



Birkenhead North Neighbourhood Alliance

CONSTITUTION

Adopted 27th October 2016

1) NAME AND STATUTORY STATUS

This document serves to incorporate **Birkenhead North Neighbourhood Alliance** (The Alliance) as: **1)** a civil society organisation, and **2)** a proposed 'qualifying body' for the purposes of s.61F of the *Town & Country Planning Act 1990* and s.38A of the *Planning & Compulsory Purchase Act 2004* with respect to the area defined at **Clause 3)** of this constitution.

2) OBJECT

The object of The Alliance is **to promote or improve social, economic and environmental well-being** within the area. This object shall be pursued by:

- a) Engaging with the Local Planning Authority ("LPA") and any other statutory agency, business or civil society organisation with an interest in the area, in order to collaborate for mutual benefit;
- b) Participating in neighbourhood initiatives, including Neighbourhood Management, in partnership with the LPA and any other relevant body or organisation;
- c) Preparing statutory neighbourhood planning proposals, including a Neighbourhood Development Plan for the area;
- d) Fostering the goodwill and involvement of the whole community through the equal treatment of all, regardless of age, belief, ethnicity, gender, impairment, sexual orientation or any other difference;
- e) Fostering and encouraging community spirit, unity, civic pride and listening to members of the community;
- f) Planning for the provision of decent and adaptable residential, commercial and community buildings and spaces that meet the needs of people who live or work within the area, and
- g) Working towards a more sustainable, prosperous and secure future for the area and its people.

3) DESIGNATED NEIGHBOURHOOD AREA

The designated neighbourhood area shall be defined as the area enclosed within the boundary shown on the map at **Appendix A**.

4) MEMBERSHIP

In compliance with s.61F of the *Town & Country Planning Act 1990* membership of The Alliance shall be open to:

- a) Anyone who lives within the area;
- b) Anyone who works within the area, or
- c) Anyone who has been elected to represent the area

Application for membership shall be made to the Honorary Secretary on the forms provided for this purpose. Members shall comply with the rules of The Alliance and abide by its adopted constitution. The Management Committee shall have the power to refuse, suspend or terminate memberships in cases where it considers that individual membership would be inconsistent with or detrimental to the pursuit of The Alliance's object. Any member or prospective member subject to these measures shall have the right to appeal to the Management Committee and the final decision as to the status of the member or prospective member shall be confirmed by a resolution adopted by a majority of members of The Alliance voting at a General Meeting. Any member of The Alliance may resign his/her membership by providing the Honorary Secretary with written notice. The Honorary Secretary shall actively maintain a list of members and make it available to the Management Committee upon request. Members will be deemed to have given consent for their name, address and other communication details to be used by the Management Committee to keep them informed of business and social matters relevant to the object of The Alliance and to comply with any legal requirements for the purpose of statutory neighbourhood planning proposals.

5) MANAGEMENT

The Alliance shall be governed by a Management Committee, elected at each Annual General Meeting of The Alliance, whose responsibilities shall be to:

- a) Pursue The Alliance's object, as described at **Clause 2)** of this constitution;
- b) Promote sustainable development, environmental, improvement, education and practical collaboration;
- c) Engage with civil society locally to publicise and promote the work of The Alliance by organising meetings, training, consultation and any other events or initiatives required in pursuit of The Alliance's object;
- d) Employ staff and/or volunteers as and when required in pursuit of The Alliance's object;
- e) Take all forms of action that are lawful and necessary in pursuit of The Alliance's object, including entering into contracts and other legal agreements.

6) MANAGEMENT COMMITTEE

The Management Committee shall be composed of no fewer than three (3) and no more than twelve (12) members of The Alliance. Management Committee members shall be elected for a period of one (1) year, but may stand for re-election at each Annual General Meeting. All duly elected Management Committee members shall be considered officers of The Alliance for the duration of their elected term. The Management Committee shall meet as often as is required but no less frequently than four (4) times per year.

7) OFFICERS

At each Annual General Meeting all members of The Alliance shall elect from the Management Committee incumbents for the following honorary posts:

- a) Chair
- b) Vice Chair
- c) Secretary
- d) Project manager
- e) Any additional officers needed to effectively pursue The Alliance's object

8) MEETINGS OF THE ALLIANCE

- a) It shall be the responsibility of the Honorary Chair to conduct all meetings. If the Honorary Chair is unable to conduct any meetings he/she shall appoint the Vice Chair, who is also a member of the Management Committee, to do so.
- b) The Honorary Secretary must ensure that a true and accurate record is made of all meetings, such record to be circulated to members of The Alliance and made available to any other interested party upon request.
- c) The Honorary Secretary must ensure that voting related to statutory neighbourhood planning proposals is recorded separately from general voting and that the conduct and result of any such vote complies with any legal requirements set out in the Town & Country Planning Acts.
- d) A proposal to amend this Constitution and any other motion or resolution may only be made at a General Meeting and no such amendment, motion or resolution shall take effect unless it be voted upon and confirmed by a majority of those present and entitled to vote.

- e) A **General Meeting** of all Alliance members shall be held at least four (4) times in each twelve (12) month period following the establishment of The Alliance (i.e. the date of signing this document) in order to review and discuss progress made in pursuit of its object.
- f) The Honorary Secretary shall ensure that all members are given at least fourteen (14) days' notice of the date, venue and start time for each General Meeting.
- g) Wherever possible, the agenda and any supporting papers shall be distributed to all members of The Alliance by the Honorary Secretary at least ten (10) days before each General Meeting.
- h) The Management Committee shall ensure that each General Meeting shall be publicised to non-members within the designated area.
- i) The defined quorum for a General Meeting shall be twelve (12) current members, at least three (3) of whom must also be current officers of the Management Committee. Where the defined quorum has not been reached, a General Meeting may proceed but any vote taken at that meeting shall be invalid.
- j) Every member of The Alliance whose name appears on the current membership list shall be entitled to vote at a General Meeting.
- k) Each member of The Alliance shall have one vote.
- l) Voting shall be by a show of hands, except in cases of elections when voting shall be by ballot. Issues considered sensitive by the Management Committee may also be voted upon by ballot.
- m) In the case of a tied vote, the Honorary Chair (or Vice Chair) shall have a casting vote.
- n) An **Annual General Meeting** shall take place no later than three (3) months after the end of each financial year provided that

fifteen (15) months must not elapse without an Annual General Meeting having taken place.

- o) The Honorary Secretary shall ensure that all members are given at least twenty-one (21) days' notice of each Annual General Meeting.
- p) Amendments to the proposed agenda may be submitted in writing to the Honorary Secretary by any member of the Alliance up to seven (7) days prior to the date of the Annual General Meeting.
- q) An **Extraordinary Meeting** may be convened by the Management Committee or on application in writing to the Honorary Secretary, signed by no fewer than five (5) members of the Alliance whose names appear on the current membership list. Each application to convene an Extraordinary Meeting must state the reason for convening the meeting. All of the rules applying to a General Meeting shall apply equally to an Extraordinary Meeting.

9) FINANCE

The finances of The Alliance shall be overseen by **North Birkenhead Development Trust** (NBDT). Any funding requests, invited and received voluntary contributions, charitable funds and public grants in order to further the pursuit of The Alliance's object will be maintained by NBDT on behalf of The Alliance. NBDT shall provide the Honorary Secretary with a written budget summary no later than ten (10) days prior to each General Meeting and no later than seven (7) days prior to each Annual General Meeting.

10) NEIGHBOURHOOD PLANNING

This clause relates solely to the preparation and approval of statutory neighbourhood planning proposals.

- a) Any decision to undertake, consult upon or submit to the LPA for approval any statutory Neighbourhood Development Plan or Neighbourhood Development Order shall be subject to a vote of all members of The Alliance holding a valid and current membership.
- b) All neighbourhood planning consultations shall be open to anyone who lives or works in the area or has an interest in the area, whether members of The Alliance or not.
- c) The Alliance shall publicise any neighbourhood planning process, seek to involve everyone who lives, works or carries out business in the area and shall make an accurate record of the comments received and the outcomes of all consultations.
- d) The Management Committee, on behalf of all members of The [capitalise] Alliance, shall be required to work collaboratively on the preparation of any neighbourhood planning proposals with the LPA, independent experts or advisors and any other interested party.
- e) At the discretion of the Management Committee, any number of work groups may be delegated the task of preparing any neighbourhood planning proposal (or part(s) of it), organise consultation events, and undertake any other lawful activity required to further The Alliance's object. The remit and membership of any such work group shall be decided by a vote at a General Meeting of members of The Alliance holding a valid and current membership. Once duly formed, a work group may co-opt additional members as it sees fit.
- f) If the number of people with a valid and current membership of The Alliance falls below twenty-one (21) the result of any vote taken in relation to the preparation or approval of any statutory neighbourhood planning proposal during this time shall be invalid but business related to other activity referred to at

Clauses 2) and 5) of this constitution may continue to be conducted and the result of any related vote shall be valid.

11) DISSOLUTION

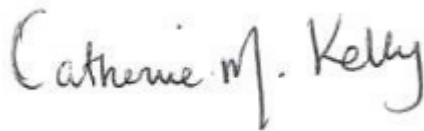
The Alliance may be dissolved by a majority vote of members at a General Meeting. Any assets and/or remaining monies after debts have been paid shall be returned to their providers or transferred to local charities or bodies with similar objects to those of The Alliance at the discretion of the Management Committee.

This constitution was adopted by a vote at a General Meeting of the **Birkenhead North Neighbourhood Alliance** held at St James Centre, 344 Laird Street Birkenhead CH41 7AL on 27th October 2016.



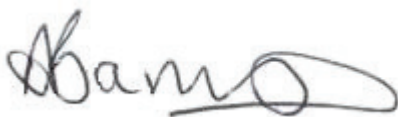
Signed:

Diana Archer (Honorary Chair)



Signed:

Catherine Kelly (Honorary Secretary)



Signed:

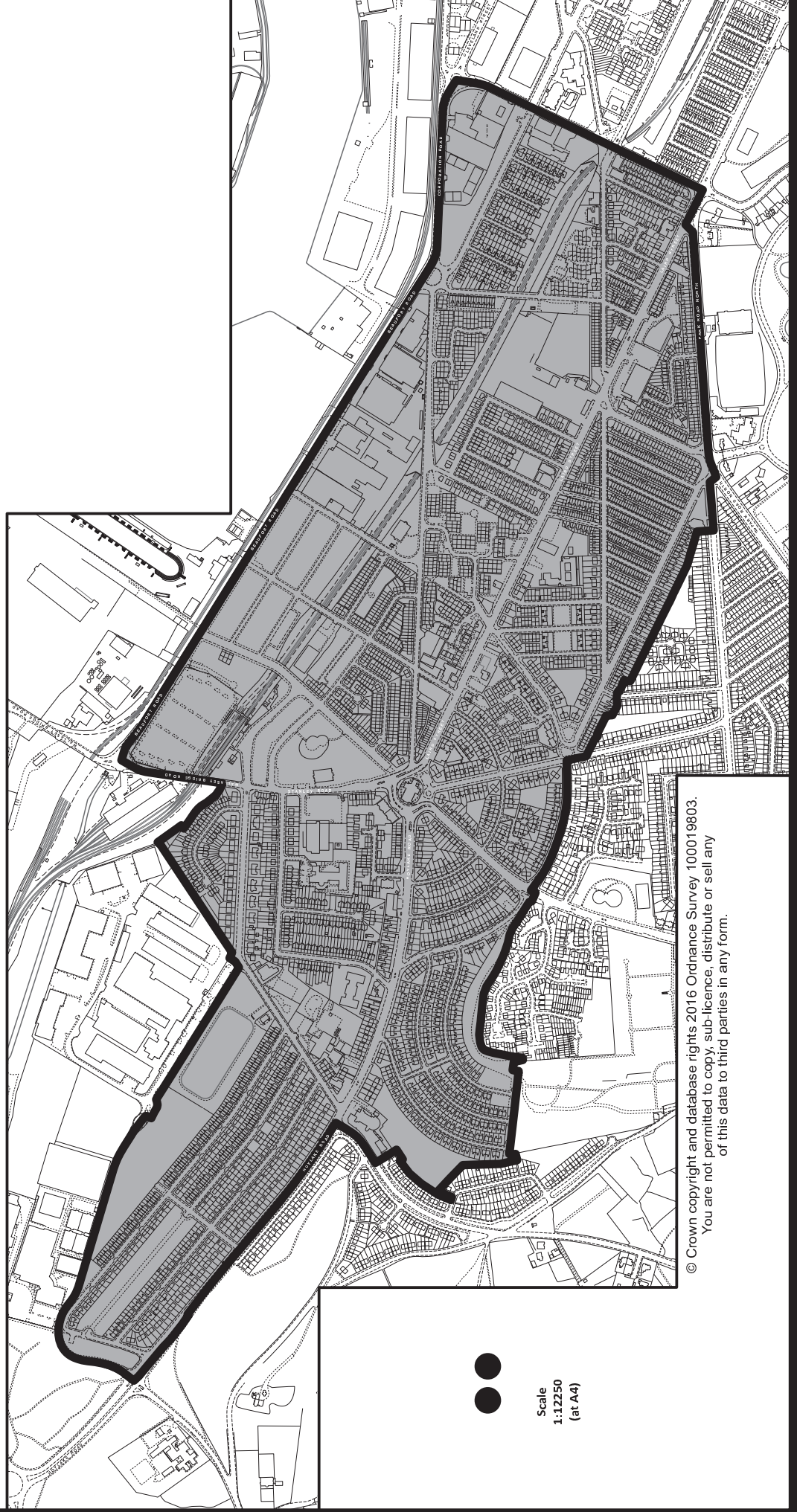
Anna Barnish (Manager, NBDT)



Birkenhead North Neighbourhood Alliance

APPENDIX A

Area of Benefit of Birkenhead North Neighbourhood Alliance



Scale
1:12250
(at A4)

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