

# Constitution of the Buxton Neighbourhood Forum CIC

## 1. Name

Buxton Neighbourhood Forum CIC

## 2. Introduction

Buxton Neighbourhood Forum CIC is constituted as a Community Interest Company (CIC) registered at Companies House, company number 12038268 with a Community Interest Statement that includes the objectives listed below. The CIC shall have a minimum of three directors whose responsibilities are to ensure that:

- The Buxton Neighbourhood Forum CIC works towards the objectives included in the Community Interest Statement
- The Buxton Neighbourhood Forum CIC meets its statutory obligations

Through this constitution the Directors of the Buxton Neighbourhood Forum CIC delegate their powers to work towards the objectives as set out in this constitution and the Forum shall abide by the purpose, spirit and rules of this constitution.

## 3. Area of Activity

The area in which the Forum will pursue its objects is the Buxton Neighbourhood Area, which is the area designated in the accompanying map, comprising all unparished areas of Buxton and surrounding areas. Any planning application submitted within the neighbourhood area will be assessed against the relevant policies contained within the neighbourhood plan, once adopted.

## 4. Objectives

The objects of the Forum clearly establish the express purpose of promoting the social, economic and environmental well-being of the area that consists of the neighbourhood plan area. They are:

- To prepare a Neighbourhood Plan for the Buxton area;
- To promote or improve the social, economic, health and environmental well-being of the Buxton area;
- To promote the cultural and heritage aspects of the Buxton area;
- To provide homes that serve the needs of the community
- To support thriving businesses
- To enhance community cohesion;
- To continue to maintain the neighbourhood plan when necessary

## 5. Powers

In furtherance of its objects the Forum through its Officers or such person(s) nominated by its officers, for example working in sub-groups, may

- Carry out informal and statutory consultations on the draft plan
- To gather information in furtherance of the work of the Forum
- To take all steps necessary, working in conjunction with High Peak Borough Council to fulfil the statutory requirements leading to the adoption of the Neighbourhood Plan.
- 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;
- Publicise and promote the work of the Forum and organise meetings, surveys, training courses, events or seminars, etc.;

- Work with community groups within the Buxton area to exchange information, advice and knowledge with them, including cooperation with other voluntary bodies, charities, statutory and non-statutory organisations;
- Employ staff and volunteers as are necessary to conduct activities to meet the objects of the Forum;
- 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;
- Purchase, take on lease or hire property in furtherance of the objects;
- Pay reasonable out of pocket expenses to members and volunteers for costs incurred in carrying out the Forum's business.

## 6. Membership

The Buxton Neighbourhood Forum CIC meets the conditions contained in Section 61F(5), Schedule 9 of the Town and Country Planning Act 1990 and regulation 5 of the 2012 Neighbourhood Planning (General) Regulations.

Membership of the Forum is open to all individuals **who live, work, own businesses or are elected members** in the neighbourhood area

Any applicant eligible for membership and who supports the aims and objects of the Forum shall become a member of the Forum on submission to the Secretary of a request to join which

- I. provides satisfactory evidence of eligibility;
- II. provides contact details which may be used by the Forum for its lawful purposes;
- III. is accompanied by any subscription or fee which the Forum may have approved through a General Meeting.]

The Forum will comprise at least 21 individuals who **live, volunteer or work** in the Buxton Neighbourhood Area **or who are elected members** of High Peak Borough Council.

The Forum may for good and sufficient reason terminate the membership of any individual or refuse membership to any applicant, provided that the individual concerned shall have the right to be heard by the Forum, accompanied by a friend, before a final decision has been made.

To ensure the Forum will have a minimum of 21 members and its membership reflect the diversity, character and inclusivity of the area, the Forum will review the membership list at the AGM. New appointments or any resignations may be considered during the year.

## 7. Working Arrangements

- The Forum shall be supported by Officers who are members of the Forum to be elected annually at the Annual General Meeting.
- The Officers shall consist of a Chairperson, Secretary and Treasurer ('the Officers').
- If vacancies occur among the Officers, the Forum shall have the power to fill them from among its members at any meeting of the Forum.
- Officers shall retire from office at the annual general meeting following the date on which they came into office but they may be re-elected or re-appointed.
- Declarations of interest and potential conflicts of interest of all members will be recorded and reported to the Forum annually and at every Forum meeting. (E.g. conflicts of interest

could include where neighbourhood plan policy would affect the business interests of a forum member).

- The Forum shall work together with other community organisations within the Buxton Neighbourhood Plan area to collect and collate information for the plan.

## 8. Forum Meetings

- The Forum shall hold at least 4 ordinary meetings each year. There shall be a quorum when at least one quarter of the members of the Forum are present at a meeting.
- At least 14 days notice to all members shall be given of the AGM
- Every matter shall be determined by a simple majority of the members of the Forum present and voting by a show of hands. In case of equality of votes the Chairperson shall have a casting vote.
- Minutes shall be kept by the Secretary as a record of the proceedings of the meeting of the Forum and any of its sub-groups and shall be kept until 2 years following the adoption of the Buxton Neighbourhood plan or dissolution of the Buxton Neighbourhood Forum CICs .
- The Forum may appoint one or more sub-groups providing that all acts and proceedings of the sub-groups shall be fully and promptly reported to the Forum.
- Any member may attend any meeting of the Forum and may speak at the discretion of the Chair.

## 9. Annual General Meeting (AGM)

- There shall be an annual general meeting, which shall be held no later than the end of June each year that shall deal with any business as required and in particular the following items.
- At least 14 days notice to all members shall be given of the AGM.
- The Officers shall present a report on the activities of the Forum in the past year and proposed activities for the next year and accounts of the Forum for the preceding year.
- Nominations for election to the Officers must be made by members of the Association in writing before the commencement of the meeting.
- The quorum at the AGM shall be 12 members or one quarter of the members up to a maximum of 20, whichever is larger.
- Any required statutory obligations required of the Directors of the Buxton Neighbourhood Forum CIC shall be conducted at the AGM.

## 10. General and special general meeting

The Forum may at any time call a general or a special general meeting stating the business to be discussed. A special meeting may also be called by the Secretary if a written request is received from at least 7 members. At least 14 days' notice to all members shall be given for special general meetings.

## 11. Finance

- All funds raised by or on behalf of the Forum shall be applied to further the objects of the Association and for no other purpose.
- The funds of the Forum including all donations, contributions, subscriptions and bequests shall be paid into an account operated by the Treasurer.
- All cheques drawn on the account must be signed by two officers
- The Forum shall comply with the obligations for trustees under the Companies Act 2006 (or any statutory re-enactment or modification of the Act) with regard to:

- The keeping of accounting records
- The preparation of annual statements of account
- The auditing or independent examination of the statements of account.

## 12. Amendments to the Constitution

Any amendment to the constitution shall require the approval of a two-thirds majority of those present and voting at the Meeting at which it is discussed. Any resolution for the amendment of the constitution must be received by the Secretary at least 21 days before the meeting at which the resolution is to be brought forward.

## 13. Dissolution

- The Forum may be dissolved at a Special General Meeting called for that purpose and must be advertised 14 days before the meeting.
- Such proposals to dissolve the Forum shall take effect only if agreed by a two-thirds majority of members present and voting at the meeting.
- Surplus funds of the Forum, if it is dissolved shall be invested as directed in its final act by the Forum or if not directed by the Directors in projects that enhance the social, economic and environmental well-being of the town.
- If the Forum is dissolved the Directors shall wind up the Buxton Neighbourhood Forum CIC at Companies House and comply with any final statutory or obligations that may remain as Directors of that company as soon as reasonably practicable.