



## Victoria Neighbourhood Forum Constitution

### Interpretation

In this Constitution the following words and phrases shall have the following meanings:

|                    |                                                                                                                                                                                                                                                    |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| The 1990 Act       | The Town and Country Planning Act 1990, as amended (in particular by the Localism Act 2011).                                                                                                                                                       |
| The 2004 Act       | The Planning and Compulsory Purchase Act 2004, as amended (in particular by the Localism Act 2011).                                                                                                                                                |
| The Acts           | The 1990 Act and the 2004 Act.                                                                                                                                                                                                                     |
| Business           | Entity or concern carrying on within Victoria a business, trade, profession, religious observance or community service, whether for profit or not, and whether incorporated or not.                                                                |
| Business Member    | An individual who works within Victoria for a Business and who is included on the List of Members.                                                                                                                                                 |
| WCC                | Westminster City Council, being the London Borough and local planning authority for the Victoria Neighbourhood Area.                                                                                                                               |
| The Forum          | The Victoria Neighbourhood Forum.                                                                                                                                                                                                                  |
| General Meeting    | A meeting of Members in accordance with Articles 27 to 35.                                                                                                                                                                                         |
| Member             | A Business Member, a Residential Member or an Elected Member of WCC.                                                                                                                                                                               |
| Neighbouring Forum | A Neighbourhood Forum designated by WCC pursuant to section 61F(5) of the 1990 Act which neighbours (whether or not it is contiguous to) Victoria.                                                                                                 |
| Resident           | An individual who lives all (or part) of the time at a dwelling in Victoria.                                                                                                                                                                       |
| Residential Member | A Resident over the age of 16, who is included on the List of Members.                                                                                                                                                                             |
| Elected Member     | An Elected Member of the Westminster City Council                                                                                                                                                                                                  |
| Steering Meeting   | A meeting of the Steering Group in accordance with Articles 43 to 50.                                                                                                                                                                              |
| Victoria           | The Neighbourhood Area (that area not being governed by a Parish Council) designated (pursuant to section 61G(1) of the 1990 Act) in and depicted on the map within the Neighbourhood Area Designation Notice, a copy of which is attached hereto. |

1. This Constitution regulates the unincorporated association known as the 'Victoria Neighbourhood Forum'.

### **Purpose of the Forum**

2. The Forum shall have the purposes of promoting and improving the social, economic and environmental wellbeing of Victoria, its Residents and its Businesses and shall address itself to issues of local concern, including (but not limited to) the preservation and improvement of Victoria (including its environment, appearance, safety, security and amenities) and high standards of town planning and architecture.
3. The Forum shall seek to maintain designation by WCC, pursuant to section 61F(5) of the 1990 Act, as the Neighbourhood Forum for Victoria.
4. The Forum may undertake any activity permitted of a designated Neighbourhood Forum under the Acts and, specifically, shall consider (and from time to time further consider) whether to initiate any process for the making or amendment of a Neighbourhood Development Plan.
5. In any event, the Forum may at any time do any lawful thing in pursuit of the purposes set out at Article 2 above, including (but not limited to):
  - a. making representations as to any planning, licensing or other local matters, whether or not consultation of the Forum is required pursuant to any statutory scheme;
  - b. consulting with WCC (by Elected Members and/or Officers), other governmental, policing, or public bodies and other stakeholders interested in, affecting or affected by any actual, likely or proposed state of affairs within Victoria;
  - c. seeking such changes to WCC or other governmental or public body policies or practices as may be appropriate;
  - d. promoting such changes to primary or secondary legislation as may be appropriate; and
  - e. holding open discussions with other groups and bodies relevant to Victoria on issues of concern to or impact upon Victoria.
6. The Forum shall be a non-political organisation which shall act as far as practicable to the benefit of both Residents and Businesses.

### **Conduct of the Forum**

7. The Forum shall seek, through its work, actions, policies and employment, to advance equality of opportunity between people who share a protected characteristic<sup>1</sup> and people

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<sup>1</sup> Under the Equality Act 2010, the protected characteristics covered by the Equality Duty are:

- age
- disability
- gender reassignment
- marriage and civil partnership (but only in respect of eliminating unlawful discrimination)
- pregnancy and maternity
- race - this includes ethnic or national origins, colour or nationality
- religion or belief - this includes lack of belief
- sex
- sexual orientation

who do not share it. We seek both to be representative of the community and to represent the community fairly and equitably, drawing our membership from all parts of Victoria and all sections of the community and reflecting in general terms the character of Victoria.

8. Where any issue arises within Victoria which has the potential to impact upon some location outside Victoria, the Forum (i) shall consult with each Neighbouring Forum for that location, if there is one or more, and (ii) may consult with any residents' group, business group or other group speaking for the interests of some or all of those who live and/or work in and around the location in question.
9. If the Forum acts without first consulting as required by Article 8(i), the Forum shall so inform each Neighbouring Forum in question and shall, in any communication on the issue to any third party, make plain that the stance taken by the Forum is taken in the absence of such consultation by reason of the urgency.
10. Where any issue arises outside Victoria which has the potential to impact upon a location within Victoria, the Forum (i) if consulted by a Neighbouring Forum for that location, shall co-operate in giving full and prompt feedback to that Neighbouring Forum, and (ii) if otherwise consulted, may give such feedback as the Forum considers fit.
11. The Forum may establish such funding arrangements from both public and private sectors to enable the Forum to deliver its purpose regarding neighbourhood planning and otherwise.
12. Cheques and other financial transactions of the Forum shall require two signatories.
13. All correspondence within the Forum shall be primarily by email to The Secretary.

### **Membership of the Forum**

14. Any Resident may become a Residential Member upon completion of an Application Form:
  - a. stating the Resident's name
  - b. identifying the postcode of the dwelling which qualifies that individual as a Resident
  - c. Specifying an email address for contact. If the individual does not have an email address they will need to fill in and return the hard copy membership form, which asks for a postal address and telephone number.
15. Any individual who works within the Victoria Neighbourhood Area may become a Business Member upon completion of an Application Form:
  - a. stating the individual's name and identifying the name and postcode of the Business for which the individual works (or else explaining in what other way the Business operates within and the individual works within Victoria)
  - b. Specifying an email address for contact. If the individual does not have an email address they will need to fill in and return the hard copy membership form, which asks for a postal address and telephone number. Those eligible as Business Members will be joining the Forum as individuals and not as representatives of their business, whilst it is understood that their interest and involvement with the Forum will stem from them being someone who works in the Victoria Neighbourhood Area.
16. Any individual who is an elected member of the Westminster City Council may become an

Elected Member on completion of an application form.

17. Any individual who both lives and works in Victoria must choose to be either a Residential Member or a Business Member when completing their Application Form.
18. Members shall keep the Secretary informed of any changes to any details supplied pursuant to Articles 14a to 17 above.
19. A Member may resign at any time by written notice to the Secretary and shall resign if unable to continue to support the purposes of the Forum set out at Article 2 above or no longer eligible to be a Residential Member or a Business Member.
20. A List of Members shall be maintained to include the details supplied in Application Forms pursuant to Articles 14 to 18 above and the date upon which the Application Form was received.
21. Any Member who resigns or dies shall be removed from the List of Members.
22. The Secretary may from time to time require all Members, a sector of Members or a Member to confirm and/or prove the information required at Articles 14a to c or 15a to c above.
23. . The Secretary may remove any Member whose email address supplied is not functioning, but can restore that individual to the List of Members upon receipt of a new Application with a functioning email address, or a hard copy form if the individual no longer has an email address.
24. Without prejudice to the entitlement of all who qualify to become Members, the Forum (both the Steering Group and Members generally) shall encourage individuals eligible to become Members to join so as:
  - a. at all times to have at least 21 Members
  - b. to encourage a membership representative of the whole community, balanced appropriately between Residents and Businesses
  - c. within the Residential Members, to encourage a balance between Residents of different locations of dwelling and including at all times at least one Elected Member if anyone is willing to be a Member
  - d. within the Business Members, to encourage a balance between the various types and sizes of commercial concerns. Membership of the forum will be kept under review to ensure that no business or group of business types dominates membership of the forum.
  - e. to also include a representative sample of such non-commercial concerns, in particular community institutions, as have /business members willing to be Members
  - f. to provide good community intelligence to inform the pursuit of its purposes and justify the pursuit of its purpose under Articles 2 to 6 above.

25. In the event that the number of Members shall at any time fall below 21, the Forum shall suspend its activity pursuant to Article 4 above unless and until the number of Members again rises to or above 21.
26. Members may not do any public act on behalf of the Forum or make any public representation in the name of the Forum save to the extent which may be permitted by the Steering Group or endorsed by a General Meeting.

### **Neighbourhood Forum General Meetings**

27. The Forum shall hold an Annual General Meeting once in every calendar year (but no more than fifteen months from the preceding Annual General Meeting) and shall hold such other General Meetings (if any) as the Steering Group may decide. The actual timing of the General Meetings will be the responsibility of the Steering Group. Meetings may be held virtually, using any commonly available service such as Zoom or Teams, or actually at any appropriate location in Victoria. If an individual wishes to join the meeting but does not have access to virtual meeting technology the Forum will endeavour to facilitate their attendance, e.g. by inviting them to join alongside a member of the Steering Group.
28. At least 21 days' email notification must be given to Members of the agenda with the date and time of the holding of a General Meeting. While the envisaged location of the General Meeting should be notified also when first notifying the time and date, that location may be confirmed or changed by email not less than two weekdays in advance of the General Meeting to accommodate any unavailability, unsuitability or other difficulty with the original envisaged location.
29. At least fifteen members must be present at the start of the General Meeting for it to be declared quorate.
30. All Members shall be entitled to attend General Meetings, to stand for the Steering Committee and to propose motions. All individuals (residential or business) are able to join the forum as a member and attend meetings however, where a vote is called, no more than two people from each household/business will be able to formally vote.
31. Individuals who are not Members, unless excluded for good reason by whoever is chairing the meeting, shall be welcome to attend General Meetings of the Forum, in a personal and/or representative capacity, but Individuals who are not Members (i) shall not vote on any issue and (ii) shall not be permitted to address that General Meeting unless specifically authorised by whoever is chairing it.
32. Members must register and declare any conflict of interest (affecting the Member, the Member's family and/or the Business for which the Member works to a marked degree beyond that which is natural and inevitable in persons sufficiently interested in Victoria to be eligible to become Members) before contributing, including voting, on any issue.
33. All votes shall count equally in a single ballot. Abstentions shall not count as a 'no' vote but shall be ignored for the purposes of the vote and determining a majority of those who voted, although the presence of abstainers at the meeting does count towards making up a

quorum. Postal votes do not count. Telephone votes do not count. Proxies cannot be given and members must be present in person.

34. The Forum and the Steering Group may establish working 'sub-groups' to address a particular issue in accordance with such detailed personnel (who may be, but need not be, Members) and remit as is considered appropriate.
35. The Forum Members may:
  - a. receive and comment on the report from the Steering Group;
  - b. discuss and debate any issue to which the purposes of the Forum at Articles 2 to 6 above relate;
  - c. approve the annual report and accounts, where relevant;
  - d. adopt constitutional amendments in accordance with Article 51.

### **Composition of the Steering Group**

36. The Forum shall have a Steering Group which shall manage the Forum.
37. The Steering Group shall be comprised of 12 Members all of whom shall volunteer themselves for election.
38. At any one time the Steering Group shall include at least five and no more than six Residential Members and at least five and no more than six Business Members.
39. At each Annual General Meeting the two longest-serving Steering Group Residential Members and the two longest-serving Steering Group Business Members must stand down but may offer them themselves for re-election.
40. All Members shall be entitled to stand when elections are held to the Steering Group if they could be elected without contravention of Article 38 above. Voting shall take place only if a quorum is present and shall be by a show of hands in the first instance. When electing Members to the Steering Group, Members shall bear in mind that the Steering Group must be representative of a cross-section of the differing interests within Victoria. The individual(s) receiving the highest number of votes shall be elected to the vacancy (vacancies) on the Steering Group, provided that the individual in question, after considering those already on the Steering Group and any more successful candidate(s) remains eligible to serve on the Steering Group in accordance with the requirements of Article 37.
41. The Steering Group shall select its own officers.
42. If the position of Chair is held by a Residential Member, the position of Vice Chair must be held by a Business Member. Likewise, if the position of Chair is held by a Business Member, the position of Vice Chair must be held by a Residential Member.

### **Steering Group Meetings and Steering Group Operation**

43. The Steering Group shall hold Steering Meetings as often as is necessary to pursue the purposes of the Forum as set out at Articles 2 to 6 above, but not less than quarterly.
44. If any vacancy occurs, the Steering Group may co-opt a Member(s) into its number (subject

to the requirement of Article 38) who may stand for election at the next Annual General Meeting

45. The Steering Group may delegate responsibilities on specific matters to such persons as it considers appropriate, including administrative support from a third party.
46. All Steering Group decisions must be agreed on a simple majority by a quorum of at least three Business Members and three Residential Members from the Steering Group present in person, or in communication via conference facility (telephone, internet or otherwise). The votes within the Steering Group shall be taken within a single ballot regardless of whether the voter is a Residential Member or a Business Member. If the Steering Group has more than one member from the same Business those members will have one vote between them and similarly if the Steering Group has more than one member from the same household those members will have one vote between them.
47. The Chair of the Steering Group shall:
  - a. Chair General Meetings and call and chair Steering Group Meetings.
  - b. Have a casting vote in the event of a tie in any vote at any General Meeting or Steering Meeting.
  - c. Act on behalf of the Forum and represent it externally.
  - d. Interpret this Constitution; interpretation shall only be overturned by six or more of the rest of the Steering Group Members in which case the disagreement shall be referred to the General Meeting.
  - e. Act as joint signatory on the Forum's bank account (if any) alongside the Treasurer.
48. The Vice Chair of the Steering Group shall:
  - a. Chair General Meetings and call and chair Steering Meetings if the Chair is absent.
  - b. Have a casting vote in the event of a tie in any vote at any General Meeting or Steering Meeting if the Chair is absent.
  - c. Act alongside the Chair on behalf of the Forum and represent it externally when the Chair is unavailable.
  - d. Assume the Chair's responsibilities if the Chair resigns until such time as a new Chair can be appointed.
  - e. Assist the Chair with interpreting the Constitution.
  - f. Take minutes at a General Meeting or a Steering Group meeting if the Secretary is absent.
  - g. Act as joint signatory on the Forum's bank account (if any) alongside the Treasurer.
49. The Secretary of the Steering Group shall:
  - a. Organise, take and circulate minutes of General Meetings; organise (upon and subject to the Chair or Vice Chair's call), take and circulate minutes of Steering Group meetings
  - b. Maintain and make available for inspection by Members a copy of this Constitution updated to incorporate such amendments as may be duly made to it
  - c. Ensure the Forum website is maintained and updated regularly to contain all key documents including the minutes of all Steering Group and General meetings
  - d. Maintain and make available for inspection by Members an up-to-date List of Members, recording the details required of Members pursuant to Articles 14 to 22

above and noting the date upon which their Application Form was received (or is deemed received pursuant to Article 23 above)

- e. Chair General Meetings and Steering Meetings if the Chair and Vice Chair are absent (in which eventuality the taking of minutes may be delegated by the Secretary to the Treasurer and, if the Treasurer is absent, to another Member).
- f. Have a casting vote in the event of a tie in any vote at any General Meeting or Steering Meeting if the Chair and Vice Chair are absent
- g. Act as joint signatory on the Forum's bank account (if any) alongside the Treasurer.

50. The Treasurer of the Steering Group shall:

- a. Be responsible for maintaining the accounts of the Forum.
- b. Be responsible for presenting an annual budget for the following year to the Forum.
- c. Submit a summary of the accounts at every Steering Group Meeting unless the Steering Group resolves not to require it on that occasion.
- d. Take minutes at a General Meeting or Steering Group Meeting if the Secretary is acting as chair (and has asked the Treasurer to take minutes) or is absent
- e. Chair General Meetings and Steering Meetings if the Chair, Vice Chair and Secretary are absent (in which eventuality the taking of minutes may be delegated by the Treasurer to another Member)
- f. Have a casting vote in the event of a tie in any vote at any General Meeting or Steering Meeting if the Chair, Vice Chair and Secretary are absent
- g. Act as a joint signatory on the Forum's bank account (if any) alongside the Chair, Vice Chair or Secretary.

### **Constitutional Amendment**

51. No constitutional amendments shall take effect unless and until the decision of a simple majority at a Steering Group Meeting is ratified by a two-thirds majority at a General Meeting preceding which not less than 21 days' email notice of the proposed amendment has been given to Members. Articles 2, 6 to 9, 38, 46 and 51 shall not be amended unless there is unanimity amongst those voting and, in the case of articles 8 to 10, full and proper prior consultation with each Neighbouring Forum which may be affected by any change.

### **Dissolution**

52. In the event of the dissolution of the Forum, any net assets/monies shall go to local community-based organisations, as agreed by most of the Forum.

53. In construing this Constitution the principles of interpretation set out in the Interpretation Act 1978 shall be applied as if this Constitution were legislation to which that Act applied.

54. References to legislation in this Constitution shall be construed to refer and include such amended, augmented or replacement legislation as in future takes the place of the legislation here cited.