

Annex 4

**DRAFT CONSTITUTION**

## 1 Name and Area of Benefit

- 1.1 The name of the neighbourhood forum shall be Malden Rushett Community ("the Forum").
- 1.2 The area in which the Forum will pursue its objects is the Malden Rushett Neighbourhood Area ("Forum Area"), as shown on the map in Appendix 1: Malden Rushett Neighbourhood Area.
- 1.3 The Forum shall have a Financial Year end of 31st March, and shall exist for a fixed term of five years.

## 2 Purpose, Objects and Powers

- 2.1 The purpose of the Forum is
  - a) to promote and improve the social, economic and environmental well-being of the Forum Area, for the benefit of individuals living and working within the Forum Area and local business organisations;
  - b) to engage in the planning of the neighbourhood throughout the Forum Area as provided for in the Localism Act 2011; and
  - c) to produce a neighbourhood development plan ("Development Plan") for the Forum Area.
- 2.2 The Development Plan shall set out policies for the development and use of land within the Forum Area; and shall:
  - a) be in general conformity with the London Plan and the emerging Local Plan;
  - b) have regard to national planning policy and guidance;
  - c) not breach and be compatible with EU obligations, the Human Rights Act and other relevant legislation;

- d) identify suitable locations for potential development that will not entail any significant loss of local assets or amenities, such as local biodiversity, green spaces and trees;
- e) ensure all development respects and enhances the character of the Forum Area;
- f) contribute to the achievement of sustainable development, including but not limited to renewable and green energy, cycling, walking and public transport;
- g) pay due attention to carbon reduction and climate legislation;
- h) pay due attention to the surface and underground water environment, flood risks, pollution risks, and soil stability;
- l) provide for the preservation and improvement of private and public open space;
- j) express aspirations for the future development of traffic and public transport serving or passing through the Forum Area; and
- k) guide the Planning and Highway Authorities towards improvements in the public realm.

2.3 The Objects of The Forum shall be limited to:

- a) monitoring planning applications in the Forum Area;
- b) initiating Neighbourhood Development Orders and Community Right to Build Orders;
- c) identifying Assets of Community Value as defined in the Localism Act 2011;
- d) involving and informing the community of any development related activity or consultations in the Forum area or outside it if it is expected they will affect the Forum area; and
- e) any other matters pursuant with the purposes of the Forum, which may

from time to time be desirable.

- 2.4 In furtherance of its objects, but not otherwise, the Forum may exercise the power to:
- a) invite and receive contributions and raise funds where appropriate, to finance the work of the Forum, and to open a bank account to manage such funds;
  - b) publicise and promote the work of the Forum and organise meetings, training courses, events or seminars etc.;
  - c) work with groups of a similar nature and exchange information, advice and knowledge with them, including cooperation with other voluntary bodies, charities, statutory and non-statutory organisations;
  - d) engage consultants, as are necessary to conduct activities to meet the objects of the Forum; and
  - e) take any form of action that is lawful, which is necessary to achieve the objects of the Forum, including taking out any contracts which it may see fit.

### 3 Membership

- 3.1 The following individuals shall be eligible to become Members of the Forum ("Members");
- a) individuals aged 18 and over who reside or work in the Forum Area; councillors representing wards included wholly or partly within the Forum Area;
  - b) all businesses, institutions and validly constituted voluntary groups in the Forum Area may nominate a representative.
- 3.2 In determining eligibility for membership, the Forum shall respect all differences

including gender, age, ethnicity, religion, sexual orientation, disability and income.

- 3.3 Individuals eligible for membership under more than one category listed at 3.1 shall only be able to exercise one vote.
- 3.4 The following shall be entitled to become Associates of the Forum (“Associates”);
- a) those aged under 18 residing or working in the Forum Area; and
  - b) those aged 18 or over not residing or working in the Forum Area.
- 3.5 Associates may attend and contribute to Forum activities but they shall not be entitled to vote or to stand for selection.
- 3.6 Applications to join the Forum can be made from eligible individuals
- a) by scanning a QR code on the Forum's publicity material;
  - b) by registering on the Forum's website; or
  - c) by completing and returning a membership form as directed.
- 3.7 Applications to resign from the Forum should be submitted in writing to the Membership Secretary.
- 3.8 The Forum shall have a minimum of 21 members before any decision on neighbourhood planning may be made.
- 3.9 The Forum may request a voluntary donation for each Financial Year which may be used to cover costs such as postage, printing, and stationery incurred in promoting the Objects of The Forum.

## 4 Governance Principles

4.1 The Forum's governance is based on the principles of sociocracy. *[add link to Operations Manual]*

### 4.2 **Consent**

- a) Policy decisions are made by consent, including selection of people for circle roles;
- b) Consent is defined as having no reasoned objections. A reasoned objection is
  - i) any policy or proposal that will interfere with the Forum's ability to accomplish its Objects as defined in clauses 2.1, 2.2 and 2.3;
  - ii) conflicts with any other appropriate acceptance criteria determined by the Forum;
- c) Personal preferences are not a basis for objection.

### 4.3 **Circles**

- a) The Forum's organizational structure consists of semi-autonomous circles where each Circle has a purpose ("aim") and area of responsibility ("domain");
- b) Circles are responsible for making decisions about the policies, operations, and budget of their domain;
- c) Circles define their domains with affirmation and coordination by their parent circle;
- d) Circles are classified as follows:
  - i) The **General Circle** assigns the operational work and policy making of the Forum to Sector Circles.
  - ii) **Sector Circles** are the primary set of circles that divide up the entire work of the Forum.

- iii) **Project sub-circles** are circles that are created by a broader circle to focus on a particular portion of the broader circle's aim and have a specific domain of responsibility.
- iv) The **Members Circle** is the broadest circle containing all Members and Associates of the Forum.
- e) Each circle shall establish its own written policy that defines a quorum for conducting business and its procedures for obtaining consent from absent members.
- f) Each circle shall maintain a logbook accessible to the full community that includes but is not limited to
  - i) the circle's aim and domain, members, role descriptions, policy decisions and meeting minutes; and
  - ii) any other documents that record the circle's activities and plans.

#### 4.4 **Double linking**

- a) Sector circles are double linked to the General Circle to form a circular hierarchy that functions as a feedback loop;
- b) Individuals acting as links function as full members in the decision-making of both their own circles and the linked circle.

4.5 The specific pattern for the Forum is shown in the Appendix 2: Organizational Structure.

## 5 Management

- 5.1 The Forum shall be administered by the General Circle ("Administration Circle").
- 5.2 The Administration Circle comprises
  - a) up to 6 coordinators selected by the Members Circle;

- b) one representative from each Sector Circle selected by members of the circle.
- 5.3 The Administration Circle shall consist of at least 3 members and at most 9 members subject to the following provisions
- a) a majority shall be residents of the Forum Area;
  - b) the total representatives of any one local business or local organisation shall not exceed one third of Administration Circle.
- 5.4 Members can nominate themselves or any other Member to become a coordinator.
- 5.5 Coordinators are selected by consent by Members at AGMs or when vacancies exist.
- 5.6 Coordinators shall serve for a term of one year and shall be subject to re-election at each AGM. There will be no limit to the number of terms a member may serve.
- 5.7 The Administration Circle is responsible for:
- a) making policies in any areas not otherwise delegated to Sector Circles supporting long term planning & visioning for the Forum;
  - b) ensuring that the activities of The Forum are fully compliant with the Purpose and Objects of the Forum;
  - c) promoting the purpose and activities of The Forum to all residents and businesses in the Forum Area; and
  - d) determining appropriate operational roles for its coordinators.



## 6 Circle Roles

- 6.1 The **Coordinator of General Circle** is a full working member of the Administration Circle and is responsible for:
- a) supporting and encouraging Sector Circle coordinators to lead their circles to accomplish the circles' aims;
  - b) ensuring that appropriate notices are sent in advance of meetings;
  - c) ensuring that minutes are kept and that the Forum's log keeping is effective and accessible to Members.
- 6.2 A **Finance coordinator** is a full working member of the Administration Circle and is responsible for:
- a) managing The Forum's finances;
  - b) drawing up accounts within two months of the end of each financial year; and
  - c) reporting to the AGM on The Forum's accounts.
- 6.3 A **Membership coordinator** is a full working member of the Administration Circle and is responsible for:
- a) maintaining a register of Members and Associates;
  - b) ensuring access to all decision making for members without Internet access; and
  - c) keeping a Register of coordinators' interests detailing any financial interests in the Area or any other interests which could have an influence on decisions likely to come before the Administration Circle.
- 6.4 Sector Circle **Coordinator**
- a) The role of the coordinator is to coordinate the work of the circle.

- b) The coordinator is a full working member of both the Sector Circle and the Administration Circle and reports the decisions made by the Administration Circle.

6.5 Sector Circle **Representative**

- a) The role of the representative is to communicate the interests, concerns, and activities in the domain of their circle to the Administration Circle.
- b) The representative is a full working member of both the circle and the Administration Circle.
- c) The representative serves as a second link between the circle and the Administration Circle.
- d) A representative is selected by the members of the circle

6.6 **Facilitator**

- a) The role of the Facilitator is to conduct circle meetings, and to support listening and mutual understanding.
- b) The facilitator ensures that the circle is functioning based on the principles and methods of sociocracy.
- c) A facilitator is selected by the members of the circle.

6.4 A circle may delegate other specific responsibilities, operational roles, tasks and authority to any circle member to be carried out autonomously within the limits set by the circle.

6.5 Roles may be shared or combined as appropriate providing that the coordinator and representative of a Sector circle are separate individuals.

## 7 Meetings

- 7.1 All meetings and activities may be held either in person, remotely or in hybrid format and may be conducted synchronously or asynchronously.
- 7.2 An Annual General Meeting ("AGM") shall be held within three months of the close of each financial year of the Forum to deal with the following;
- a) the receipt of the accounts and of the reports of the Administration Circle;
  - b) the selection of members to the Administration Circle; and
  - c) any other issues which the Administration Circle think appropriate.
- 7.3 A General Meeting for the Members Circle may be called by decision of the Administration Circle.
- 7.4 An Extraordinary General Meeting ("EGM") may be called by a minimum of 10 current Members applying to the Membership Secretary and must be held within 30 days of receipt of the application.
- 7.5 For all General Meetings, a notice of the meeting and details of any resolutions to be put to it
- a) shall be published at least 7 days before the meeting on The Forum's website; and
  - b) notices to Members shall be delivered to each Member's last notified email address or (where no email address is given) delivered to the Member's last notified postal address.
- 7.6 Any Member may propose a resolution for a General Meeting by submitting it to the Administration Circle for consideration and scheduling.
- 7.7 All resolutions put to the Members Circle shall be decided by consent, unless indicated otherwise within this constitution.
- 7.8 A minimum period of 7 days from the date of a General Meeting shall be

available for Members to support or to register a reasoned objection to a resolution.

- 7.9 A resolution shall be adopted if
- a) no objections have been raised or all objections have been resolved; and
  - b) the resolution has been supported by at least 10 Members.
- 7.10 Meetings of the Administration Circle shall appoint the following officers from their number.

## 8 Finance

- 8.1 The Forum shall have the power to raise funds as necessary for its activities, by grant, donation or any other appropriate means, but not by borrowing.
- 8.2 The Finance coordinator shall open at least one bank account as necessary in the name of The Forum. All funds raised for The Forum will be held in such accounts.
- 8.3 The Administration Circle shall nominate a minimum of three and a maximum of five signatories for each bank account at all times.
- 8.4 One of the nominated signatories of each bank account shall be the Finance coordinator.
- 8.5 The signatures of two co-ordinators shall be required to authorise all withdrawals.
- 8.6 The withdrawal of sums greater than £500 shall require Administration Circle approval.
- 8.7 The Administration Circle shall, where appropriate, insure any assets it holds, and by insurance or otherwise indemnify its officers against liabilities arising from their work for The Forum.

## 9 Conflicts of interest

- 9.1 Members shall notify the Membership Secretary of any financial or beneficial interest that could influence their decisions in respect of matters that have or may come before the Forum (“a Relevant Interest”).
- 9.2 A private residence shall not constitute a Relevant Interest.
- 9.3 If any coordinator has a Relevant Interest he or she shall notify the Administration Circle and abstain from voting on relevant matters.
- 9.4 At AGMs, Forum members should declare pecuniary, beneficial or conflict of interests.
- 9.5 Any coordinator found not to have complied with 9.1 and 9.3 may be barred from further participation in The Forum.

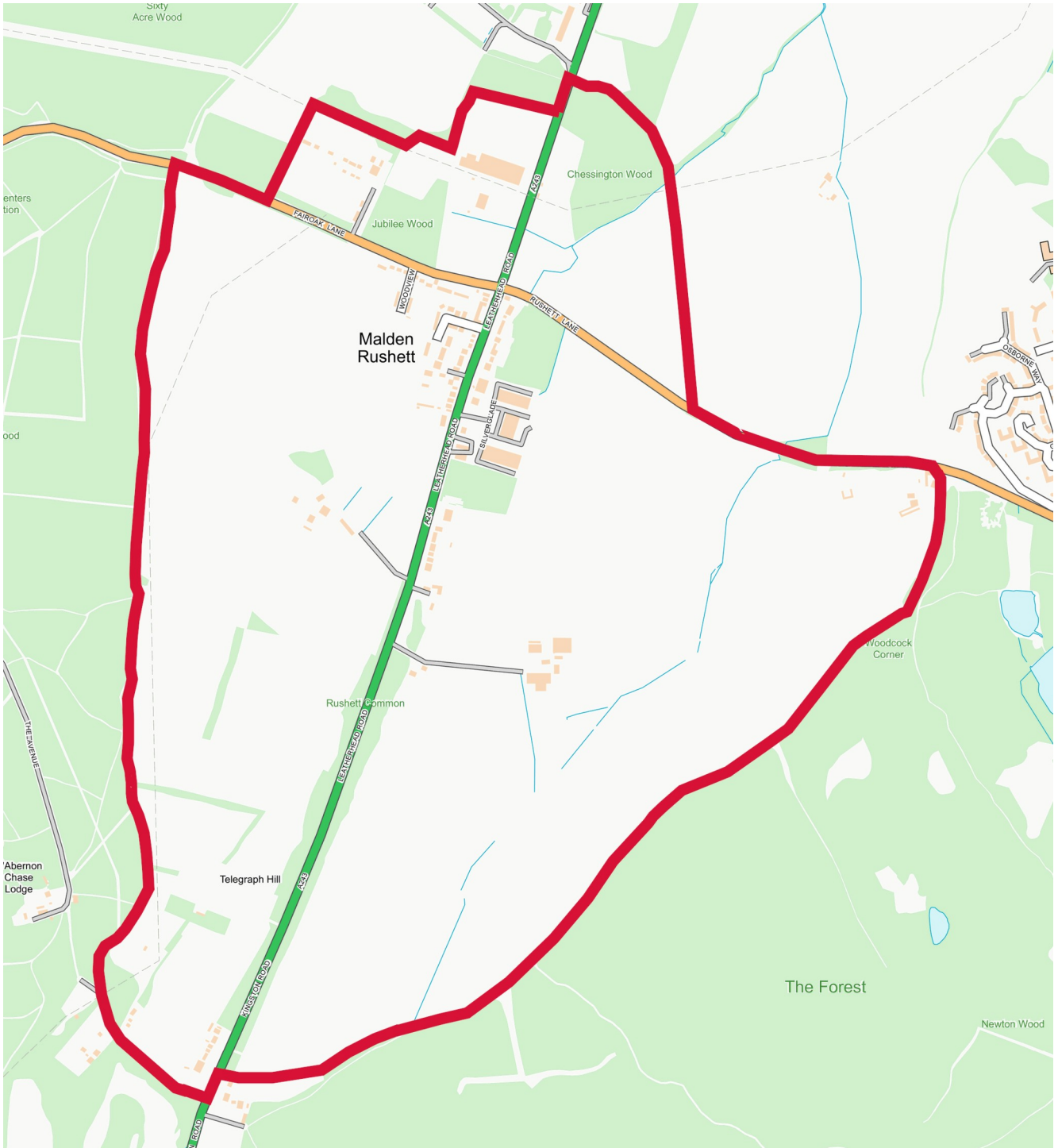
## 10 Neighbourhood Planning

- 10.1 The Administration Circle shall use reasonable endeavours to ensure there is extensive consultation on the Development Plan among those eligible to be Members of the Forum.
- 10.2 All key decisions pertaining to the scope and content of the Development Plan shall be made by the Members Circle.
- 10.3 The Development Plan shall be submitted to the relevant authorities following a majority vote of Members. The voting quorum shall be a minimum of twenty-one (21) members.
- 10.4 The Forum shall maintain an evidence base of all its activities to demonstrate transparency through all stages of the neighbourhood planning process.
- 10.5 The Forum shall provide an online digital hub to coordinate the Forum's activities and to facilitate community participation.

## 11 Alteration of the constitution

- 11.1 Amendments to this Constitution shall be valid if submitted in writing to the Administration Circle and supported by at least half of the full membership.
- 11.2 The Forum may be dissolved before the end of its five-year term if supported by at least two-thirds of the full Membership.
- 11.3 At the end of The Forum's five-year term, and following appropriate review and consultation, Members shall vote on whether to continue, amend, or dissolve The Forum.
- 11.4 In the event of dissolution, the Administration Circle shall allocate any property or funds held by The Forum to one or more organisations set up to continue the work of The Forum or existing local not-for-profit organisations.

APPENDIX 1: Malden Rushett Neighbourhood Area



APPENDIX 2: Organizational Structure.





Note:

Downloaded: 9<sup>th</sup> November 2021.

An up to date "live" version of this draft Constitution is available on the Forum website.

References:

North Kingston Forum

Thorpe Neighbourhood Forum

Ottershaw Neighbourhood Forum

Englefield Green Village Forum