

APPENDIX 2:

CONSTITUTION OF THE NORTHENDEN NEIGHBOURHOOD FORUM

1. NAME

The organisation shall be called "Northenden Neighbourhood Forum" and referred to hereafter as "The Forum".

2. OBJECTS

The Forum is established within the terms of the Localism Act 2011 to consider and exercise rights conferred under the Act, in addition to undertaking other activities outlined below for the public benefit in Northenden Neighbourhood Area, the boundaries of which are specified in the attached map (Appendix1), and which area is hereinafter referred to as the "area of benefit" for the following purposes:-

- a)** Overall, the Forum is established for the express purpose of promoting and contributing to the improvement and sustainability of the social/cultural, economic and environmental well-being of the area of benefit.
- b)** To protect and preserve and stimulate public interest in the area of benefit.
- c)** To promote high standards of town planning and architecture in the area of benefit.
- d)** To secure the preservation, conservation, development and improvement of features of general public amenity or of historic or public interest in the area of benefit.
- e)** To monitor and express views on any issues of planning and development in the area of benefit.
- f)** To take an active interest in supporting and promoting such concerns as above which lie in neighbouring areas and which may impact on the area of benefit.
- g)** To recognise that members belong to many political parties and none and to conduct all business in a non partisan, apolitical manner and ensure, through the direction of the Executive Committee, that meetings are conducted in this manner and that members observe this stricture in their own conduct in meetings.
- h)** That members represent views at meetings to accord with the Forum's objectives as opposed to personal objectives and identify any such personal interest which they could be perceived as motive for bias, particularly, but not entirely, a financial or commercial interest.

In furtherance of the said purposes but not otherwise, the Forum, through its Committee, shall have the following powers:

- i.** To act as a co-coordinating body and to co-operate with the local authority, planning committees, sanitary, drainage, environmental and all other local and statutory authorities; voluntary organisations and charities and persons having aims similar to that of the Forum.
- ii.** To support the sustainable development of the commercial elements in the area of benefit including, but not exclusively, Palatine Road, Church Road, and Longley Lane and the Sharston Industrial Estate, as a destination (as appropriate) for retail, industry, socialising, culture, health, wellbeing, creativity and learning so that the mix will not only include shops but also other social, commercial and cultural enterprises and meeting places so that they increasingly become places where residents and visitors can go to engage with other people in our community and where there are a variety of reasons to visit.
- iii.** To promote and support measures to provide the necessary transport links and adequate parking provision to support and improve the sustainability of all enterprises in the commercial areas and the interests of all residents.
- iv.** To promote and support the development of abandoned sites and buildings for the civic benefit.
- v.** To promote and support the improvement of the aesthetic environment in all its forms.

- vi. To promote or assist in promoting activities in the area of benefit to enrich the cultural and artistic life of residents.
- vii. To encourage the City Council to issue a public register of commercial (excluding residential) landlords
- viii. To hold meetings, lectures and exhibitions; educate public opinion and to give advice and information.
- ix. To make surveys and prepare maps and plans and collect information in relation to any place, erection, or building of beauty or historic interest within the area of benefit.
- x. To promote research and to publish the results of any such research and to publish and distribute papers, reports and other literature;

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- xi. To develop and maintain an up to date, attractive and informative website and to develop any method which enhances communication with members, adjacent community organisations, and the wider media where appropriate in furtherance of the above objectives.
- xii. To raise funds and seek to cover its expenses in furtherance of the above objectives in any lawful way by seeking Government and Local Authority grants, statutory contributions to expenses, charitable grants, donations from members of the public or from businesses, and by fundraising activities, but not permanent trading.
Such funds shall be accounted for annually, and donations above the amount of £100 by businesses or individuals with a commercial interest in the area of benefit, or philanthropic motivation, will be declared under section 4 of this constitution.
- xiii. To take and accept any gifts of property, whether subject to any special trusts or not.
- xiv. To sell, let, mortgage, dispose of or turn to account all or any of the property or funds of the Forum as shall be necessary.
- xv. To borrow or raise money for the purposes of the Forum on such terms and on such security as the Executive Committee shall think fit, but so that the liability of the individual members of the Forum shall in no case extend beyond the amount of their Forum's funds.
- xvi. Where appropriate, necessary and possible, to acquire and hold land or property of local significance in line with the provisions of the Localism Act 2011
- xvii. To do all such other things as are necessary for the attainment of the said purposes.

3. MEMBERSHIP / VOTING

- a) **To qualify for membership:** Membership shall be open to all persons of 16 years of age and above who reside within the boundaries outlined on the attached map and all who wholly work within the said boundaries or represent the electoral wards within the area including the MP and MEPs of the constituency wherein the boundaries lie. Under the Act no membership fee can be charged.
- b) **Qualified individuals will become members of the Forum if** they indicate in writing that they wish to become members at any Forum public meetings or by contacting the Forum via its website or otherwise in writing. A list of all members shall be kept by the Membership Secretary and Secretary who will be allowed to use the members' names and contact details for the purposes of the organisation. The list of members shall be reviewed biennially. Those wishing to resign from formal membership may do so in writing to the Secretary.
- c) All such members may speak, propose second and vote at any meeting. All votes will be decided by a simple majority, first past the post system. Each member has only one vote per item.
- d) **Corporate membership:** in addition to employees of businesses within the boundaries, one representative of a company or business as a corporate body may act as one member at all general meetings.
- e) In addition, the Forum welcomes as visitors any individual with an interest in the area of benefit, by virtue of family connection, near-by residence, sentiment, professional concern, or other reason. The Act and this constitution does not give such visitors proposing, seconding or voting rights but may be invited to speak by the Chair.

4. MEETINGS

Conduct of Meetings/Proposals

- a). **Business** and conduct of meetings by officers and members must be in compliance with '2. OBJECTS ' above.
- b) Proposals must have a proposer and a seconder and must be voted on. The proposer and seconder must be in attendance.
- c) When a proposal is made and seconded the chair will indicate the speaking parameters. The chair reserves the right to restrict the amount of time(s) and for how long members can speak on any issue.
- d) Any amendment must be voted on first.
- e) In the case of any required decision regarding any procedure which is not evidently covered in this Constitution the Chair will alone decide on how to proceed and the Committee will discuss at their next meeting whether there needs to be an appropriate amendment to the constitution to be put at the following AGM.

Proxies

- a) A member is entitled to appoint another person as their proxy to exercise all or any of their rights to attend and speak and vote at a meeting of the Forum on a specified proposal. A proxy must vote in accordance with any instructions given by the member by whom the proxy is appointed on that specific proposal.
- b) Unless a Proxy Notice indicates otherwise, it must be treated as allowing the person appointed under it as a proxy discretion as to how to vote on any other ancillary or procedural resolutions put to the meeting on that specific occasion..
- c) A proxy can only be appointed to vote on proposals published beforehand by email or website.

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- d) Proxies may only validly be appointed by a notice in writing (a "Proxy Notice") which: states the name and address of the member appointing the proxy; identifies the person appointed to be that member's proxy and the specific general meeting in relation to which that person is appointed; is signed by the member appointing the proxy; is delivered to the Forum in accordance with the any instructions contained in the notice of general meeting to which they relate.
- e) In the case of a Proxy Notice appointing the Chair as proxy then the Proxy Notice must indicate how the Chair as proxy is to vote on all resolutions.
- f) A Proxy Notice meant for the Chair must be delivered to the Chair before the start of any meeting.
- g) Proxy votes on specific issues for a general meeting which have been specified by email or website may be sent to a Proxy Address specified in the email or website.
- h) A Proxy Notice must be received at a Proxy Notification Address not less than 48 hours before the general meeting to which it relates to be sure of collection and sent to a proxy address only when notified that for the specific meeting or issue there is voting via a Proxy address.
- i) The Chair with the agreement of one other officer may make whatever arrangements they consider appropriate to enable those attending AGMs and ordinary general meetings to exercise their rights to vote at it including what they view as an appropriate use of voting on the website.

Written Proposals

- a) A written proposal can be a document sent or supplied in hard copy form and is sufficiently authenticated if it is signed by the person sending or supplying it; and a document sent or supplied in electronic form is sufficiently authenticated if the identity of the sender is confirmed in a manner specified by the Forum or where no such manner has been specified by the Forum, if the communication contains or is accompanied by a statement of the identity of the sender and the Forum has no reason to doubt the truth of that statement.
- b) Written proposals must be received by the Chair one week before a General Meeting and four weeks before an AGM.
- c) Proposals made on the floor without previous notification can only be raised under the appropriate agenda heading and if there is any opposition the chair is authorised to judge whether

there is sufficient time at that meeting for appropriate discussion given the remaining agenda and time constraint. If there is no such time then the proposal is included on the agenda in a place on the agenda to give suitable time for it to be concluded and voted on.

d) If the Forum gives an electronic address in any document containing or accompanying a written resolution, it will be deemed to have agreed that any document or information relating to that resolution may be sent by electronic means to that address (subject to any conditions or limitations specified in the document).

Methods of communication Any document or information (including any notice, report or accounts) sent or supplied by the Forum may be sent or supplied in any legal way by the Forum, including without limitation: in hard copy form; in electronic form; or by making it available on a website.

Where any Document or information is sent or supplied by the Forum to the members: where it is sent by post it is deemed to have been received 48 hours (including Saturdays, Sundays, and Public Holidays) after it was posted; where it is sent or supplied by Electronic Means, it is deemed to have been received on the same day that it was sent; where it is sent or supplied by means of a website, it is deemed to have been received when the material was first made available on the website.

An Annual General Meeting

This will be convened annually following the date of the inaugural AGM

- i.** To receive the Executive Committee's written report and audited accounts in respect of the previous twelve months;
- ii.** To elect officers and members of the Executive Committee to serve until the next Annual General Meeting;
- iii.** To appoint two independent examiners to examine the Forum's accounts for the following year;
- iv.** To decide upon any resolution submitted to the meeting, in accordance with the Constitution.

Special General Meetings shall be held at the written request of the Forum representing not fewer than 14 members, or five officers /committee members which must include three officers. Not less than fourteen days notice shall be given of a Special General Meeting and of its agenda. Members representing at least 14 votes personally present shall constitute a quorum for all General Meetings. Resolutions shall be decided by a simple majority of those present voting; in the event of equality of voting the Chairman shall have a second or casting vote.

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Ordinary Meetings will be held once a month except, if appropriate, in August and December. A meeting may be cancelled in extraordinary circumstances as defined by the Chairman with the approval of two other officers. Two consecutive meetings may not be cancelled.

Declarations of Interest. All those who participate in meetings, by speaking or voting, should declare their grounds of membership (or status as visitor) when signing in at meetings. During the meeting members must declare any personal interest other than promoting the Forum's objectives when speaking or voting on any issue: other interests such as family involvement or financial or business related interests. Members with a formal interest in any decision may not, in line with Government regulations, vote on the issue.

5. OFFICERS AND EXECUTIVE COMMITTEE

The officers of the Forum shall consist of: Chair; Vice-Chair; Hon. Secretary; Hon. Treasurer. Outgoing officers shall be eligible for re-election.

A President and Vice-Presidents may also be elected at a General Meeting of the Forum, for periods to be decided at such a meeting though they may only vote if they qualify as a member under Part 3.

The Executive Committee shall have the power to fill vacancies occurring among the officers of the Forum between Annual General Meetings.

The Executive Committee shall consist of the officers together with not more than ten other elected members. Amongst the ten The Forum looks for committee members who volunteer for such positions as Fund Raising Coordinator, Membership Secretary, Newsletter Editor, Planning Coordinator, Conservation Area member, Social/cultural member Environmental Areas member and Website/communications Manager. Other responsibilities may be designated at the meeting

Election of Officers and Executive Committee Members:

Officers and committee members must be Forum members. Nominations for election of officers and members to the Executive Committee shall be made in accordance with Rules 3 and 4(ii) and in writing before or by nomination from the floor at the Annual General Meeting. Such nominations shall be supported by a seconder and the consent of the proposed nominee must first have been obtained. Proposed officers and committee members must be present at the AGM with the exception of members who have notified an officer of their apologies by email or in writing. The proposed Hon.Secretary must be computer literate. If the nominations exceed the number of vacancies a ballot shall take place in such manner as shall be determined by the Chair, with each member present having one vote per vacancy. Outgoing members shall be eligible for re-election. The election of officers shall be completed before the election of further committee members, and newly elected officers shall assume office immediately upon election.

6. DUTIES OF THE COMMITTEE.

The Executive Committee shall be responsible for the management and administration of the Northenden Neighbourhood Forum. The Executive Committee shall have power to take decisions specified in this constitution on behalf of the Forum, to administer the funds of the Forum, and such other powers as are contained in this Constitution. The Executive Committee shall be responsible for the protection of such rights as the Forum acquires under the terms of the law of copyright for the time being.

The Executive Committee shall have power to create, regulate and dissolve such subordinate sub-committees and working groups from time to time as shall be considered necessary for such purposes as shall be thought fit.

The President and Vice-Presidents may attend any meeting of the Executive Committee. In the event of equality in votes cast at meetings of the Committee the Chairman shall have a second or casting vote

The Executive Committee shall meet not less than six times a year at intervals of not more than three months and the Chair or whomsoever the Chair appoints shall give all members of the Executive not less than seven days' notice of each meeting with a proposed agenda. However, the Executive Committee can meet at any additional time with the approval of at least three of the four officers and the same notice and agenda must be given. A quorum for such a meeting is five including two officers.

The same procedural notice should be followed before General Meetings: i.e. proposed agendas for General Meetings should be circulated to the Committee by the Chair, or whomsoever the Chair appoints, not less than one week before the General Meeting.

7. WORKING PARTIES

The Convener and Recorder of each working party shall be appointed by the Executive Committee, at any General Meeting. All actions and proceedings of each working party shall be reported to the general meetings as and when appropriate. Members of the Executive Committee may be members

of any working party. Membership of a working party shall be no bar to election or co-option to the Executive Committee.

8. APPLICATION OF FUNDS

All monies received by the Forum shall be paid into an account of the Northenden Neighbourhood Forum at bankers approved by the Executive Committee and cheques drawn upon its bankers must be signed by at least two officers. The financial year of the Forum shall end on the last day of the month of December.

The Executive Committee shall, out of the funds of the Forum, pay all proper expenses of administration and management of the Forum. After the payment of such expenses and the setting aside to reserve of such sums as may be deemed expedient, the remaining funds shall be applied by the Executive Committee in furtherance of the purposes of the Forum. No action involving expenditure in the name of the Forum shall be taken and no undertaking that will commit the Forum to expenditure shall be made without the prior agreement of the Executive Committee. The Honorary Treasurer shall be the executive officer in the financial transactions and keeping of accounts.

9. INVESTMENT

All monies at any time belonging to the Forum and not required for immediate application for its purposes shall be invested by the Executive Committee in the name of the Forum in such investments, securities or property as it may think fit, subject nevertheless to such authority, approval or consent whether by the Charity Commissioners or as may for the time being be required by law or by the special trusts affecting any property in the hands of the Executive Committee. The Honorary Treasurer shall be the executive officer in such negotiations.

10. TRUSTEES

Any freehold and leasehold property acquired by the Forum shall be, and if the Executive Committee so directs any other property belonging to the Society may be vested in trustees who shall deal with such property as the Executive Committee may direct. Any trustees shall be at least three in number or a trust corporation. The power of appointment of new trustees shall be vested in the Executive Committee. At least one trustee must be a member of the Forum. The Honorary Secretary shall from time to time notify the trustees in writing of any amendment hereto and the trustees shall not be bound by any such amendments in their duties unless such notice has been given. The Society shall be bound to indemnify against all expenses incurred by the trustees in their duties (including the proper charge of a Trustee being a trust corporation) and liability under such indemnity shall be a proper administration expense.

11. DISPOSAL OF FUNDS

The Forum shall not from its funds make any dividend, gift or bonus in money to or between any of its members. In the event of the dissolution of the Forum, the available funds of the Forum shall be transferred to such one or more charitable institutions having objects similar or reasonably similar to its own objects as shall be chosen by the Executive Committee and approved by the General Meeting at which the decision to dissolve the Forum is confirmed, in accordance with Rule 17 hereof.

12. INDEMNITY

Officers and members of the Executive Committee and other committees shall not be liable for any loss suffered by the Forum as a result of the discharge of their respective duties on its behalf, except such as arise from their own respective willful default, and they shall be entitled to an indemnity out of the funds of the Forum against the expense incurred by them in discharge of such duties. The

Forum shall seek insurance cover, or other provision through the Local Authority, to protect its members and officers from any action which may arise from the legitimate exercise of the functions of the Forum.

13. MINUTES

Minutes shall be recorded of all resolutions and formal proceedings of all AGMs, Special General Meetings, and Ordinary General Meetings: also at any Executive Meeting, when required by the Chairman and one other officer, and always when concerning any financial matter whatever.

14. COPYRIGHT

The Forum shall acquire the copyright of all publications and other works published by it in furtherance of the objects of the Forum, provided always that the Executive Committee may at any time permit the use without payment of any copyright in whole or in part by a member of the Society; and further provided that the Executive Committee shall have power to publish, at its discretion, material the copyright of which is retained by its author. The Honorary Secretary shall be the authorised officer to acquire copyright on behalf of the Society and shall be fully indemnified by the Society in respect of any liability for any suits claims or proceedings brought against him/her on the grounds that the work in whole or in part is an infringement of copyright or on other grounds.

15. AMENDMENTS

This Constitution may be amended by a two-thirds majority of members present at an Annual or Special General Meeting of the Society, provided that fourteen days' notice of the proposed amendment has been flagged on the home page of the Forum website, and to all members who have registered their emails with the Forum secretary; and provided that nothing herein contained shall authorise any amendment the effect of which would be to cause the Forum to cease to be a charity in law and/or contravene the Localism Act and provided that the authorising body at Manchester City Council are consulted before the amendment is implemented.

16. NOTICES

Any notice required to be given by these Rules shall be deemed to be duly given if emailed to members leaving their email with the Hon Secretary, and when the notice is also placed on the home page of the forum's website at the time to conform to requirements in this constitution.

17. WINDING UP

The Forum may be dissolved by a two-thirds majority of members voting at an Annual General Meeting of the Forum which decision must be confirmed by a simple majority of members voting at a further Special General Meeting held not less than fourteen days after the previous meeting and not more than forty-two after. If a motion for the dissolution of the Forum is to be proposed at an Annual General Meeting or a Special General Meeting this motion shall be referred to specifically when notice of the Meeting is given. On dissolution, the minute books and other records of the Society shall be deposited with a body agreed with the Manchester City Council.

Four AGMs following the inaugural AGM the Executive will decide whether to re-apply to the Manchester City Council, or anybody designated by the Government in future, to renew its designation as a Neighbourhood Forum unless a two-thirds majority of members voting at the Annual General Meeting of the Forum decide not to re-apply which decision must be confirmed by a simple majority of members voting at a further Special General Meeting held not less than fourteen days after the previous meeting and not more than forty-two after. Thereafter, the same decision

will be made at the AGM preceding the fifth year of designation. The Forum will continue to follow this or any procedure the Government determine in future.