

The West Byfleet Neighbourhood Forum

Constitution

November 2021

1 The West Byfleet Neighbourhood Forum

The West Byfleet Neighbourhood Forum ("**WBNF**") is a neighbourhood forum as defined in the Town & Country Planning Act 1990 as amended by the Localism Act 2011 ("**the Act**").

WBNF was established on 27th March 2014 to develop a Neighbourhood Plan for the Area (as defined below and in the Appendix) under the powers of the Act.

The WBNF Plan (the "**Plan**") was adopted by Woking Borough Council ("**WBC**") on 7th December 2017. As from that date the Plan is part of the Development Plan for the purpose of managing development in the Area. Policies contained in the Plan will be used in determining planning applications within the Area.

Pursuant to Section 61F(5) of the Town and Country Planning Act 1990 (as amended) WBC approved the re-designation of WBNF for a further period of 5 years for the purposes of supporting the future review of the West Byfleet Neighbourhood Plan and to ensure the effective delivery of its requirements. The effective date for the re-designation of the WBNF was 11 February 2021.

The original purpose of WBNF having been fulfilled, this Constitution is designed to determine, define and govern its future role, function and activities.

It is intended that, for as long as it exists, WBNF acts as an independent organisation in close association with the Byfleet, West Byfleet and Pyrford Residents Association (the "**Residents' Association**"). In the event of the Residents' Association ceasing to exist for whatever reason or becoming dormant then WBNF will continue to operate and function on its own or in conjunction with another appropriate organisation or organisations.

2 The West Byfleet Neighbourhood Forum Area ("**the Area**")

2.1 The Area shall be the area as defined in the Plan and is the area enclosed in red on the map in the Appendix to this Constitution. The Area may be changed by WBNF Committee (as defined below) as it considers necessary from time to time subject to final determination on designation by the relevant authorities which will include WBC and the Local Planning Authority (the "**LPA**").

2.2 The Area adjoins two other neighbourhood forums, namely those of Pyrford and Byfleet.

3 Purpose and Objectives

3.1 The purpose of WBNF is to further the social, economic and environmental well-being of the Area by acting for the Area under the provisions of the Act. It will achieve this as follows:

- It will seek to establish and represent the views of residents within the Area;
- It will seek to promote the Area as a vibrant business and residential community;
- It will operate without distinction or discrimination on the grounds of race, gender, disability, sexual orientation or race, or of political, religious, or other beliefs;

The West Byfleet Neighbourhood Forum

Constitution

November 2021

- It will actively encourage members to participate in the activities of WBNF for the improvement of the Area;
- It will consider the appropriateness and relevance to the Area of taking advantage of the other rights afforded to neighbourhood forums under the Act and supplementary regulations;
- It will wish to support projects and other activities that are of benefit to the Area; and
- It will aim to support local businesses and wherever possible preserve and protect the "village feel" of the Area.

- 3.2 WBNF will work to protect and promote the Plan including its vision, objectives, policies and ambitions.
- 3.3 WBNF will work to protect, preserve and enhance local green spaces and conservation areas designated within the Area.
- 3.4 WBNF will work to protect and enhance local buildings of interest and areas of note and worth.
- 3.5 WBNF will monitor development management policy and its application in the Area. WBNF will request that the LPA consult with WBNF on planning applications in the Area to ensure that they are determined in accordance with the Plan. WBNF will also coordinate the views of residents within the Area on Local Development Documents prepared by WBC.
- 3.6 In addition to 3.5 above, WBNF through its Committee (as defined below) will if they consider it appropriate and necessary enter into direct discussions with developers and/or other parties submitting planning applications that have or will have an impact on the Area to ensure to as great an extent as possible that such parties have a full and clear understanding of the legal status of the Plan, the objectives and policies of the Plan, and the wishes of the residents within the Area.
- 3.7 WBNF will, through its Committee (as defined below), work to maintain and update the Plan as necessary and in accordance with the Act. The Plan will be reviewed as a minimum five years after the date of its adoption by WBC and at five yearly intervals thereafter unless changed circumstances require the Plan to be updated in the interim.
- 3.8 WBNF will engage with the LPA on matters of pre-planning in the Area.
- 3.9 WBC is required to allocate 25% of Community Infrastructure Levy ("**CIL**") income relating to relevant developments within the Area to be spent on priority projects within the Area. Councillors from both WBC and Surrey County Council ("**SCC**") (the "**Joint Committee**") have the legal responsibility to oversee the management of CIL.
- WBNF will work with Ward Members and if appropriate with the LPA to identify priority community projects (including but not limited to those detailed within the Plan) and to determine and agree how such monies will be allocated and invested for the benefit of the Area.
- 3.10 WBNF will engage with the Joint Committee to determine infrastructure project priorities within the Area. This includes road infrastructure, safety and maintenance, and library services.

The West Byfleet Neighbourhood Forum

Constitution

November 2021

- 3.11 WBNF may initiate Neighbourhood Development Orders or Community Right to Build Orders, identify Assets of Community Value, or carry out any other permitted actions.
- 3.12 WBNF membership will be open to residents living in the Area (see Clause 4 below). WBNF will aim for as wide a representation of communities in the Area as possible.
- 3.13 WBNF will act in accordance with General Policies and Principles set out in Clause 10 below.

4 Membership and Organisation

Membership

- 4.1 Membership of WBNF is open to:
- (i) Residents living in the Area;
 - (ii) Proprietors of local businesses and employees who work in the Area;
 - (iii) Ward Councillors from the Borough of Woking representing any part of the Area; and
 - (iv) Surrey County Councillors representing any part of the Area.
- 4.2 Associate membership (Non-Voting) of WBNF is open to individuals who feel a strong connection (to be determined by the Committee as defined below) with West Byfleet but who do not live in the Area.
- 4.3 Affiliate membership (Non-Voting) is open to:
- Representative resident associations, friends' groups and amenity societies and associations, (collectively described herein as "**Organisations**").

This list will be updated as and when necessary.

WBNF Committee

- 4.4 A committee (the "**Committee**") comprising up to 14 members (as defined in Clause 4.1 above, but excluding 4.1(iii) and 4.1(iv)), will be elected at each Annual General Meeting ("**AGM**") to carry out the day-to-day work of WBNF. No fewer than 7 of those 14 members should be residents living in the Area. The quorum for Committee meetings will be 7 members of whom no fewer than 4 should be residents living in the Area.
- 4.5 In addition to Clause 4.4 above the Residents' Association may nominate an additional Committee member should they choose to do so.
- 4.6 The maximum number comprising the Committee will be 15 members (subject to Clause 4.10 below) .

The West Byfleet Neighbourhood Forum

Constitution

November 2021

- 4.7 The Committee will elect the following officers of WBNF from its number: Chairperson, Vice Chairperson, Secretary and Treasurer. Officers will serve for one year and be subject to re-election at the AGM

In the event of officer vacancies arising before the next AGM the Committee may appoint temporary officers until the next AGM.

The Chairperson (or the Vice Chairperson when acting as Chairperson) will have a casting vote at any Committee or General Meeting (as defined below).

- 4.8 The Committee will direct and oversee the work of the WBNF and will meet at least quarterly for this purpose.
- 4.9 Subcommittees or working parties may be appointed by the Committee to carry out specific tasks, to consider policies and to advise the Committee. Such bodies may be appointed from within or outside the membership of WBNF but will be responsible to the Committee.
- 4.10 The Committee may co-opt up to three additional members to the Committee in any year. Co-opted members will have the same voting rights as other Committee members. A co-opted member may be elected as an officer.
- 4.11 The Committee may engage and instruct professional and business advisers to assist in the furtherance of the objectives of WBNF and to research projects selected by WBNF from time to time.
- 4.12 Councillors representing the Byfleet and West Byfleet Ward in WBC and The Byfleets Ward in SCC will, when appropriate and at the discretion of the Committee, be invited to Committee meetings but will have no vote. The Committee retains the right to change this clause at a later date.
- 4.13 The Secretary will make minutes of General and Committee meetings available to the members of the WBNF within three weeks of the meeting unless impracticable. Such minutes should then be uploaded onto the WBNF website within two weeks of approval unless impracticable. Organisations which are affiliated to WBNF will be encouraged to communicate such information to their membership.

5 Meetings

- 5.1 Annual General Meetings will normally be held in September/October or as close to such date as is practicable. An Extraordinary General Meeting may be called by decision of the Committee or by 30 members of the WBNF applying to the Secretary in writing. For all General Meetings (that is Annual General Meetings and/or Extraordinary General Meetings) any resolutions to be put to it will be sent to all WBNF members at least 21 days prior to the meeting.
- 5.2 Decisions of General Meetings will be by simple majority except in the cases set out in Clause 5.6 and Clause 11 below.

The West Byfleet Neighbourhood Forum

Constitution

November 2021

- 5.3** The Committee is granted the right under this Constitution to, in its sole discretion, postpone General Meetings after the Notice of such meeting has been published.
- 5.4** At any Committee Meeting and/or General Meeting each member present will have one vote (unless that person has in addition been appointed as a proxy). Where practicable, arrangements will be made to enable members unable to attend to appoint a proxy. Such proxy should in the case of a Committee Meeting be a Committee Member and in the case of General Meetings be a Member as defined in Clause 4.1(i) and Clause 4.2(ii) above.
- 5.5** The quorum for an Annual General Meeting shall be 21 members with the right to vote and for an Extraordinary General meeting 30 members with a right to vote. A proxy will not count towards a quorum.
- 5.6** The Committee will decide when sending out the Notice (see Clause 6 below) whether resolution/s are to be proposed as ordinary or extraordinary resolutions. To be approved any resolution deemed to be an extraordinary resolution will require a majority of not less than three-fourths of members as, being entitled to do so, vote in person or by proxy.

Electronic Meetings

At the discretion of the Committee:

- 5.7** Nothing in this Clause 5 is to be taken to preclude the holding and the conducting of a meeting as described above in such a way that members who are not present together at the same place may by electronic means attend and speak and vote at it. In determining attendance at a Committee/General Meeting, it is immaterial whether any two or more members attending it are in the same place as each other.
- 5.8** A member will be able to exercise the right to speak at a Committee/General Meeting when that member is in a position to communicate to all those attending the meeting, and throughout the duration of the meeting, any information or opinions which that member has on the business of the meeting.
- 5.9** A member is able to exercise the right to vote at a Committee/General Meeting when (a) that member is able to vote during the meeting on resolutions put to the vote at the meeting, and (b) that member's vote can be taken into account in determining whether or not such resolutions are passed at the same time as the votes of all the other members attending the meeting.
- 5.10** The Committee may make whatever arrangements it considers appropriate to enable those electronically attending a general meeting to exercise their rights to speak and/or vote at it.

6 Notices

Notices to members will be deemed delivered if sent to the member's last notified email address.

The West Byfleet Neighbourhood Forum

Constitution

November 2021

Where no email address is available then display on local notice boards, in the local library and/or on WBNF website 21 days prior to the meeting will be deemed sufficient and legal notice.

7 Finance

- 7.1 WBNF will have the power to raise funds as necessary for its activities, by grant, donation or any other appropriate means. All funds so raised will be utilised in pursuing the objectives described in Clause 3 above and the General Policies and Principles in Clause 10 below.
- 7.2 WBNF may apply annually to the Residents' Association for a grant to cover basic operating costs. Any such annual grant will be paid quarterly commencing 1st April. Basic operating costs will include inter alia room hire, printing, promotion of WBNF and insurance etc. but will exclude costs of campaigning unless previously discussed and agreed with the Residents' Association. Any grant funds not spent in the year to which they relate will be returned to the Residents' Association unless otherwise agreed.
- 7.3 WBNF will maintain one or more bank accounts as necessary in the name of WBNF. All funds received by or raised for the WBNF will be held in such accounts. The Committee will nominate bank signatories.
- 7.4 The Committee will where necessary insure any assets it holds, and by insurance or otherwise indemnify its officers against liabilities arising from their work for WBNF, apart from fraud or wilful neglect.
- 7.5 Subject to funding, the Committee may commission advisory services, surveys or any other activity in support of the Objectives described in Clause 3 above and the General Policies and Principles in Clause 10 below.

8 Register of Committee Members' Interests

The Secretary will keep a Register of Committee Members' Interests detailing any financial interests in the Area or any other interest which could be deemed to have an influence on decisions likely to come before the Committee. Committee Members have a duty to declare such interests and conflicts and will abstain from voting on any matter in which they have a financial interest.

9 Accounts

- 9.1 It will be the responsibility of the Chairperson and the Treasurer to ensure that proper books of account are kept.
- 9.2 The Treasurer will place before the Annual General Meeting for approval a Statement of Financial Affairs ("SoFA") in respect of WBNF covering the relevant period.

The West Byfleet Neighbourhood Forum

Constitution

November 2021

- 9.3 The SoFA will be prepared in accordance with generally accepted accounting principles and will detail funds received from the Residents' Association and how such funds have been utilised.

10 General Policies and Principles

WBNF will take the distinctive character and heritage of the Area into consideration in all its actions, and will aim to ensure that all development within the Area preserves or enhances this character. In addition to Clause 3.1 WBNF will:

- Strive to maintain a balance between the residential, business and environmental interests of the Area, including the best use of local green space;
- Aim for improvements in the local environment and infrastructure including those directed towards carbon reduction. WBNF will engage with SCC and WBC to determine infrastructure project priorities within the Area ;
- Generally support actions aimed at generating employment in the Area and the wider community;
- Promote policies to maximise social benefit, community links, services for young people, crime reduction and support for elderly and vulnerable members of the community;
- Encourage all interested residents and all representative groupings of residents or businesses in the Area to become members of WBNF and to work alongside WBNF to further their joint objectives;
- Endeavour to monitor development in areas immediately adjoining the Area and to co-operate with forums and/or authorised bodies in adjoining areas with the intent of ensuring that the objectives of this Constitution are met; and
- Consult with adjoining neighbourhood forums and wards where any proposed development in the Area directly affects other communities.
-

11 Amendments and Dissolution

- 11.1 Amendments to the body of this Constitution will be by decision of an Ordinary Resolution.
- 11.2 WBNF may only be dissolved by decision of an Extraordinary General Meeting specifically called for that purpose and carried out in accordance with Clauses 5.1, Clause 5.5 and Clause 5.6. In accordance with Clause 5.6 above, such a vote will only be carried if supported by 75% or more of those voting in person or by proxy.
- 11.3 In the event of dissolution, any property or funds held by WBNF will be:
- Subject to the agreement of the members (as defined in Clause 4.1) at an Extraordinary General Meeting, allocated to one or more nominated organisations set up to continue the work of WBNF, or

The West Byfleet Neighbourhood Forum

Constitution

November 2021

- In the absence of any such organisation/s and subject to any statutory regulations, distributed equally to the constituent local organisations who are its members (but not to individual members) for the sole benefit of residents in the Area, after any balance of any current year funding provided by the Residents' Association has been repaid.

11.4 The Committee will undertake a formal review of the role, functions, and achievements of WBNF from time to time to ensure that the activities of the Committee acting on behalf of WBNF remain aligned with the interests and views of its members and other residents within the Area. Following such review and consultation with the community, the Committee will decide to recommend that WBNF continue, amend or dissolve itself as considered appropriate.

The West Byfleet Neighbourhood Forum

Constitution

November 2021

APPENDIX

AREA

