

## **Annex 1**

# **Micklegate Neighbourhood Plan Area and Forum Applications**



██████████,  
Development Officer City of York Council

Dear ██████████,

**Application for designation of Neighbourhood Area and Neighbourhood Forum for Micklegate**

We have taken a parallel approach by submitting the Neighbourhood Area application and Neighbourhood Forum application together. This will allow people who live, work and do business in the Micklegate Ward to see the proposals in context. It will also remove the need to consult twice, saving time and reducing the chances of 'consultation fatigue' amongst residents.

Although, these applications are submitted together, they are presented as two separate applications in order to demonstrate the compliance with Regulations 5 and 8 of the Neighbourhood Planning (General) Regulations 2012.

We look forward to working closely with the City of York Council.

Yours sincerely

John Young - Secretary

Pp Hussein Syed - Chair

<b>Item</b>	<b>Name</b>	<b>Description</b>
1	Application A	Neighbourhood Area Designation Application. Regulation 5
2	Application B	Neighbourhood Forum Designation Application. Regulation 8
3	Annex A	Map of the Proposed Neighbourhood Area (Micklegate Ward)
4	Annex B	Extract from Section 61F(5) of the 1990 Act
5	Annex C	Micklegate Neighbourhood Forum Written Constitution

# Application A

## Regulation 5: Application for the Designation of a Neighbourhood Area

- a) A map is attached at **Annex A** showing the full extent of the area proposed to be designated as a Neighbourhood Area. This follows the same boundary as the Micklegate Ward boundary (as at the date that the latest boundary was agreed).
- b) This area is considered to be appropriate to be designated as a neighbourhood area for the following reasons: -
  - i. It follows the recognised/established Ward boundary
  - ii. Formal and informal networks of community based groups already operate within this boundary
  - iii. Distinct catchment areas for schools and local facilities fall within the boundary proposed
  - iv. Consultation to date shows that there is a desire for a neighbourhood plan to cover the full ward area
  - v. The river Ouse forms a natural boundary along one side of our proposed boundary
- c) We are making this application as an organisation or body which is capable of being designated as a neighbourhood forum. An application has been submitted alongside this application for the designation of a Micklegate Forum.
- d) We consider that the proposed Micklegate Neighbourhood Forum (see attached **Application B**) is the appropriate body to lead neighbourhood planning in this area. We believe that we have demonstrated in the attached application that the group is capable of meeting the conditions for designation contained in section 61F(5) of the Town and Country Planning Act 1990.

# Application B

## Regulation 8: Application for the Designation of a Neighbourhood Forum

- a) The name of the proposed Neighbourhood Forum is 'Micklegate Neighbourhood Forum'
- b) A copy of the written constitution of the Micklegate Neighbourhood Forum is attached as Annex C.
- c) The proposed name for the Neighbourhood Area is 'Micklegate Neighbourhood Area'. The map attached at Annex A shows the proposed area.
- d) The Chair of the proposed Neighbourhood Forum is:

Name	Hussein Syed
Address	[REDACTED]
Phone	[REDACTED]
Email	[REDACTED]

- e) The statement below explains how the proposed neighbourhood forum meets the conditions in section 61F(5) of the 1990 Act. An extract from the Act is included at Annex B.

As the written Constitution makes clear, the Micklegate Neighbourhood Forum has been established for the express purpose of promoting or improving the social, economic and environmental well-being the Micklegate Ward.

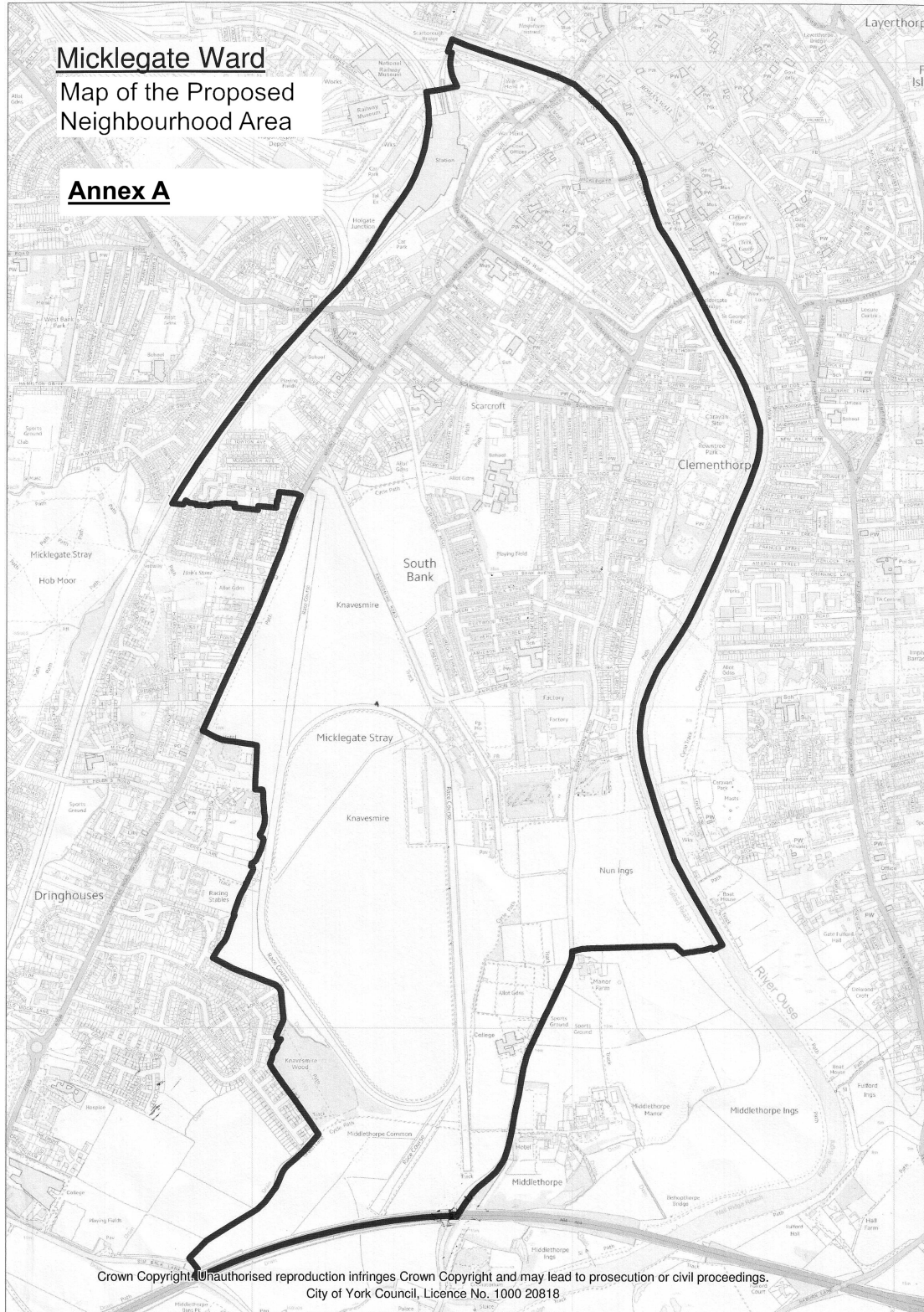
- f) Our membership is open to:
  - i. individuals who live in the proposed Neighbourhood Area,
  - ii. individuals who work there (whether for businesses carried on there or otherwise), and
  - iii. individuals who are elected

Our current membership includes more than 25 individuals, each of whom falls within one or more of the above categories.

# Annex A

**Micklegate Ward**  
Map of the Proposed  
Neighbourhood Area

**Annex A**



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# Annex B

## Extract Section 61F(5) of the 1990 Act

### **61F Authorisation to act in relation to neighbourhood areas**

(5) A local planning authority may designate an organisation or body as a neighbourhood forum if the authority are satisfied that it meets the following conditions

(a) it is established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned (whether or not it is also established for the express purpose of promoting the carrying on of trades, professions or other businesses in such an area),

(b) its membership is open to

(i) individuals who live in the neighbourhood area concerned,

(ii) individuals who work there (whether for businesses carried on there or otherwise), and

(iii) individuals who are elected members of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

(c) its membership includes a minimum of 21 individuals each of whom

(i) lives in the neighbourhood area concerned,

(ii) works there (whether for a business carried on there or otherwise), or

(iii) is an elected member of a county council, district council or London borough council any of whose area falls within the neighbourhood area concerned,

(d) it has a written constitution, and

(e) such other conditions as may be prescribed.

# Annex C

## Written Constitution for Micklegate Neighbourhood Forum

The written constitution is attached to this document as

20170113 MickGt Annex C.PDF

The Forum Secretary is the custodian of the Constitution and also the current list of Forum Members.

Name: John Young

Address:

[REDACTED]

Phone:

[REDACTED]

Email:

[REDACTED]



## Micklegate Neighbourhood Forum Constitution

### 1. Name and Area

- 1.1. The name of the Forum will be the Micklegate Neighbourhood Forum, referred to in the rest of this Constitution as the Forum.
- 1.2. The Forum will pursue its objectives in the area delineated by the Micklegate Ward boundaries (see attached Micklegate Ward Map). This may be adjusted by the Forum or City of York Council under its statutory powers.
- 1.3. This is the area designated by the Forum for the purpose of the preparation of a Neighbourhood Plan under the Neighbourhood Planning (general) Regulations 2012.

### 2. Forum Objectives

- 2.1. The objectives of the Forum shall be to:
  - 2.1.1. Have the express purpose of promoting or improving the social, economic and environmental well-being of the Micklegate Neighbourhood Area.
  - 2.1.2. Prepare a Neighbourhood Plan for Micklegate from start to completion and adoption.
  - 2.1.3. Identify and exploit means by which the whole community can be involved in the formulation and preparation of the Plan. Special attention will be made to youth and elderly groups.
  - 2.1.4. Encourage the participation of residents and businesses in all aspects of life in Micklegate.
  - 2.1.5. Work in partnership with York City Council in the preparation of the Neighbourhood Plan; and Neighbouring Forums, Wards and Parishes in joint endeavours.
  - 2.1.6. Work with other supporting organisations, including the voluntary sector to ensure they play a key role in the preparation of the plan.
  - 2.1.7. Be responsible for planning, budgeting and monitoring expenditure on the production of the Neighbourhood Plan and associated projects, including identifying sources of funding.
  - 2.1.8. Ensure the Micklegate Neighbourhood Plan conforms with local and national planning policies.
  - 2.1.9. Ensure the Forum shall not be affiliated to any political party.
  - 2.1.10. Further develop excellent community relations and pride already existing in the area.
  - 2.1.11. Identify special needs for training and self-development.
  - 2.1.12. Seek assistance, support and advice, when needed, from service providers and organisations and individuals.

- 2.1.13. Proactively seek out best practices, lessons learned and advice from other Forums and bodies, both locally and nationally. Avoid re-inventing wheels wherever possible.
  - 2.1.14. The Forum and Steering Group will aim to follow the Nolan Principles of public life; encompassing Selflessness, Integrity, Objectivity, Accountability, Openness and Honesty.
- 2.2. The MNF is to make the plan in the first place and therefore, at least until the plan is made, shall not express any views on any particular planning application (other than those it makes itself) prior to the completion of the Neighbourhood Plan. Individual members are free to comment on any planning applications but not in the name of the Forum.
  - 2.3. All members shall act in meetings of the Forum and Steering Group in the best interests of the Forum and residents of the area and shall follow Good Governance Guidelines as set out in the attached link (<http://www.goodgovernancecode.org.uk>)

### 3. Powers

In furtherance of the Objectives, but not otherwise, the Steering Group of the Forum may exercise power to:

- 3.1. 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.
- 3.2. Publicise and promote the work of the Forum and organise meetings, training courses, events or seminars etc
- 3.3. 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
- 3.4. Employ staff and volunteers (who shall not be members of the (Steering Group) as are necessary to conduct activities to meet the objectives
- 3.5. Buy or rent premises/equipment/employ services as required
- 3.6. Conduct research
- 3.7. Produce and disseminate information among Micklegate residents and workers. Attention will paid as to how residents can easily feedback on this information.
- 3.8. Take any form of action that is lawful, which is necessary to achieve the objectives of the Forum, including taking out any contracts which it may see fit.

### 4. Membership

- 4.1. Applicants for membership will apply to the Steering Group which shall have the power to accept members.
- 4.2. 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 the Forum's work.

- 4.3. Any member who wishes to resign must provide the Secretary with written notice, stating either a) With Immediate Effect -or- b) A time-frame acceptable to the Steering Group.
- 4.4. The Steering Group may refuse membership, or may suspend or terminate membership of any member by resolution passed at a Steering Group Meeting where it is considered membership would be detrimental to the objectives and activities of the Forum.
- 4.5. Membership is open to all who reside or work in the area of benefit of the Forum.
- 4.6. Membership is open to all business operators in the area of benefit to the Forum.
- 4.7. Membership is open to all constituted voluntary and community groups operating in the area of benefit of the Forum
- 4.8. Membership is open to elected Councillors in the Ward Area of benefit of the Forum.
- 4.9. Membership will be drawn from the area of benefit to achieve inclusiveness and a fair representation of all social and age groupings.

## 5. Meetings

### 5.1. General Forum Meetings

- 5.1.1. All Forum members will be invited to at least four general meetings every year.
- 5.1.2. For General meeting business to be conducted, a quorum of fifty percent (50%) of members must be present at the meeting.
- 5.1.3. All members shall be given at least fourteen (14) days notice of when a meeting is due to take place.

### 5.2. Annual General Meetings/Special Meetings

- 5.2.1. One of the General Meetings of the Forum shall be the Annual General Meeting (AGM) where the Steering Group Officers will be elected, reports of activities made by the Chair and a financial report by the Treasurer.
- 5.2.2. For AGM business to be conducted a quorum of 50% of the membership must be present.
- 5.2.3. All members are entitled to vote at the AGM. Voting shall be by a show of hands on a majority basis. The Chair has a casting vote in the event of a tie.
- 5.2.4. All members shall be given twenty eight (28) days notice of when a meeting is due to take place via email or text.
- 5.2.5. Special Meetings may be called from time to time by the Steering Group solely to consider amendments to the Constitution or dissolution of the Forum. These shall be subject to the same rules as the conduct of the AGM.

## 6. MNF Steering Group

- 6.1.1. The MNF shall be administered by a Steering Group of no less than five (5) and no more than fifteen (15) members who must be at least 16 years of age drawn from the wider MNF Membership.
- 6.1.2. The role of the SG is to deliver the objectives of the Forum in line with this Constitution and manage the day-to-day running of the Forum.
- 6.1.3. Officers of the Steering Group will be elected by the Forum for the period between Annual General Meetings and can be nominated and stand for re-election at the Forum's AGM.
- 6.1.4. Members of the Forum (other than Officers) can join the the Steering Group via more than one route
  - 6.1.4.1. Volunteering - where the member simply offers their services and is accepted by the SG.
  - 6.1.4.2. Election - where there is competition for a place on the Steering Group, then the Steering Group will vote for candidates, and those getting the most votes will join the Steering Group.
  - 6.1.4.3. Adoption - where a Forum Member, through their knowledge and expertise, could assist The Forum in achieving its objectives. The Steering Group would invite the Member to join the Steering Group in this case.
- 6.1.5. The SG may delegate powers on specific matters to such persons and groups as agreed in meetings and minutes.
- 6.1.6. The SG may authorise individual members to make minor decisions considered of benefit to the membership but inexpedient to await the next scheduled SG meeting.
- 6.1.7. The SG will meet at least 6 times per calendar year. Each Forum year begins on the 1st of April.
- 6.1.8. One half (50%) of the Steering Group members must be present in order for a meeting to take place.
- 6.1.9. All members of the SG shall be given at least two weeks (14 days) notice of of when a meeting is due by email, text or whatever means agreed.
- 6.1.10. If an elected member does not attend three successive Steering Group Meetings without good reason, their membership of the Steering Group will cease. The Chair or Secretary will confirm this dismissal in writing.
- 6.1.11. No member of the Steering Group shall use their position for financial or personal gain.

## 6.2. Executive roles and responsibilities on the Steering Group shall be:

### 6.3. Chair

- 6.3.1. To call and manage regular meetings of the SG (for which a quorum will be one half of its members) and to ensure all meetings are held in accordance with the MNF Constitution.
- 6.3.2. In the event of a tied vote, to have a casting vote.

- 6.3.3. Act on behalf of the MNF and represent it externally
- 6.3.4. Have power to take action on urgent matters between meetings of the Steering Group.
- 6.3.5. Interpret the Constitution. The Chair's interpretation of the Constitution may be overturned by two-thirds of those present at the Steering Group.
- 6.3.6. Represent and liaise with the York Central Planning Committee insofar as the MNF Plan overlaps, intersects or otherwise affects the 'Teardrop' Brownfield Development site.
- 6.3.7. Act as a joint signatory on the MNF Account. Two joint signatures will be required for all transactions.

#### **6.4. Vice-Chair**

- 6.4.1. To stand-in for the Chair whenever they cannot fulfil their role, for whatever reason.
- 6.4.2. To also represent MNF on the York Central Planning Committee.

#### **6.5. Secretary**

- 6.5.1. Will maintain a list and contact details of all MNF Members, Steering Group Members and Steering Group Office holders. These details will be made available to other Members at their request.
- 6.5.2. Shall be responsible for organising meetings, maintaining the minutes and Constitution of the MNF. Also making them available to Members.
- 6.5.3. Take the Chair if Chair & Vice-Chair are Absent.
- 6.5.4. Act as a joint signatory on the MNF Account.

#### **6.6. Treasurer**

- 6.6.1. Shall be responsible for maintaining the accounts of the MNF.
- 6.6.2. Will present an annual budget for the following year after the AGM.
- 6.6.3. Submit detailed accounts to the Steering Group at every Steering Group meeting.
- 6.6.4. Act as joint signatory on the MNF Account.
- 6.6.5. Take the Chair if the Secretary is absent.
- 6.6.6. Take the Minutes if the Secretary is absent or in the chair.

#### **6.7. Publicity Officer**

- 6.7.1. To promote the objectives of the MNF via media channels, both social and formal.
- 6.7.2. To maintain the MNF website hosted by the CYC.
- 6.7.3. To report on progress achieved by the MNF on achieving its objectives.

#### **6.8. Additional roles**

- 6.8.1. As and when required to fulfill MNF's Objectives.
- 6.8.2. Appointed by the Steering Group by a simple majority

## 7. Working Groups

- 7.1. Forum Members may from time to time be asked to form small groups to address particular issues. These groups shall be known as Working Groups, and shall have specific Terms of Reference as set out by the Steering Group.
- 7.2. These Groups will be able to investigate, discuss and make recommendations, but, unless specifically authorised by the Steering Group, will not have the power to make decisions on behalf of the Forum.
- 7.3. Meeting location, recording and frequency will be the responsibility of the Working Groups. If a record of a meeting is sought, the Working Group can pass the details to the Secretary for wider publication.

## 8. Complaints

- 8.1. Any complaints about the Steering Group, General Forum or Working Groups, in relation to the 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.
- 8.2. The Elected Officers of the Steering Group 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.
- 8.3. Appeals will be held by three members of the Steering Group who have not been involved in investigating the complaint or determining action.

## 9. Constitutional Amendments

- 9.1. Proposed amendments to this Constitution or dissolution of the Forum must be conveyed to the Secretary formally in writing.
- 9.2. The Secretary and other members of the Steering Group shall then decide whether to put the proposed amendments to a General Forum Meeting.
- 9.3. The Constitution can only be changed at an AGM or SGM; on receiving a simple majority vote in favour of the amendment.

## 10. Dissolution and Winding Up

- 10.1. The Forum is designated for a period of 5 Years. However, the Forum can apply to have the designation renewed.
- 10.2. The Forum may be dissolved if deemed necessary by the members in a two thirds majority vote at a special meeting. This must be a duly advertised meeting for this specific purpose and to which all Forum Members are invited to attend.
- 10.3. In the event of the forum being dissolved, the assets (after payments of debts due) will be returned to their providers or be transferred to local charities or similar groups at the discretion of the Steering Group. This will be decided by a simple majority vote of the Steering Group.

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## Arrangements until the first Annual General Meeting of the Micklegate Neighbourhood Development Plan Forum

Until the first Annual General Meeting takes place, this constitution shall take effect as the Micklegate Neighbourhood Forum terms of reference.

Signed ..... Chair

Signed..... Secretary

Signed..... Steering Group Member

# Adoption of Constitution of Micklegate Neighbourhood Forum

This Constitution was adopted as the Constitution of the Micklegate Neighbourhood Forum

..... At the first Annual General Meeting

Of..... Held on the .....

Where the following persons were elected as Trustees and Steering Group Members for

.....

Signed ..... Chairperson

Signed ..... Vice-Chairperson

Signed ..... Secretary

Signed ..... Treasurer

Signed .....

Signed .....

Signed .....

Signed .....

Signed .....

..... DATE