



Malden  
Rushett  
Community



Annex 4:

# CONSTITUTION

# 1 Name, Purpose and Objects

1.1 The name of this neighbourhood forum is Malden Rushett Community ('The Forum').

1.2 The purpose of The Forum shall be to improve the social, economic and environmental well-being of Malden Rushett by engaging in the planning of the neighbourhood throughout the Malden Rushett Neighbourhood Area ("Neighbourhood Area") as provided for in the Localism Act 2011.

1.3 The Objects of The Forum shall be limited to:

1.3.1 producing a Neighbourhood Development Plan for the Malden Rushett Neighbourhood Area ("Development Plan");

1.3.2 monitoring planning applications in the Neighbourhood Area;

1.3.3 initiating Neighbourhood Development Orders and Community Right to Build orders;

1.3.4 identifying Assets of Community Value as defined in the Localism Act 2011;

1.3.5 involving and informing the community of any development related activity or consultations in the Neighbourhood Area or outside it if it is expected they will affect the Neighbourhood Area; and

1.3.6 any other matters pursuant to the purposes of The Forum as from time to time may be desirable.

1.4 The Forum shall have a Financial Year end of 31st March, and shall exist for a fixed term of five years from its date of designation as a qualifying body.

## 2 Malden Rushett Neighbourhood Area

2.1 The Neighbourhood Area is defined as the area approximately within the following borders:

2.1.1 The north-western border is the boundary between Chessington World of Adventures South Car Park and Jubilee Wood, Chessington Garden Centre and the Leatherhead Road;

2.1.2 The north-eastern border is Chalky Lane, Monks Cottage, the Bonesgate Stream and Park Farm's Field 0002 boundary with Field 6900;

2.1.3 The eastern and western borders are the boundaries between RBK and SCC;

2.1.4 The southern border includes land from Mole Valley District Council not included in the Ashted Neighbourhood Area.

2.2 The Forum Area as described in 2.1.1. to 2.1.4. is shown on the Map in Appendix 1 to this Constitution.

### 3 Malden Rushett Neighbourhood Development Plan

3.1 The Development Plan shall set out policies for the development and use of land within The Neighbourhood Area.

3.2 The Development Plan shall be submitted to the relevant authorities only once approved by a General Meeting of The Forum.

3.3 The Development Plan will comply with European and national legislation and policy and be in general conformity with existing strategic local planning policy and shall;

3.3.1 complement the Local Development Frameworks as produced by the relevant Planning Authorities to ensure that all development respects and enhances the character of the Area;

3.3.2 express aspirations for the future development of traffic and public transport serving or passing through The Neighbourhood Area;

3.3.3 provide for the preservation and improvement of private and public open space;

3.3.4 nominate Assets of Community Value for listing by the appropriate local authority;

3.3.5 guide the Planning and Highway Authorities towards improvements in the public realm;

3.3.6 pay due attention to sustainability and carbon reduction;

3.3.7 pay due attention to the surface and underground water environment, flood risks, pollution risks, and soil stability; and

3.3.8 pay due attention to local wildlife and the preservation of its habitat.

3.4 Any other matters pursuant with the purposes of The Forum, which may from time to time be desirable.

## 4 Membership

4.1 The Forum shall comprise at least 21 individuals and should include a representative from each category in sub-clause 4.2.

4.2 The following individuals shall be eligible to become Members of The Forum ("Members");

4.2.1 individuals aged 18 and over who reside or work in The Neighbourhood Area;

4.2.2 councillors representing wards included wholly or partly within The Neighbourhood Area;

4.2.3 all businesses in The Neighbourhood Area may nominate a representative.

4.3 In determining eligibility for membership, The Forum shall respect all differences including gender, age, ethnicity, religion, sexual orientation, disability and income.

4.4 Only eligible Members shall have the right to vote and be entitled to join the Management Committee, subject to sub-clauses 5.1.2 and 5.4.

4.5 The following shall be entitled to become Affiliates of the Forum ("Affiliates");

4.5.1 those under 18 residing or working in the Neighbourhood Area; and

4.5.2 those aged 18 or over not residing or working in The Neighbourhood Area.

4.6 Affiliates may attend and contribute to Meetings but they shall not be entitled to vote nor to become Management Committee members.

4.7 Only Members and Affiliates may attend General Meetings and Committee Meetings, unless invited by the Chair.

4.8 Membership of The Forum shall be free.

## 5 Management Committee

5.1 The Management Committee shall consist of at least 4 members and at most 12 members subject to the following provisions;

5.1.1 a majority shall be residents of the Neighbourhood Area;

5.1.2 to include at least one Councillor representing wards included wholly or partly within the Neighbourhood Area; and

5.1.3 the total representatives of any one local business or local organisation shall not exceed one third of the Management Committee.

5.2 Committee members shall serve for a term of one year and shall be subject to re-election at each AGM. There will be no limit to the number of terms a committee member may serve.

5.3 The Management Committee may nominate any Member to replace a committee member who stands down for any reason during the year, or to fill any vacancy there may be.

5.4 The Management Committee may co-opt up to three non-Forum Members as additional Committee members to provide technical advice in any year. Co-opted members do not have the same voting rights as elected or nominated Committee members.

5.5 The role of the Management Committee shall be;

5.5.1 to ensure that the activities of The Forum are fully compliant with all appropriate legislation;

5.5.2 to devise and maintain a schedule to deliver a completed Development Plan within the permitted time frame; and

5.5.3 to promote the purpose and activities of The Forum to all residents and businesses in the Neighbourhood Area.

5.6 The Management Committee may not make any amendments to the Development Plan such only as to be agreed by the full membership.

5.7 A newly-elected Management Committee will assign the following roles amongst its members at the earliest opportunity;

5.7.1 A **Chair** who shall be responsible for:

- a) chairing Management Committee Meetings and General Meetings;
- b) ensuring that an appropriate alternative committee member shall chair any meeting that the Chair is unable to attend; and
- c) acting as or delegating an official spokesperson.

5.7.2 A **Secretary** who shall be responsible for:

- a) ensuring that appropriate notices are sent in advance of meetings;
- b) taking minutes or providing a recording and/or transcript of Committee and General Meetings and making these available to Members within three weeks of the meeting; and
- c) keeping a Register of committee members' interests detailing any financial interests in the Area or any other interests which could have an influence on decisions likely to come before the Management Committee.

5.7.3 A **Treasurer** who shall be responsible for:

- a) managing The Forum's finances;
- b) drawing up accounts within two months of the end of each financial year; and
- c) reporting to the AGM on The Forum's accounts.

5.7.4 A **Membership Officer** who shall be responsible for:

- a) maintaining a register of Members and Affiliates; and

b) promoting the purpose and activities of The Forum to all residents and businesses in The Forum Area and encouraging engagement from the whole community.

5.7.5 A **Project Manager** who shall be responsible for:

- a) overseeing and drafting the Development Plan;
- b) liaising with the local authority planning office; and
- c) submitting Neighbourhood Development Orders and Community Orders.

5.7.6 A **Team Liaison Officer** who shall be responsible for:

- a) reporting on the activities of all Teams to the Management Committee; and
- b) ensuring the Teams are sufficiently resourced to undertake their activities.

5.7.7 A **Business and Stakeholder Liaison Officer** who shall be responsible for:

- a) representing the interests of businesses and stakeholders located within the Neighbourhood Area.

5.7.8 A **Compliance Officer** who shall be responsible for:

- a) ensuring The Forum's activities are compliant with the RBK Neighbourhood Planning Protocol; and
- b) ensuring the content of The Development Plan is fully compliant with the National Planning Policy Framework, The London Plan and the Local Authority Plan.

5.8 Roles may be shared between committee members or combined as appropriate.

5.9 Such other roles and duties as may from time to time be determined.



## 6 Working Teams

6.1 Working Teams (“Team”) shall undertake the work necessary to deliver the Development Plan in accordance with the schedule devised by the Management Committee.

6.2 Each Team must have at least one committee member as part of the team who shall be responsible for reporting back to the Management Committee and securing appropriate resources for the Team.

6.3 The Management Committee can establish extra teams if considered appropriate to manage the workflow.

6.4 Teams are open to all Members and Affiliates.

### Communications Team

6.5 The Communications Team will;

6.5.1 ensure there is extensive consultation on the Development Plan among those eligible to be Members of the Forum;

6.5.2 operate an open and transparent communications policy that enables Members to fully engage in the process; and

6.5.3 administer all surveys and voting in a manner that encourages Members to participate.

### Drafting Team

6.6 The Drafting Team will;

6.6.1 collate and analyse data to support the preparation of the Development Plan;

6.6.2 where possible identify a range of solutions to address any issues raised by the community;

6.6.3 write policies to reflect the views of the community; and

6.6.4 ensure that all its policies are compliant with the National Planning Policy Frame, The London Plan and the Local Authority Plan.

## 7 Meetings

7.1 Decisions at all Meetings shall be made by simple majority of those present except where specified elsewhere in this Constitution.

7.2 The Chair of any meeting or their appointed deputy shall have a casting vote if required.

7.3 Meetings may be held either in person or by suitable electronic means in which all participants may communicate with all the other participants.

### Management Committee Meetings

7.4 The Management Committee shall meet at least once every three months.

7.5 Quorum for Management Committee is over fifty percent of Committee members.

### General Meetings

7.6 An Annual General Meeting shall be held within three months of the close of each financial year of the Forum to deal with the following;

7.6.1 the receipt of the accounts and of the reports of the Management Committee;

7.6.2 the appointment of an auditor (if required);

7.6.3 the election of members to the Management Committee; and

7.6.4 any other issues which the Committee think appropriate.

7.7 A General Meeting may be called by decision of the Management Committee.

7.8 An Extraordinary General Meeting ("EGM") may be called by a minimum of 10 current Members applying to the Secretary and must be held within 30 days of receipt of the application by the Secretary.

7.9 For all General Meetings, a notice of the meeting and details of any resolutions to be put to it shall be published at least 14 days before the meeting on The Forum's website; and

7.9.1 notices to Members shall be delivered to each Member's last notified email address or (where no email address is given) delivered to the Member's last notified postal address.

7.10 Quorum for General Meetings shall be the lesser of 50% of all membership or a minimum of 10 Members, subject to sub-clauses 7.11 and 7.12.

7.11 In the event of a meeting failing to achieve a quorum, business may be discussed and proposals put to the next meeting for ratification.

7.12 If two consecutive General Meetings are inquorate and a third Meeting is called within 7 days of the second inquorate General Meeting, provided that Meeting takes place within 28 days of the second inquorate General Meeting, it will be deemed to be quorate.

## Team Meetings

7.13 Regular Team Meetings shall be arranged at the discretion of the Team.

7.14 At least one Team Meeting shall be held every three months immediately before a Management Committee meeting.

## 8 Voting Procedures

8.1 All decisions regarding the scope and content of the Development Plan shall be made by the full membership.

8.2 Notices of a full membership vote ("Full Vote") shall be delivered to each Member's last notified email address or (where no email address is given) delivered to the Member's last notified postal address.

8.3 A Full Vote shall remain open for a minimum of 7 days.

## 9 Finance

9.1 The Forum shall have the power to raise funds as necessary for its activities, by grant, donation or any other appropriate means, but not by borrowing.

9.2 The Management Committee shall open at least one bank account as necessary in the name of The Forum. All funds raised for The Forum will be held in such accounts.

9.3 The Management Committee shall nominate a minimum of three and a maximum of five signatories for each bank account at all times.

9.4 One of the nominated signatories of each bank account shall be the Treasurer.

9.5 The signatures of three Management Committee members shall be required to authorise all withdrawals.

9.6 The withdrawal of sums greater than £500 shall require Committee approval.

9.7 The Management Committee shall, where appropriate, insure any assets it holds, and by insurance or otherwise indemnify its officers against liabilities arising from their work for The Forum.

9.8 The Management Committee may request a voluntary donation for each Financial Year which may be used to cover costs such as postage, printing, and stationery incurred in promoting the Objects of The Forum.

9.9 These funds may be used for other types of reasonable expenditure connected with promoting the Objects of The Forum if approved by the Management Committee.

## 10 Declaration of Interests

10.1 Committee members shall notify the Secretary of any financial or beneficial interest that could influence their decisions in respect of matters that have or may come before the Management Committee (“a Relevant Interest”).

10.2 A private residence shall not constitute a Relevant Interest.

10.3 If any committee member has a Relevant Interest he or she shall notify the Management Committee and abstain from voting on relevant matters whether or not that interest has been notified to the Secretary.

10.4 At AGMs, committee members should declare pecuniary, beneficial or conflict of interests.

10.5 Any committee member found not to have complied with 10.1 and 10.3 may be barred from further participation in The Forum.

## 11 Amendments and Dissolution

11.1 Amendments to this Constitution shall be valid if submitted in writing to the Secretary and supported by at least two-thirds of Members present at a General Meeting.

11.2 The Forum may be dissolved before the end of its five-year term if supported by at least two-thirds of the full Membership.

11.3 At the end of The Forum’s five-year term, and following appropriate review and consultation, Members shall vote on whether to continue, amend, or dissolve The Forum.

11.4 In the event of dissolution, the Management Committee shall allocate any property or funds held by The Forum to one or more organisations set up to continue the work of The Forum or existing local not-for-profit organisations.