

17 FEB 2016

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Compliance with Legislative Requirements**Fulfilment of criteria under Part 3(8) of the Neighbourhood Planning
(General) Regulations 2012.**

A. The name of the proposed Forum

The Hovefields and Honiley Neighbourhood Forum

B. A copy of the written constitution of the proposed Neighbourhood Forum

See attachment 1

C. Name of the Neighbourhood Area to which the application relates

The Hovefields and Honiley Neighbourhood Area

D. Contact details of member to be made public

David Walsh (Chair)

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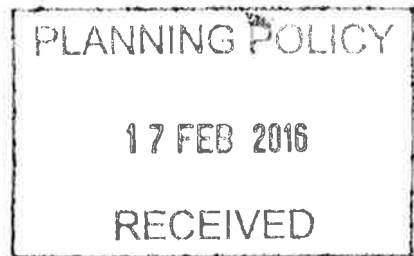
E. Statement explaining how the proposed Neighbourhood Forum meets the conditions in section 61F(5) of The Town and Country Planning Act 1990:

See attachment 2

F. Listing of Neighbourhood Forum Signatories

See attachment 3

1. Section 61F(5)(a) of The Town and Country Planning Act 1990
2. Section 61F(5)(b) of The Town and Country Planning Act 1990
3. Section 61F(5)(d) of The Town and Country Planning Act 1990



Attachment 1

Constitution of the Hovefields and Honiley Neighbourhood Forum

1. Name and Area

The name of the Forum shall be The Hovefields and Honiley Neighbourhood Forum.

See attachment 2 for map of Hovefields and Honiley Neighbourhood Area.

2. Purpose, aims and objectives

The Hovefields and Honiley Neighbourhood Forum is established for the express purpose of promoting and improving the social, economic and environmental well-being of the Hovefields and Honiley Neighbourhood Area.

The aims and objectives of the Neighbourhood Forum are to –

Prepare a Neighbourhood Plan for Hovefields and Honiley Neighbourhood Area

Identify ways, in consultation with relevant authorities and organisations, of involving the whole community in the preparation of the Plan and gathering, analysing and presenting their views and opinions to ensure the Plan is as comprehensive and inclusive as possible.

Work closely with Basildon District Council and other relevant organisations in the preparation of the Neighbourhood Plan

Take responsibility for planning, budgeting and monitoring expenditure on the production of the Neighbourhood Plan and associated projects, including possible sources of funding.

Ensure Hovefields and Honiley Neighbourhood Plan conforms to local and national policies;

Ensure the Forum shall not be affiliated to any political party or organisation.

3. Powers

1. Section 61F(5)(a) of The Town and Country Planning Act 1990
2. Section 61F(5)(b) of The Town and Country Planning Act 1990
3. Section 61F(5)(d) of The Town and Country Planning Act 1990

The Forums ultimate decision taking authority comes from its Annual General Meeting (AGM) and other open meetings. These meetings in turn provide legitimacy to the Forum Steering Group (SG) and the plans which they and/or supporting task and working groups may develop.

In furtherance of its aims and objectives The Hovefields and Honiley Neighbourhood Forum is empowered to

Produce a neighbourhood plan on behalf of the community within The Hovefields and Honiley Neighbourhood Area.

Seek to maintain a Neighbourhood Forum website giving details of the Forum, including a map of the Hovefields and Honiley Neighbourhood Area and their contact details. 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;

Organise open meetings or other equivalent events, including an Annual General Meeting (AGM), to which all Forum members will be invited.

Establish a Steering Group in pursuance of the Forum's aims and objectives.

Take any form of action that is lawful, which is necessary to achieve the aims and objectives of the Forum, including taking out any contracts which it may see fit.

Publicise and promote the work of the Forum and organise meetings, training courses, events or seminars etc;

Work with groups of a similar nature and 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 aims and objectives of the Forum.

4. Membership

Forum membership is open to all residents living in the Hovefields and Honiley Neighbourhood Area, all those who work in the area (whether for businesses carried in there or otherwise), and elected members for the area (with 'area' being defined in section 1)

Individuals can sign up for membership at any Forum meeting or by contacting any Steering Group Member.

Members must be over 16 years of age, can attend Forum meetings and are eligible to vote on proposals put forward by the Forum

The Hovefields and Honiley Neighbourhood Forum will comprise of at least 21 individuals who live or work in the Hovefields and Honiley Neighbourhood Area or who are elected members of a county council or district council, whose area falls within the Hovefields and Honiley Neighbourhood Area.

Members shall be drawn from different parts of the Hovefields and Honiley Neighbourhood Area and different sections of the community in the Hovefields and Honiley Neighbourhood Area.

The draft Constitution will be tabled at a founding Open Meeting of the Forum and deemed accepted if a majority of those voting at the meeting approve it. Subsequently, all members of the Forum will be contacted and

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3. Section 61F(5)(d) of The Town and Country Planning Act 1990

provided with a copy of the new Constitution. This process will be repeated with any revisions to the Constitution. The approved Constitution will be used to achieve designation of the Forum

All members of the Forum have a duty to declare at application stage any financial interests or associations through party political or other organisations, employment or land ownership that could have an impact on their, or the Forums work.

Any member who wishes to resign must provide the Secretary with written notice stating whether the resignation is with immediate effect or subject to a time frame to be specified in the written notice.

Associate membership is open to individuals who do not live or work within the Hovefields and Honiley Neighbourhood Area but has an interest in assisting the Forum to achieve its aims and objectives. Associate membership does not carry voting rights.

5. AGM and other meetings

The AGM and other open meetings provide the mechanism for decisions to be taken by the Forum in relation to its powers as set out in Section 3 of the Constitution.

At each AGM, the Forum shall elect a Steering Group by means of a majority vote to undertake the day to day work of the Forum.

The AGM has the power to both elect, and remove by a vote of no confidence, any member of the Steering Group.

The AGM will be called annually with at least 10 working days notice by informing all residential properties within the Hovefields and Honiley Neighbourhood Area.

At each AGM, the Treasurer will provide a set of independently examined accounts for the Forum consisting of a statement of income and expenditure and a balance sheet for the previous financial year and the Minute Secretary will record the proceedings;

The following rules apply to Open Meetings, Steering Group Meetings and the AGM

Chairing - each meeting has a chair. The chair of the meeting ensures that the business of the meeting is transacted in an orderly and respectful way

Decision Making – the Forum endeavours to make decisions by consensus, but in the case of a vote, decisions are made by a simple majority of those present and entitled to vote and will be determined by a show of hands. When the vote is tied, the chair of the meeting has a second, casting vote.

Speaking – all members are entitled to speak at meetings and, at Open Meetings; all members of the public are entitled to speak. The chair of the meeting has the power to impose time limits on speeches.

Quorum – open meetings and the AGM will be quorate if at least 2 officers (including either the Chair or Secretary) and at least 4 other members are present. The quorum applicable to the Steering Group meetings is set out in section 7.

7. Forum Steering Group

1. Section 61F(5)(a) of The Town and Country Planning Act 1990
2. Section 61F(5)(b) of The Town and Country Planning Act 1990
3. Section 61F(5)(d) of The Town and Country Planning Act 1990

The Steering Group will meet not less than once per eight week period. More frequent meetings may be held as the Steering Group sees fit to meet the workload demands that pertain at the time.

The Steering Group (SG) exists to

Co-ordinate, implement and monitor the work of the Forum
Prioritise, schedule and publicise this work
Receive and consider reports from relevant Task or Working Groups
Undertake the financial management of the Forum
Establish policies, procedures and frameworks.

The SG is a working committee made up of Forum members initially elected at the founding Open Meeting of the Forum and subsequently at each AGM by a majority vote. Only full members of the Forum may stand for SG and should be nominated by at least one Forum member

SG members to be elected at the inaugural meeting and subsequent AGM's are: Chair, Treasurer, Secretary, plus 3 Open Place members.

Non-voting SG members with specialist skills may be co-opted onto SG and the SG may set up Task or Working Groups of Forum and co-opted members for the specific projects or tasks to be undertaken.

The SG will liaise with relevant bodies such as Locality, community support groups, relevant business associations, the local authorities and the elected representatives of the ward in which the Hovefields and Honiley Neighbourhood Area falls.

SG decision making will be by consensus or by majority vote. SG meetings will be declared quadrate with 50% or more of SG members in attendance.

Any Task and Working Groups will meet as determined by the nature of the task or project and timetable they are responsible for.

The SG has the power to hold votes of no confidence in any member by simple vote.

8. Forum Funding

Any monies acquired by the Forum shall only be used to help achieve the aims and objectives of the Forum as set out in Section 2 of its Constitution.

The Forum can raise funds for its activities by one or more of the following methods

Charging membership fees on an individual and/or associate member basis – level of fees to be agreed at an AGM or Special General Meeting (SGM);
Submitting applications to grant awarding bodies for appropriate funds;
By other means in keeping with the role of the Forum, including revenue from websites, donations, and proceeds from events.

The Steering Group will be responsible for determining the financial management of the Forum, including a minimum of 2 members – The Treasurer and one other nominated Steering Group member (or deputy) – to authorise expenses and sign cheques.

The treasurer shall keep proper account of the finances of the Forum, where necessary supported by receipts or invoices, and shall ensure that the Forum has a bank account in its own name.

1. Section 61F(5)(a) of The Town and Country Planning Act 1990
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3. Section 61F(5)(d) of The Town and Country Planning Act 1990

The annual accounts of the Forum shall be subject to independent audit by 2 members of the Forum who are not Steering Group members.

9. Complaints

Any complaint about the behaviour of a member of the Forum, Steering Group or sub-groups in relation to work undertaken shall be made in confidence, in writing to the Secretary unless the complaint is about the secretary in which case it shall be made to the Chair.

The elected members of the Forum will investigate the complaint and decide on action as appropriate. If the complaint concerns the officers themselves, other members of the Forum will be appointed in their place.

Appeals will be held by three members of the Board who have not been involved in investigating the complaint or determining action.

10 Values

All members of the Forum shall act in the best interests of the Forum in any meetings of the Forum, the Steering Group and any Task or Working groups.

In any AGM, Open Group or Steering Group meetings a member must declare any actual or potential conflicts of interest which may render said member unable to vote on the particular issue or issues under discussion, unless the members present unanimously agree that the declaration does not preclude the member from voting.

The Forum will comply with all relevant equality and anti-discrimination legislation and shall not discriminate against any persons on grounds of race, nationality, gender, sexuality, religion or age.

11. Alteration of Constitution

This Constitution can only be changed at an AGM or SGM of the Forum. Any change to the Constitution requires a simple majority of votes of the members present and will be communicated to Forum members as described in section 4 of this Constitution.

12 Extending life of Forum

The Forum shall exist for a period of five years from its formal designation by Basildon Borough Council, and before the expiration of its five year life, it will give consideration to establishing a continuing or successor organisation to maintain and monitor the Hovefields and Honiley Neighbourhood Plan.

13 Disbanding of Forum

If the Forum is disbanded and no successor organisation established, any remaining funds after all bills and charges have been settled shall be returned to the provider from which the funds were received. No individual member of the Forum shall benefit from the dispersal.

1. Section 61F(5)(a) of The Town and Country Planning Act 1990
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3. Section 61F(5)(d) of The Town and Country Planning Act 1990

Attachment 2

PLANNING POLICY

17 FEB 2016

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Statement of compliance with section 61F (5) of the 1990 Act

Background

Over the last 12-14 years the Hovefields and Honiley Area has been blighted by a great deal of conflict between its Settled Residents, the Gypsy and Traveller Residents and Basildon District Council. This has mainly revolved around the building of unapproved developments. A great deal of time effort and money was spent by Basildon District Council addressing the issues caused by these developments.

Whereas much of the conflict has now passed many of the issues these events caused remain unresolved, for example community imbalance, flooding, lack of infrastructure and environmental concerns.

Residents from all communities were approached to gain opinions and a measure of the strength of feeling for forming a Forum. The response was virtually unanimous in the support of such a venture. A community that has a history of conflict came together in support of a common goal.

Since then representatives from an interim Forum worked to ensure that both the proposed Area and Forum are 'fit for purpose' in preparation of making applications for their designation.

A body of able and willing people with representation from the Settled Residents, Business and Gypsy/Traveller communities within the Hovefields and Honiley Neighbourhood Area has been formed with the necessary working arrangements and relationships in place to take forward the task of preparing a Neighbourhood Plan.

The Hovefields and Honiley Neighbourhood Forum is therefore poised to embark upon this task with its overriding purpose being to promote and improve the social, economic and environmental well-being of the Hovefields and Honiley Area ¹.

Membership Profile ²

Membership is open to all those who live and work in the Hovefields and Honiley Neighbourhood Area and to elected Members for the area.

Membership of the proposed Forum comprises of people from all parts of the Neighbourhood Area and from all sections of the community, including

- Local settled residents
- Members of the Gypsy/traveller community
- Members of the local Businesses

Attachment 3 provides the requisite 21 signatures and includes a breakdown of the membership under the above category headings to help illustrate the nature and mix of members and demonstrate compliance with the legislative requirements.

1. Section 61F(5)(a) of The Town and Country Planning Act 1990
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3. Section 61F(5)(d) of The Town and Country Planning Act 1990

The nature, spread and composition of the membership meets necessary legislative requirements for the purposes of seeking designation as it closely reflects the demographic profile of this community. The proposed Forum will continue to actively encourage new members to promote the inclusivity and representativeness of the membership

The Forum has a written Constitution³ (see attachment 1) which clearly sets out aims and objectives and governance arrangements for the Forum.

Conclusion

The members of the Hovefields and Honiley Neighbourhood Forum are committed to formulating and producing a Neighbourhood Plan for The Hovefields and Honiley Neighbourhood Area. This Plan will as far as practicable reflect the aspirations of the wider Basildon community. Conformity to local and national planning frameworks will be met.

With good will it is hoped to construct working relationships with Basildon Borough Council and through this relationship contribute towards the forming of local planning policy frameworks that meet everyone's needs.

The designation of the Hovefields and Honiley Neighbourhood Forum will provide the platform for the community to work together, in concert with Basildon Borough Council, to plan positively and creatively for the future development of the Hovefields and Honiley Area through the preparation of a Neighbourhood Plan.

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Attachment 3

PLANNING POLICY

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Listing of Neighbourhood Forum Signatories

	Name	Settled Resident	Gypsy/Traveller Resident	Business	Councillor
1	D. Walsh	X			
2	J. Walsh	X			
3	S. Kemp	X			
4	W Kemp	X			
5	C Pratt	X			
6	J Pratt	X			
7	P Bevis	X			
8	J Bevis				
9	P Jones	X			
10	A Whitby	X			
11	J Whitby	X			
12	E Reece	X			
13	P Croucher			X	
14	S Cooper			X	
15	D Mace	X			
16	J Mace	X			
17	K Smith	X			
18	W Anderson		X		
19	G Anderson		X		

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	Name	Settled Resident	Gypsy/Traveller Resident	Business	Councillor
20	W Anderson		X		
21	D Anderson		X		
22	D Warmanm	X			
23	D Curlyon	X			
24	K Sathiy			X	
25	S Worricker			X	
26	C. Jackman				X

1. Section 61F(5)(a) of The Town and Country Planning Act 1990
2. Section 61F(5)(b) of The Town and Country Planning Act 1990
3. Section 61F(5)(d) of The Town and Country Planning Act 1990