

# THE ST JOHN'S WOOD NEIGHBOURHOOD FORUM CONSTITUTION

Issue Revision 0 for submission to Westminster City Council on 12 December, 2015

## 1 Establishment and Area

- (a) The St John's Wood Neighbourhood Forum ('the Forum') is specifically established to promote and improve the social, economic and environmental wellbeing of the St John's Wood Area, as designated by Westminster City Council in 2012 ("the Area"). The Forum will encourage development that respects the distinctive and historic character of the Area and will apply the highest standards of architecture, town planning, sustainability, conservation, urban design and management for the socio-economic benefit of the Area and ensure that the public realm remains for the public use and appreciation, and is not used to promote the needs of any one group or constituency.
- (b) Further to the above, the Forum will develop a statutory Neighbourhood Plan that will become part of the development planning framework for the Area, and may also establish permitted development rights for certain types of new development through the making of a neighbourhood development order.

## 2 Objectives

- (a) The Forum reserves the right to undertake any activities permitted by the relevant neighbourhood planning provisions of the Localism Act 2011 and the Neighbourhood Planning Regulations April 2012 and to exercise any powers which attach to the Forum as a designated forum.
- (b) The Forum aspires to improve the functioning of the Area by consulting widely on, amongst other things, ways to: protect, preserve and enhance its unique character, encourage development of a high architectural design and respect to heritage guidelines in the Area, make the area more sustainable, protect garden and green spaces and bring environmental benefits to the area, make improvements for the street environment, seek to protect and improve community resources and facilities such as libraries, community centres and public facilities and involve as many residents, local workers and local businesses in the process as possible.
- (c) The Forum will produce a Neighbourhood Plan following consultation with local people and organisations, and consideration of the issues raised through a consultation process that is relevant, realistic and evidence-based, to address local issues effectively. The Neighbourhood Plan will:
  - (i) be in general conformity with the City Council's strategic planning policies, currently contained in the Westminster City Plan: Strategic Policies (adopted 2013) and the Mayor of London's London Plan;
  - (ii) have regard to national planning policies;
  - (iii) contribute to the achievement of sustainable development;
  - (iv) not breach and be compatible with EU obligations, the Human Rights Act and other relevant legislation
- (d) The Forum will represent the diversity and character of the community with a wide range of members including businesses, amenity societies, local interest groups

and voluntary members and will seek at all times to act on the basis of equality between, and respect for, all persons regardless of gender, age, ethnicity, nationality, sexual orientation, religion or belief, disability and socio-economic status.

- (e) The Forum is a non-political and not-for-profit organisation to benefit residents, workers, businesses and institutions in the area and will seek to consult with Westminster City Council, statutory bodies and other appropriate organisations/bodies on issues of local concern, including improvements to the St Johns Wood Area and its environment, appearance and/or amenities.

### **3 Membership**

- (a) Membership of the Forum is open to:
  - (i) individuals who are resident of the Area;
  - (ii) businesses or other bodies or organisations which operate in the Area, through their appointed representatives;
  - (iii) individuals who work in the Area (whether for businesses carried out there or otherwise);
  - (iv) individuals who have an interest in the Area regarded by the Steering Committee as making membership appropriate;
  - (v) Westminster City Councillors whose ward includes any part of the Area.
- (b) Members must be at least 18 years of age.
- (c) An applicant wishing to become a member, and who supports the aims and objects of the Forum, shall apply for membership by completing and forwarding to the Secretary such form as may be currently prescribed by the Steering Committee.
- (d) The Forum shall have a minimum of 21 members. If membership falls below 21 for a period in excess of three months, the Steering Committee shall take action to propose the dissolution of the Forum.
- (e) For the avoidance of doubt, individuals eligible for membership under one or more categories above will only be able to exercise one vote.
- (f) Where it is considered that membership would be detrimental to the objects and general aims of the activities of the Forum the Steering Committee shall have the power to refuse membership, or may terminate or suspend the membership of any Steering Committee or Forum member by resolution raised at any Steering Committee meeting upon at least two thirds of Steering Committee members so voting.
- (g) A member may resign from the Forum by giving 7 days' written notice to the Forum Secretary.
- (h) Membership is not transferable.

### **4 Forum Steering Committee**

- (a) The Forum will be managed by an elected Steering Committee ("the Steering Committee") which will co-ordinate, implement and monitor the work of the Forum, including the drawing up of the St Johns Wood Neighbourhood Plan. The Steering Committee will speak on behalf of the Forum and also publicise, prioritise and schedule the work of the Forum.

- (b) The Steering Committee shall consist of a minimum of 10 and a maximum of 14 members of the Forum. The Steering Committee shall appoint the following Officers from their number: a Chairperson, Vice-Chairperson, Treasurer and Secretary.
- (c) The Steering Committee shall be elected at the first Annual General Meeting for a term of one year.
- (d) All members of the Steering Committee who wish to stand for a further term will be eligible to stand for re-election at the following Annual General Meeting.
- (e) Members who wish to be elected to the Steering Committee must first be nominated by two other forum members.
- (f) The membership of the Steering Committee shall be equally balanced between both the residential community and the non-residential community. The non-residential community is taken to include both business and community organisations with equal balance between the two. The Steering Committee shall at all times include a minimum of two elected members of the St Johns Wood Society.
- (g) Ward Councillors and Members of Parliament may become members of the Forum, but shall not serve as members of the Steering Committee.

## **5 Meetings of the Forum Steering Committee**

- (a) There shall be at least two Steering Committee meetings ('Steering Committee Meetings') called by the Chairperson per year, separate from the General Meetings, in order to conduct the business of the Forum. Meetings shall be notified by the Forum Secretary, and Steering Committee members shall be given at least 28 days' notice of any Steering Committee Meeting.
- (b) A quorum for any Steering Committee Meeting shall be one half of the total number of Steering Committee Members appointed at the time.
- (c) On all decisions each Steering Committee Member above shall have one vote on each resolution. All resolutions will be passed by simple majority. In the case of an equally split vote the Forum Chairperson will be entitled to exercise a second and casting vote.
- (d) All Steering Committee Meetings shall be open to attendance by any Forum member who shall not be permitted to vote, speak or intervene except by consent of the Chairperson.
- (e) The Steering Committee reserves the right to exclude observers where a majority of the Steering Committee members present deem this as necessary for the effective conduct of the business of the meeting.
- (f) Sub-committees may be appointed by the Steering Committee. Such bodies may be appointed from within or outside the membership of the Forum but shall be responsible to the Steering Committee. Sub-clauses (i), (j), (k) and (l) of this Clause shall apply to any such sub-committee and the Steering Committee may make such other rules as it sees fit as to the conduct of the meetings of each sub-committee.
- (g) Decisions of the Steering Committee shall be minuted and published by the Forum to all members. This may include the posting of notices, the use of a website, email and other electronic methods.

- (h) In the event that any member of the Steering Committee fails to attend two consecutive meetings of the Committee, the Steering Committee may resolve to remove such person from the Steering Committee.
- (i) Members of the Steering Committee will be required to exercise impartial and independent judgement in their decision making.
- (j) Members of the Steering Committee (or members of a sub-committee) are required to identify and consider any personal, financial or pecuniary interests and potential conflicts that have arisen, or may arise in the future, and notify the other members as soon as is practicably possible.
- (k) Any declared conflict should be noted in the minutes and will be recorded in a register of interests.
- (l) The concerned member shall not be counted in the decision making process for quorum or voting purposes. The concerned member shall also be excluded from the receipt of documents, discussions and information relating to the same.

## **6 General Meetings**

- (a) The full Forum shall hold at least two General Meetings called by the Chairperson in each year, of which one shall be an Annual General Meeting. Meetings shall be notified by the Forum Secretary, and Members shall be given at least 28 days' notice of any General Meeting. More General Meetings shall be called by the Chairperson as necessary to manage the business of the Forum.
- (b) At least 21 members must be present at the start of the meeting for it to be declared quorate. Absence of any members or failure for members to receive notice of a General Meeting does not invalidate the proceedings at the meeting.
- (c) At each meeting, the Steering Committee shall report on progress and any other matters which it considers appropriate.
- (d) The Annual General Meeting shall also be for the purpose of:
  - (i) receiving and adopting the Accounts for the previous financial year;
  - (ii) receiving the Report of the Steering Committee for the year;
  - (iii) electing the Steering Committee Members and Officers;
  - (iv) any other business included in the Notice convening the meeting;
  - v) consider any other motions of which notice has been given to the Forum Secretary pursuant to clause 9(e) below.
- (e) Any Forum member wishing to propose a motion at a General Meeting must first submit the proposed motion to the Secretary no less than 28 days prior to the date of the relevant General Meeting, for approval by the Steering Committee. The Steering Committee may decide in its absolute discretion, whether to include such proposed motion in the Agenda for the meeting.

## **7 Votes of Members**

- (a) Decisions of the full Forum shall be by simple majority by way of show of hands. Each Forum member who is present in person shall have one vote. In the case of businesses or other organisations which are members, only the person so nominated may vote on their behalf. No proxies are permitted.

- (b) A declaration by the Chairperson of the meeting that a resolution has been carried or not carried shall be conclusive.
- (c) All questions shall be determined by a simple majority of those present and voting, except for the following which shall require a majority of 75% of those present and voting:
  - (i) the approval, and any subsequent amendment, of this constitution
  - (ii) the approval of the Neighbourhood Plan and any Development Orders
  - (iii) any modification to the Area
  - (iv) the allocation of Community Investment Levy funds made available to the Forum's discretion
- (d) In case of equality of votes at any General Meeting, the Chairperson of the meeting will be entitled to a second and casting vote.

## **8 The Secretary**

- (a) The Secretary shall be responsible for all secretarial matters relating to the Forum, including the records of membership of the Forum, the despatch of notices of General Meetings and Steering Committee Meeting, and the keeping of minutes of meetings of the Forum and of the Committee and any sub-committee.
- (b) The Secretary shall keep a Register of the Interests of members of the Committee.

## **9 Forum Finances**

- (a) The Treasurer will establish a bank account and hold funds in the name of the Forum. The account will require two bank signatories, one of whom shall be the Treasurer and the other either the Chairperson or Vice-Chairperson.
- (b) The Forum may raise funds for its activities by one or more of the following methods as considered appropriate by the Steering Committee;
  - (i) A subscription or single contribution may be raised from the Forum members for such sum or sums as shall be recommended from time to time by the Steering Committee and approved at a full Forum Meeting. Any such subscription or contribution shall be entirely voluntary and non-payment shall not affect any membership of the Forum.
  - (ii) Fundraising and submitting applications to grant awarding bodies for appropriate funds or support
  - (iii) Working in partnership with organisations which have funds to spend in the Area to support the Forum
  - (iv) By all other means that are in keeping with the role of the Forum and which are to be spent on its activities.
- (c) The Steering Committee shall where necessary insure any assets it holds, and by insurance or otherwise indemnify its Officers against liabilities arising from their work for the Forum, but save as aforesaid, no Officer or other member of the Steering Committee of Forum shall receive any remuneration for services provided to the Forum.

- (d) The Forum may co-operate with the other neighbourhood forums, amenity associations, voluntary bodies, businesses and statutory authorities and exchange information and advice with them.

## **10 Use of the Community Infrastructure Levy**

- (a) The Community Infrastructure Levy (CIL) is a planning charge, introduced by the Planning Act 2008, as a tool for local authorities in England and Wales to help deliver infrastructure to support the development of their area. Once designated as a collecting authority, a local authority becomes entitled to assess this levy upon developers for developments comprising one or more residential or new build floor space of more than 100 square metres.
- (b) The City of Westminster is developing a CIL for Westminster and has submitted a draft charging schedule to the Planning Inspectorate for examination. Once designated, the City of Westminster will publish guidelines for designated Neighbourhoods to apply to recommend application of the CIL funding for projects which have been identified within their approved Neighbourhood Plans. These guidelines will establish the availability of the CIL to local Neighbourhoods and how proposals for use by the local Neighbourhoods will be administered and processed.
- (c) Once the City of Westminster publishes their guidelines, the Steering Committee shall be responsible to administer the activities of the Forum to review proposals from members for using available CIL to implement projects that were approved in the Neighbourhood Plan. All such proposals shall be submitted in accordance with clause 6(e) of this Constitution and determined by vote under clause 7 of this Constitution.

## **11 Expenses of administration and applications of funds**

- (a) The Steering Committee shall out of the funds of the Forum pay all proper expenses of administration and management of the Forum. After the payment of the administration and management expenses, and the setting aside to reserve of such sums as may be deemed expedient, the remaining funds of the Forum may be applied by the Steering Committee in furtherance of the purposes of the Forum.
- (b) The Forum Treasurer shall keep account of all monies received by and expended on behalf of the Forum and shall prepare accounts annually. These shall show the income and expenditure for the year and a balance sheet of assets and liabilities at the end of the year and shall be presented at the Annual General Meeting for adoption by the Forum.

## **12 Dissolution**

- (a) The Forum may be dissolved by a 75% majority of the Forum members present and voting at a General Meeting or Annual General Meeting provided that 28 days' notice of the proposed dissolution shall have been given to the Forum members.
- (b) If upon the dissolution of the Forum there remains, after satisfaction of all its debts and liabilities, any property whatsoever, the same shall not be paid or distributed among the members of the Forum but shall be given or transferred to local community based organisations nominated by the Steering Committee.

- (c) In accordance with the Localism Act 2011, a formal review of the functions and achievements of the Forum shall be carried out five years after its formal designation by Westminster Council. Following such review, and consultation with its members, the Forum may decide to continue, amend or dissolve itself as considered appropriate.