

Town and Country Planning Act 1990  
Neighbourhood Planning (General) Regulations 2012

INTERIM BLACKWELL NEIGHBOURHOOD FORUM

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Application for Designation  
of a Neighbourhood Forum

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Darlington Borough Council  
Planning and Environmental Policy  
Town Hall  
Darlington  
DL1 5QT

21<sup>st</sup> February 2014

*For the Attention of: Richard Alty, Director of Economic Growth*

Dear Mr Alty,

### **Application for Designation of Blackwell Neighbourhood Forum**

I am writing to apply for the designation of a Neighbourhood Forum under Section 61F of the Town and Country Planning Act 1990 and in accordance with Part 3(8) of The Neighbourhood Planning (General) Regulations 2012.

The application is made by the proposed **Blackwell Neighbourhood Forum** and is supported by a set of documents which together meet the requirements of the above legislation as they include the following:

- The name of the proposed Neighbourhood Forum;
- A copy of the Written Constitution of the proposed Neighbourhood Forum;
- The name of the Neighbourhood Area to which the application relates and a map to identify the area;
- The contact details of at least one member of the proposed Neighbourhood Forum to be made public;
- A statement which explains how the proposed Neighbourhood Forum meets the conditions contained in section 61F(5) of the 1990 Act.

The above information demonstrates that the proposed Blackwell Neighbourhood Forum is a relevant body for the purposes of obtaining designation as a Neighbourhood Forum.

This application is being submitted in parallel with a separate application seeking the designation of the Blackwell Neighbourhood Area. Together, these designations will empower the local community to plan positively and creatively for the future development of Blackwell through the preparation of a Neighbourhood Plan.

On behalf of the interim Blackwell Neighbourhood Forum, I look forward to the Council's designation of the Neighbourhood Forum once statutory consultation procedures have been met.

Yours Sincerely,

*John Hardman*

Chair, Interim Blackwell Neighbourhood Forum

# COMPLIANCE WITH LEGISLATIVE REQUIREMENTS

## Fulfilment of criteria under Part 3(8) of the Neighbourhood Planning [General] Regulations 2012

<i>(a) The name of the proposed Forum:</i>	
	<b>The Blackwell Neighbourhood Forum</b>
<i>(b) A copy of the written constitution of the proposed Neighbourhood Forum:</i>	
	<b>See Annex 1</b>
<i>(c) Name of the Neighbourhood Area to which the application relates:</i>	
	<b>The Blackwell Neighbourhood Area</b> <b>See Annex 2 for Map of Neighbourhood Area</b>
<i>(d) Contact details of member to be made public:</i>	
	<b>Peter Hughes (Treasurer &amp; Acting Secretary) Tel: 01325 463755</b> <b>Email: <a href="mailto:crouchend56@hotmail.com">crouchend56@hotmail.com</a></b>  (NB – Contactable via email only from 1st to 29th April inclusive)
<i>(e) Statement explaining how the proposed Neighbourhood Forum meets the conditions in section 61F(5) of the 1990 Act:</i>	
	<b>See Annex 3 (and supporting Annex 4)</b>

# ANNEX 1

## Draft Constitution of the Blackwell Interim Neighbourhood Forum

### **1.0 Name and Area**

- 1.1 The name of the Forum shall be the Blackwell Neighbourhood Forum.
- 1.2 The area covered by the Forum shall be the area as shown on the attached map, known as the Blackwell Neighbourhood Area.

### **2.0 Purpose, aims and objectives**

- 2.1 The Blackwell Neighbourhood Forum is established for the express purpose of promoting and improving the social, economic and environmental well-being of the Blackwell area.
- 2.2 The aims and objectives of the Neighbourhood Forum are to –
  - a) Undertake the preparation of a Neighbourhood Plan for Blackwell from inception through to adoption of the Plan;
  - b) 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;
  - c) Work closely with Darlington Borough Council and other relevant organisations in the preparation of the Neighbourhood Plan;
  - d) Take responsibility for planning, budgeting and monitoring expenditure on the production of the Neighbourhood Plan and associated projects, including identifying possible sources of funding;
  - e) Ensure the Blackwell Neighbourhood Plan conforms with local and national planning policies;
  - f) Ensure the Forum shall not be affiliated to any political party or organisation;

### **3.0 Powers**

- 3.1 The Forum's ultimate decision-taking authority comes from its Annual General Meeting (AGM) and other open meetings (see Section 6). These meetings in turn provide legitimacy to the Forum Steering Group and the plans which they and/or supporting task and working groups may develop (see section 7).
- 3.2 In pursuance of its aims and objectives, the Neighbourhood Forum is empowered to –
  - a) Produce a Neighbourhood Plan on behalf of the community within the designated boundary referred to in Section 1.2;
  - b) Seek to maintain a Neighbourhood Forum website giving details of the Forum, including a map of the Blackwell Neighbourhood Area and the contact details of the Chair and Secretary. Communication with the Forum membership will be via notices, agendas and minutes of AGM's and open meetings, together with periodic newsletters and briefings;

- c) Organise open meetings or other equivalent events, including an Annual General Meeting (AGM), to which all Forum members will be invited;
- d) Establish a Steering Group in pursuance of the Forum's aims and objectives;
- e) Raise money or apply for funding as necessary (see section 8);
- f) Conduct research;
- g) Carry out anything else within the law necessary in pursuance of the Forum's aims and objectives.

#### **4.0 Values**

- 4.1 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.
- 4.2 In any of the meetings referred to in 4.1, 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.
- 4.3 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.

#### **5.0 Membership**

- 5.1 Forum Membership is open to all residents living in the area, all those who work in the area (whether for businesses carried on there or otherwise), and elected members for the area (with 'area' being as defined in section 1.2).
- 5.2 Individuals can sign up for membership at any Forum open meeting or by contacting any Steering Group Member.
- 5.3 Members must be over 16 years of age, can attend Forum meetings and are eligible to vote on proposals put forward by the Forum.
- 5.4 Forum Members may be contacted by the Steering Group from time to time to act as a litmus test for ideas and proposals or be invited to participate in other activities related to the work of the Forum.
- 5.5 Membership of the Forum must consist of a minimum of 21 individuals made up of the following:
  - a) Individuals who live in the Blackwell Neighbourhood Area Boundary;
  - b) Individuals who work in the Blackwell Neighbourhood Area Boundary (whether for businesses carried on there or otherwise);
  - c) Individuals who are elected members of the Council whose area falls within the Blackwell Neighbourhood Area boundary.

- 5.6 The draft Constitution which has been used to achieve designation of the forum 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 provided with a copy of the new Constitution to agree to as approved and this process shall be repeated with any further revisions to the Constitution.
- 5.7 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.
- 5.8 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.
- 5.9 Associate membership is open to individuals who do not meet the requirements in 5.1, but have an interest in assisting the Forum to achieve its aims and objectives. Associate membership does not carry voting rights.

## **6.0 AGM and other meetings**

- 6.1 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 this Constitution.
- 6.2 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 as set out in section 7 of this Constitution.
- 6.3 The AGM has the power to both elect, and remove by a vote of no confidence, any member of the Steering Group.
- 6.4 The AGM will be called with at least 15 working days notice by informing all residential properties within the Blackwell area, as defined in section 1.2 of this Constitution.
- 6.5 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 (see section 8.5).
- 6.6 The following rules apply to Open Meetings, Steering Group Meetings and the AGM:
- a) 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.
  - b) Decision Making – the Forum endeavours to make decisions by consensus, but in the case of a vote, decisions are made by 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.
  - c) 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.

- d) Quora – open meetings and the AGM will be quorate if at least 2 officers (including either the Chair or Deputy Chair) and at least 6 other members are present. The quorum applicable to Steering Group meetings is set out in paragraph 7.6.

## **7.0 Forum Steering Group**

7.1 The Steering Group (SG) exists to –

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

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

7.3 SG Members to be elected at the inaugural meeting and subsequent AGM's, are: Chair, Treasurer, Minute Secretary and Membership Secretary, plus 5 Open Place members.

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

7.5 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 Blackwell Neighbourhood Area falls.

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

7.7 The Steering Group will meet monthly and Task and Working Groups will meet as determined by the nature of the task or project and timetable they are responsible for.

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

## **8.0 Forum Funding**

8.1 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 2.0 of this Constitution.

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

- a) 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);



- b) Submitting applications to grant awarding bodies for appropriate funds;
- c) Working in partnership with organisations which have funds to spend in the Blackwell area;
- d) By other means in keeping with the role of the Forum, including revenue from websites, donations, and proceeds from events.

8.3 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.

8.4 The Treasurer shall keep a 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.

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

## **9.0 Complaints**

9.1 Any complaints 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.

9.2 The elected officers 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.

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

## **10.0 Alteration of Constitution**

10.1 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 5.6 of this Constitution.

## **11.0 Extending life of Forum**

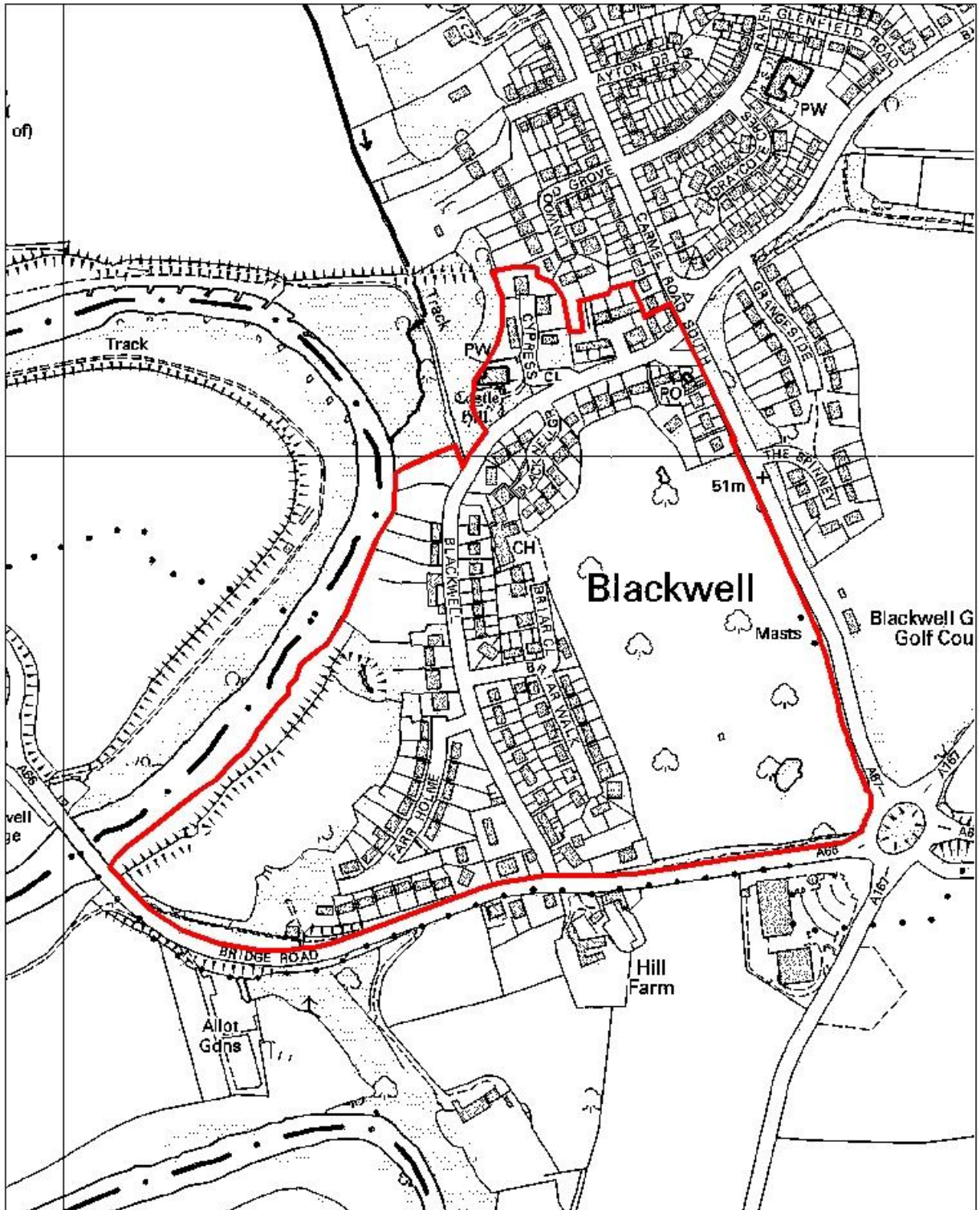
11.1 The Forum shall exist for 5 years from its formal designation by Darlington Borough Council, and before the expiration of its 5 year life, it will give consideration to establishing a continuing or successor organisation to maintain and monitor the Blackwell Neighbourhood Plan.

## **12.0 Disbanding of Forum**

12.1 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.

# ANNEX 2

## Map of Proposed Blackwell Neighbourhood Area



Blackwell Proposed Neighbourhood Area Boundary  
Darlington



Scale: 1:5,000  
Date: 05.02.14



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# ANNEX 3

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

### Background

At a meeting of Blackwell residents in August 2013, a decision was made to lay the legal foundations for preparing a Neighbourhood Plan by establishing a Neighbourhood Forum and defining a Neighbourhood Area for the settlement of Blackwell.

Since then, representatives from the interim Forum have been working with the direct support of a Locality consultant to ensure that both the interim Forum and proposed Area are 'fit for purpose' in anticipation of making simultaneous applications for their designation.

This has involved further meetings of key representatives of the interim Forum, plus meetings and ongoing liaison with the Council, together with work to widen the membership and fine tune the Written Constitution.

This has proved successful in bringing together a body of able and willing people, representative of the Blackwell community, with the necessary working arrangements and relationships in place to take forward the task of preparing a Neighbourhood Plan.

The proposed Blackwell Neighbourhood Forum is therefore poised to embark on this task, with its overarching purpose being to promote and improve the social, economic and environmental well-being of the Blackwell Neighbourhood Area<sup>1</sup>. The extent of the Blackwell Neighbourhood Area is shown on the Map in Annex 2.

### Membership Profile<sup>2</sup>

Membership is open to all those who live and work (whether for businesses carried on there or otherwise) in the Blackwell Neighbourhood Area, and to elected Members for the area.

The total membership of the proposed Forum currently stands at 50 members, as listed in Annex 4. The membership is drawn from different parts of the Neighbourhood Area and from different sections of the community, including:

- Local residents from different parts of the area (all but one street being represented)
- People who work in the area (whether for businesses carried on there or otherwise)
- A local Ward Councillor

Annex 4 includes a breakdown of the membership under the above category headings to help illustrate the nature and mix of members and demonstrate compliance with legislative requirements.

This confirms that, of the 50 members, 45 are residents of Blackwell, 4 work in Blackwell (whether for businesses carried on there or otherwise) and 1 is a Ward Councillor.

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<sup>1</sup> Section 61F(5)(a) of the Town and Country Planning Act 1990

<sup>2</sup> Section 61F(5)(b) & (c) of the Town and Country Planning Act 1990

The nature, spread and composition of the membership meets the necessary legislative requirements for the purposes of seeking designation as it closely reflects the demographic profile of this overwhelmingly residential 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 Constitution<sup>3</sup> (see Annex 1) which clearly sets out the aims and objectives and governance arrangements for the Forum.

### Conclusion

The members of the proposed Neighbourhood Forum are committed to formulating and producing a Neighbourhood Plan for Blackwell that will reflect as far as is practicable the aspirations of the wider Blackwell community, whilst also conforming with national and local planning policy frameworks.

Constructive working relationships have been established with officers of Darlington Borough Council and this has provided a positive impetus and foundation to taking forward neighbourhood planning in Blackwell.

The designation of the Neighbourhood Forum (and corresponding designation of the Neighbourhood Area) will provide the formal platform for the community to work together, in concert with the Council, to plan positively and creatively for the future development of Blackwell through preparation of a Neighbourhood Plan.

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<sup>3</sup> Section 61F(5)(d) of the Town and Country Planning Act 1990

# ANNEX 4

## Blackwell Neighbourhood Forum - Membership List

	NAME	INTEREST IN NEIGHBOURHOOD AREA:		
		RESIDENT	WORKS IN BLACKWELL*	COUNCILLOR
1	John Hardman		1	
2	Iris Mordue	1		
3	Peter Hughes	1		
4	Samantha Morley		1	
5	Geoff Earl	1		
6	David Hutchon	1		
7	Yvonne Auton	1		
8	Claire Lester	1		
9	Jean Hughes	1		
10	Helen Dawson	1		
11	Rosemary Ward	1		
12	Steven Ward	1		
13	Karen Hardman	1		
14	Rosemary Hutchon	1		
15	Raymond Pipe	1		
16	Eileen Pipe	1		
17	Tom Mordue	1		
18	Christopher Auton		1	
19	Gillian Poole	1		
20	Shane Lester	1		
21	Robert Morley	1		
22	Norman Auton	1		
23	Margaret Auton	1		
24	Bob Morrow	1		
25	Richard Harrison	1		
26	Norma Harrison	1		
27	Nigel Boyes	1		
28	Gail Boyes	1		

*\*whether for businesses carried on there or otherwise*

	NAME	INTEREST IN NEIGHBOURHOOD AREA:		
		RESIDENT	WORKS IN BLACKWELL*	COUNCILLOR
29	Vera White	1		
30	Jane Galloway	1		
31	Susan Barnes	1		
32	Maureen Barnet	1		
33	Kevin Hudson	1		
34	Linda Hudson	1		
35	Victoria Fuller	1		
36	Neil Fuller	1		
37	Jean Marsh	1		
38	Geoffrey Marsh	1		
39	Rita Eldridge	1		
40	Pat Anderson	1		
41	Margaret McCord	1		
42	Stuart Howard	1		
43	Maureen Howard	1		
44	Alice Hughes	1		
45	Simonne Emmerson	1		
46	Stephen Emmerson	1		
47	Pauline Park	1		
48	Nigel Park	1		
49	Nicola Earl		1	
50	Cllr Heather Scott			1
	<b>TOTALS:</b>	<b>45</b>	<b>4</b>	<b>1</b>

*\*whether for businesses carried on there or otherwise*

**Summary –**

- **50 total members**
- **45 are residents of Blackwell**
- **4 work in Blackwell (whether for business carried on there or otherwise)**
- **1 is a Ward Councillor**