benefit to Soho and Handsworth Neighbourhood Area.
- Considering proposals by public or private sector bodies likely to have a significant impact on the social, economic and environmental well-being of Soho and Handsworth Neighbourhood Area.

3. Area

3.1. The Forum shall operate in Soho and Handsworth Neighbourhood Area shown on the attached plan in Schedule A (“the Neighbourhood Area”), subject to any amendment as may be agreed with Birmingham City Council acting in its capacity as Local Planning Authority.

4. Membership

4.1. Membership of the Forum is open to all regardless of gender, ethnic background, sexual orientation, disability or of political, religious or other opinions. There are two types of membership which will comprise the Forum:

a) **Full Membership** - including the ability to vote at the Annual General Meeting (AGM) and stand for elected positions on the Executive Committee. Full Membership shall be open to:

- i) Individuals who live in the Neighbourhood Area.
- ii) Individuals who work in the Neighbourhood Area.
- iii) Elected representatives of Birmingham City Council or Members of Parliament whose wards/constituencies fall into the Neighbourhood Area who shall be *ex officio* members.
- iv) Nominated representatives from organisations operating in the area (1 person per organisation) as per clause 9.1.

b) **Allied Membership** - includes the ability to attend open sections of the AGM as well as events run by the Forum but not to hold voting rights or stand for elected positions on the Executive Committee. Allied Membership shall be open to:

- i) Individuals, community organisations, or business representatives with an interest in the Neighbourhood Area but who do not meet the criteria outlined in 4.1a.

4.2. Members of the Forum have to support the aims and objects of the Forum as set out in this constitution.

a) This includes but is not limited to:

- i) Tolerance: Members must be actively willing to listen and engage with a diversity of opinion and thought during any debate or events held by the Forum.
- ii) Respect: Members must respect each other regardless of gender, ethnic background, sexual orientation, disability or of political, religious or other opinions.
- iii) Transparency: Members must be transparent and open declaring their interests related to debates and votes taking place in the Forum. In specific contexts, members may be asked to abstain from voting on topics in which they have a substantial interest. This shall be exercised at the discretion of the Executive Committee.

4.3. Eligible applicants shall become members of the Forum on submission to the Secretary of a request to join which:

a) Provides satisfactory evidence of eligibility.

- i) For residents this should include proof of address (i.e. bank statement, driving licence, etc.) and
- ii) For those who work in the area this should include proof of employment within the Neighbourhood Area through a headed and addressed letter from their place of work);
- iii) Elected Members will be required to show evidence of their position through a headed letter addressed to the Chair of the Forum to evidence their position as an elected member.
- iv) For those who are nominated representatives from organisations operating in the area they will require a headed letter from the organisation addressed to the Chair of the Forum stating that they are being put forward as a representative of the organisation in question.

- b) Provides contact details (telephone number, email address where possible, and postal address) which may be used by the Forum for its lawful purposes in line with GDPR;
- c) Is accompanied by any subscription fee which the Forum may have approved through a General Meeting.
- d) Every person regardless of whether they meet more than one membership criterion can only hold one membership.

4.4. The Executive Committee may refuse to accept, or may revoke, membership of any individual which in its opinion fails to meet the criteria for membership or which acts in a way inimical to the aims and objects set out in Section 2. Any person or organisation whose membership is revoked shall have the right to appeal to a General Meeting of the Forum.

4.5. Any member of the Executive Committee must give 28 days notice in writing in the event of their resignation.

5. Executive Committee and Officers

5.1. The day-to-day business of the Forum shall be conducted by the Executive Committee (“the Committee”), subject to decisions of any General Meeting.

5.2. The Committee shall consist of a minimum of 4 executive officers, including the Chair, Vice-Chair, Secretary, and Treasurer.

5.3. The Committee may co-opt up to 10 additional members. The power of co-option shall be used *inter alia* to ensure that, as far as possible, the Committee has a reasonable balance and is representative of the local community.

5.4. The Committee shall elect from among its **Full Members** a Chair, Vice Chair, Secretary and Treasurer and any other officers as it sees fit. Their duties shall include:

- a) the Chair: chairing all General, Stakeholders Group and Committee meetings, and in the event of a tied vote exercising a casting vote; and being jointly responsible with the Treasurer to answer to the General Meeting on the conduct of the financial affairs of the Forum;
- b) the Vice-Chair: assuming the Chair’s responsibility for chairing meetings in the event of the Chair being unable to do so;
- c) the Secretary: handling the Forum’s administration including minutes of meetings and all matters relating to applications for and records of membership, ensuring compliance with data protection legislation;
- d) the Treasurer: handling all the Forum’s financial business, preparing and circulating accounts and financial reports ahead of each General Meeting, and jointly with the Chair answering to the General Meeting on the conduct of the financial affairs of the Forum;

5.5. The term of office of any member of the Committee shall expire at the next AGM but members shall be eligible to stand for re-election in the same position for a continuous period not exceeding five years.

5.6. The Committee shall meet no less than 4 times per year. The Secretary shall give at least 10 days' notice of meetings to all members of the Committee. 40% of Committee members in attendance shall constitute a quorum. Any meeting of the Committee which is not quorate will be postponed and rearranged within 6-week time period.

5.7. The Committee may co-opt representatives to lead sub-committees to carry out specific roles or projects. Any such sub-committee may co-opt such persons as it considers fit to enable it to perform its function but shall not take any action beyond the terms of its appointment and shall report on its activities to the Committee.

5.8. Decisions of the Committee shall be taken by a simple majority of those present and voting, except on a substantive issue or proposal, such as the content of a proposed neighbourhood plan, which shall be subject to a requirement for a majority of only those members elected by Full Members.

5.9. The Committee shall keep minutes of all its proceedings which shall be available for inspection by any member on giving no less than 10 days' notice to the Secretary. The Committee secretary is responsible for keeping minutes up to date.

5.10. Any member of the Executive Committee must give 28 days notice in writing in the event of their resignation.

6. Annual General Meeting (AGM)

6.1. The Annual General Meeting (AGM) of all members shall be the controlling body of the Forum.

6.2. An AGM shall:

- a) Be held on a day to be appointed by the Committee not later than three months after the end of the Forum's financial year
- b) Include:
 - i) a report from the Chair on the activities of the Forum since the previous AGM as well as plans for the forthcoming year;
 - ii) consideration of, and if considered accurate, approval of the accounts of the Forum for the previous financial year together with an independent report on those accounts;
 - iii) appointment of an independent inspector to report to the following AGM on the accounts for the current financial year;
 - iv) any other business as required by the Constitution or as directed by the Committee;
 - v) consideration of any motion which has been submitted by a member of the Forum in time for circulation with the notice of the AGM; and
 - vi) election of the Committee for the forthcoming year.

6.3. Nominations for election to the Committee shall be invited in the AGM calling notice and must be proposed and seconded in writing by members with the signed consent of the candidate. Nominations may be made up to 3 days before the AGM.

6.4. Election of members of the Committee shall be via voting on each nomination separately. Each individual member is entitled to one vote.

6.5. In the event of there being more nominations than vacancies, a ballot shall be held with ballot papers being distributed at the AGM for return by the end of the meeting. Voting shall be ranking the candidates in order of preference and shall be counted by the Single Transferable Vote method which is where each voter casts a single vote in the form of a ranked-choice ballot. The meeting shall agree to the appointment of one or more scrutineers to act as returning officers and to advise the Chair on the results.

6.6. The AGM may by a vote of not less than two-thirds of those present and voting agree to consider any urgent or important business which has arisen since dispatch of the notice of the meeting.

6.7. Additional member meetings shall be organised on a regular basis and will either be in-person, online, or hybrid dependent on availability and access. Member meetings will be publicised at least 10 days in advance to provide sufficient notice for attendance.

7. Additional Member Meetings

7.1. In the period between AGMs, the Forum shall meet as a General Meeting of all members at intervals of not more than three months. At least 10 days' notice shall be given to all members.

7.2. Additional member meetings shall be organised on a regular basis and will either be in-person, online, or hybrid dependent on availability and access. Member meetings will be publicised at least 10 days in advance to provide sufficient notice for attendance.

7.3. Conduct of general meetings

a) One-fifth of the membership shall constitute a quorum. This can be revised via a constitutional amendment if regular higher attendance is seen. A quorum is required to receive the report and accounts and for decision making

b) A member who is unable by reason of illness or disability to attend a general meeting at which a ballot is to be held shall be entitled to appoint a proxy to vote on their behalf. Notice of appointment of a proxy must be received by the Secretary not less than 24 hours before the meeting.

c) Actions, notes and meeting minutes shall be circulated within a month of each meeting.

8. Finance

8.1. The finances of the Forum shall be controlled as follows.

a) The Forum's accounting period shall be annual ending on 30th April.

b) A General Meeting may decide to set a subscription rate for membership of the Forum together with such different categories of subscription or concession as it considers appropriate.

c) The Treasurer shall maintain for a period of five years or until the winding up of the Forum whichever is the sooner and pass on to their successor all accounting records

which shall be subject to independent inspection and reporting to the AGM. Such records shall be available for inspection by any member on giving not less than 10 days notice.

d) The Treasurer shall open and maintain a bank or other appropriate account in the name of the Forum which account or accounts shall be controlled by a mandate requiring the signature of no fewer than two of the Officers as listed in paragraph 5.4.

9. Constitution and Interpretation

9.1. In this Constitution, “organisations” includes residents’ associations, charities, religious establishments, welfare organisations, social enterprises, not-for-profit organisations, Community Interest Companies, informal and unconstituted groups, as well as other bodies which operate wholly or partly within the Area and whose aims are consistent with the objects of the Forum;

9.2. “Neighbourhood Plan” includes but is not limited to a Neighbourhood Development Plan as defined in the Localism Act 2011.

a) In the event of any question arising where the interpretation of this Constitution is in doubt or where it is silent, the Committee shall have the power to act according to its own interpretation and at its discretion.

b) Other than as may be required by law, amendments to this Constitution may only be made by a majority representing two-thirds of the members present and voting at a quorate General Meeting. Changes to the constitution must only be agreed at the Forum Annual General Meeting. Proposed changes must be set out with the notice of the meeting.

c) Any requirement in this Constitution for notice or reports to be given by the Forum to its members shall be deemed to have been satisfied if such notice or reports have been sent by email or by posting on the Forum’s website. Any individual member may still request hard copies and in such a case the Committee reserves the right to make a charge to cover the extra cost incurred. Notices from a member to the Forum may also be sent by e-mail subject to validation against a written signature submitted to the Secretary in advance.

9.3. “Ex Officio” is defined as specified individuals with a special interest in the area who do not have voting rights. In the context of The Forum, this includes membership for elected representatives of Birmingham City Council or Members of Parliament whose wards/constituencies fall into the Neighbourhood Area.

9.4. As per clause 4.1.a.iv., ‘operating’ in the area means that an organisation has a physical base in the area. This should be evidenced through a letterhead and sharing official documentation which reflects the operation in question.

10. Term

10.1. The duration of the Forum shall be for five years from the date of adoption of this Constitution unless it is previously dissolved by resolution of a General Meeting passed by at least 50% of members in attendance.

10.2. After five years, if considered appropriate, the designation will have to be renewed with the agreement of Birmingham City Council.

10.3. In the event of dissolution assets or monies held at the time of dissolution shall be directed by the resolution to be paid to an organisation that will continue the work that has been carried out by the Forum, or, in the absence of such an organisation, to an organisation or organisations that is or are recognised by the Forum as carrying out purposes similar to those of the Forum.

11. Complaints

11.1. Any complaints about the behaviour of a Member shall be made in writing to the Chair who will investigate and take action as appropriate. If the complaint concerns the Chair then the Deputy Chair shall be responsible for any investigation.

SCHEDULE A

Soho and Handsworth Neighbourhood Planning forum: Neighbourhood Area designated by Birmingham City Council for the purposes of neighbourhood planning.

Map of area