

Cheshire West and Chester Council

Delegated report

Date: 22 August 2023

**Proposed Neighbourhood Forum: Blacon Neighbourhood Alliance
Neighbourhood Forum**

Neighbourhood Planning (General) Regulations 2012 (as amended), Town and Country Planning Act 1990 (as amended) and Schedule 9 of the Localism Act 2011

Date application first publicised: 25 May 2023

Area name: Blacon Neighbourhood Area

Applicant name: Blacon Neighbourhood Alliance

Ward: Blacon Ward

Ward Members: Cllr Carol Gahan, Cllr Sheila Little, Cllr Alan Smith

Case officer: Catherine Morgetroyd

**Recommendation: Approve and designate Blacon Neighbourhood Alliance
Neighbourhood Forum**

1 Introduction

1.1 This delegated report relates to the assessment of the application for the designation of the Blacon Neighbourhood Alliance Neighbourhood Forum.

1.2 The application for the designation of Blacon Neighbourhood Alliance Neighbourhood Forum was publicised on 25 May 2023. The application was made under Regulation 8 of the Neighbourhood Planning (General) Regulations 2012 must contain the following information:

- 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 which identifies the area;
- The contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10; and
- A statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

2 Area and forum description

- 2.1 A separate application for the Blacon Neighbourhood Area has been submitted and publicised at the same time as the Neighbourhood Forum application. The decision on the Neighbourhood Area will be set out in a separate delegated report.
- 2.2 The Neighbourhood Area covers the urban area of Blacon and is bounded by:
 - The commercial area of Sealand Road and Greyhound Retail Park to the South.
 - The Welsh border to the West.
 - Boundary with Saughall and Mollington Ward, Upton Ward and Chester City and The Garden Quarter Ward along the North and East.
- 2.3 The proposed Neighbourhood Area does not include any existing parished areas and has a clear boundary with the Saughall and Mollington Ward, Upton Ward and Chester City and The Garden Quarter Ward.
- 2.4 It is to be noted that the application area excludes the commercial areas at Greyhound Retail Park and Sealand Road.
- 2.5 A map of the proposed Blacon Neighbourhood Area is attached to this report.
- 2.6 As the area is not covered by a Parish Council, a Neighbourhood Forum must be set up in order to take forward the Neighbourhood Plan.

3 Publicity

- 3.1 The Neighbourhood Forum application was publicised by public notice in the Chester Standard (print and online copies) on 25 May 2023.
- 3.2 Details of the application were published on the Council's website from 25 May 2023 onwards at <http://www.cheshirewestandchester.gov.uk/neighbourhoodplanning>.
- 3.3 Copies of the public notice were also placed on publicly accessible notice boards in Blacon. A copy of the notice was also displayed at the the Blacon Library, The Parade Enterprise Centre, 14 The Parade, Blacon, Chester CH1 5HN.
- 3.4 Local councillors were informed of the application and advised to contact the case officer for further information.
- 3.5 The six-week publicity period ran from 25 May 2023 – 7 July 2023.
- 3.6 The neighbouring parish councils of Saughall and Shotwick Park, Mollington and Upton-by-Chester and District were notified of the application by email on

25 May 2023. General consultees and individuals and groups interested in neighbourhood planning were also notified via email on 25 May 2023.

- 3.7 The publicity arrangements complied with Regulation 9 of The Neighbourhood Planning (General) Regulations 2012.
- 3.8 The following internal consultees were notified via email: Public Rights Of Way, Localities, Housing, Regulatory Services, Regeneration Programme Manager, Public Realm and Play, Education, CIL Team, Children's Services, Green Space Project Officer, Emergency Planning, Waste, Economic Development, Culture Advisor, Property team, Economic Growth, Business Growth, Total Environment (Conservation Areas and Listed Buildings), Education, Highways, Landscape, Environment Commissioner / Waste, Strategic Transport, Estates, Archaeology, Open Space, Digital Sector Specialist, Planning Development Management, Transport (planning), Public Health, Communities, Culture and Libraries, Place Operations, Construction and Development, Legal and Climate change.
- 3.9 The Council received representations from:
- Natural England – No comments on the suitability of the proposed plan area or the proposed neighbourhood planning body. An annex to the consultation response sets out information sources and highlights some potential environmental risks and opportunities that may be present in neighbourhood plan areas.
 - The Coal Authority – No comments.
 - Canal and River Trust – No specific comments on the proposed designations, but noted that the easternmost extent of the proposed designated area includes a small section of the Shropshire Union Canal, which is owned and managed by the Trust. Offered to work with the neighbourhood forum on any canal related policies that may be included in the neighbourhood plan and referenced guidance documents.
 - Historic England – No comments.
 - Here and Now (Social Enterprise in Blacon) – objects to the designation on the grounds that the group has been mentioned without their consent and knowledge in the Question 5 Statement submitted by the Blacon Neighbourhood Alliance as part of the application to form a neighbourhood forum.
 - Sport England – No objection to the designations. Provided general information on the role of planning in creating healthy, inclusive communities and the factors and guidance to take into account in relation to sports and playing fields when preparing the neighbourhood plan.
 - United Utilities – No objection to the designations. Note that United Utilities is the water undertaker for only a small number of properties within the neighbourhood plan area, but strategic water supply infrastructure also passes through this area and any development proposals will need to have regard to this. Request early dialogue in

relation to any site-specific allocations and ask that United Utilities assets are fully considered in any proposals.

- CWaC Property Team – No objection to the designations. Requested to be consulted at the draft stage.
- CWaC Total Environment – No objection to the designations. Requested to be consulted at the draft stage.

4 Issues and assessment

4.1 Section 61F(5) of the Town and Country Planning Act 1990 (as amended) sets out the following conditions, which must be met for a local planning authority to be able to designate an organisation or body as a Neighbourhood Forum:

- (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.

4.2 The Neighbourhood Area application form, supporting statement and constitution are attached to this report. As the Neighbourhood Forum have prepared a written constitution, they meet the requirements of paragraph 4.1d) above.

4.3 The constitution sets out that the purpose of the Neighbourhood Forum is:

- i) to prepare a Neighbourhood Plan for the Area: and
- ii) to promote or improve the social, economic and environmental well-being of the Area.

As such, it meets the requirements of paragraph 4.1a).

4.4 The constitution also identifies that membership of the Forum is open to:

- i) Individuals aged 16 or over who live, work, study or volunteer in the Area; and
- ii) Individuals who are elected members of Cheshire West and Chester Council, any of whose area falls within the Area.

As such, it meets the requirements of paragraph 4.1b).

- 4.5 The constitution states that the Forum will comprise at least 21 individuals who live or work within the Area or who are elected members of Cheshire West and Chester Council, any of whose area falls within the Area. Appendix A of the application form provides details of the names, postcodes, local connection, age bracket and occupation of 31 members of the Forum. The members all live or work in the area, apart from one member (who is a volunteer in the area). As such, there are over 21 individuals who live or work in the area or are elected members. Appendix A is for Council use only and has not been made publicly available as part of the application documentation due to the personal nature of some of the information.
- 4.6 Section 61F(7) of the Town and Country Planning Act 1990 (as amended) identifies that a local planning authority must, in determining under subsection (5) whether to designate an organisation or body as a Neighbourhood Forum for a Neighbourhood Area, have regard to the desirability of designating an organisation or body –
- i) which has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of the subparagraphs (i) to (iii) of subsection (5)(b),
 - ii) whose membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area, and
 - iii) whose purpose reflects (in general terms) the character of that area.
- 4.7 The list of Forum members provided as part of the application includes at least one individual who lives in the area and at least one individual who works in the area. It does not currently include any elected members. However, elected members have been given the opportunity to become Forum members and the constitution identifies that membership of the Forum is open to individuals who are elected members of Cheshire West and Chester council, and any of whose area falls within the Neighbourhood Area.
- 4.8 Postcodes were provided for each of the members of the Forum and the application form statement includes a map showing that the locations are well spread across the Blacon area. The information provided within Appendix A to the application form indicates that the members of the forum are drawn from different places in the neighbourhood area. It also indicates that they come from different sections of the community as they differ in ages, occupations and include a mix of residents, employees, volunteers and people with connections to other groups and bodies in Blacon. The constitution also identifies that

membership shall be drawn from different parts of the area and different sections of the community.

- 4.9 The Question 5 statement identifies that 90% of the 31 current members reside within the Area and the remainder either work, volunteer, or own a business in the Area. 57% are in the 45 and below age group bands, and 40% are in the 46 and over age group bands. The statement submitted as part of the application indicates that the Forum is committed to ensuring increased participation from the younger age group bands (16-18 age group band 2% membership) and from young adults (19-25 age group band 5% membership) in the educational organisations within the Area. As such, the Forum is considered to meet the requirements set out in 61F(7)(5) (ii) of the Town and Country Planning Act.
- 4.10 The Question 5 Statement mentions that the Alliance would be committed to increasing participation from 66 and over age group and Here and Now is one of the groups who are members of the Alliance. An objection has been received in this regard from Here and Now that the group had not been contacted or sought consent from regarding this and that a representative of the group attended a couple of meetings in personal capacity and not as part of the wider group. The objection from Here and Now does not prevent Blacon Neighbourhood Alliance Neighbourhood Forum from increasing participation from the 66 and over age group in the future.
- 4.11 The purpose of the Forum is set out in the constitution and is described in paragraph 4.3 above. The statement submitted as part of the application also identifies that once the Forum has been designated there will be an Annual General Meeting as well as, formation of working groups to focus on key aspects of the development needs of the area. As such, it will reflect the character of the area and therefore meets the requirements set out in 61E(7)(5)(iii) of the Town and Country Planning Act.
- 4.12 No other application has previously been made for a Neighbourhood Forum or Neighbourhood Area covering all or part of this area and there are no existing designated Neighbourhood Forums or Neighbourhood Areas covering this area.
- 4.13 Blacon Neighbourhood Area is unparished. Therefore Blacon neighbourhood Forum is a relevant body to undertake Neighbourhood Planning in that area in accordance with section 61F(5) of the Town and Country Planning Act 1990 as applied to neighbourhood plans by section 38A of the Planning and Compulsory Purchase Act 2004.

5 Conclusion

- 5.1 The application for the Blacon Neighbourhood Alliance Neighbourhood Forum complied with the requirements of the regulations. The application was publicised in accordance with the regulations The application was publicised in

accordance with the regulations and 9 representations were received, the majority of which had no comment or supported the designation. There was one objection, which stated that the group has been mentioned without their consent and knowledge in the Question 5 Statement submitted by the Blacon Neighbourhood Alliance as part of the application to form a neighbourhood forum. This objection does not raise any specific statutory issues with the Neighbourhood Forum or whether it meets the requirements in the regulations.

5.2 The Blacon Neighbourhood Alliance Neighbourhood Forum is considered appropriate because:

- No other applications have been made for Neighbourhood Forums or Neighbourhood Areas covering all or part of the area.
- The Neighbourhood Forum has been 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.
- Its membership is open to individuals who live in the neighbourhood area concerned; individuals who work there; and individuals who are elected members any of whose area falls within the neighbourhood area concerned.
- Its membership includes a minimum of 21 individuals each of whom lives or works in the area.
- It has a written constitution.
- It has secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual falling within each of the subparagraphs (i) to (iii) of subsection (5)(b). It does not include an elected member, but Ward Members have been given the opportunity to become involved.
- Its membership is drawn from different places in the neighbourhood area concerned and from different sections of the community in that area.
- Its purpose reflects (in general terms) the character of that area.
- Blacon Neighbourhood Forum is the relevant body to undertake Neighbourhood Planning in accordance with Section 61F(5) of the Town and Country Planning Act 1990 (as amended).

6 Decision

6.1 That the Blacon Neighbourhood Alliance Neighbourhood Forum is approved and is formally designated.

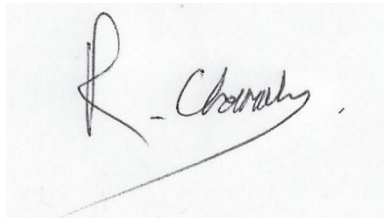
6.2 The reasons for this decision are that the Blacon Neighbourhood Alliance Neighbourhood Forum is considered appropriate, for the reasons explained in paragraph 5.2.

6.3 The Head of Planning hereby exercise their delegated authority to designate the Neighbourhood Forum.

- 6.4 A copy of this note will be sent to Blacon Neighbourhood Alliance Neighbourhood Forum and relevant local Councillors.
- 6.5 In accordance with Regulation 10 of the Neighbourhood Planning (General) Regulations 2012 (as amended), as soon as possible after the date of the decision the Council will publish the following on its website:
- a) the name of the proposed neighbourhood forum;
 - b) a copy of the written constitution of the proposed neighbourhood forum;
 - c) the name of the neighbourhood area to which the application relates and a map which identifies the area;
 - d) the contact details of at least one member of the proposed neighbourhood forum to be made public under regulations 9 and 10; and
 - e) a statement which explains how the proposed neighbourhood forum meets the conditions contained in section 61F(5) of the 1990 Act.

7 Attachments

- 7.1 Copy of Neighbourhood Forum application form, supporting statement, constitution and a map of Blacon Neighbourhood Area

A handwritten signature in black ink, appearing to read 'R. Charnley', is written over a horizontal line.

Signed

Head of Planning

Date **22 August 2023**

Application to designate a Neighbourhood Forum

Town and Country Planning Act 1990 (as amended)

Neighbourhood Planning (General) Regulations 2012 (as amended)

Please note that the information provided on this application form may be published on the Authority's website (except the confidential response to question 6).

If completing by hand, please use block capitals and black ink.

1) Applicant contact details

Please provide contact details for at least one member of the proposed Neighbourhood Forum. Please note that these details will be made publicly available.

Title and full name

MR BRIAN MCMANUS

Address and postcode

████████████████████
██████████████████████████████
████████████████████
██████████
██████████
██████████

Email address

██

2) Name of proposed Forum

BLACON NEIGHBOURHOOD ALLIANCE

3) Name of the Neighbourhood Area to which this application relates

BLACON NEIGHBOURHOOD AREA

Please provide a map (Ordnance Survey based at an appropriate scale) which clearly identifies the boundary of the Neighbourhood Area.

Please note that a separate application form needs to be completed in relation to the Neighbourhood Area, however, this can be submitted at the same time as the Neighbourhood Forum application.

Map of Neighbourhood Area attached ☒

4) Written constitution

Please provide a copy of the Neighbourhood Forum's written constitution.

As a guide, a written constitution could contain:

- the name and purpose of the neighbourhood forum;
- working arrangements including sub-groups, partners and their roles;
- pattern of meetings and details of how decisions will be made;
- details of governance, including official positions;
- arrangements for management and financial management; and / or
- membership and procedures for replacement of members where necessary.

The written constitution is also an opportunity for the proposed Neighbourhood Forum to set out how the Forum meets the required conditions contained in Section 61F(5) of the Town and Country Planning Act 1990 (as amended).

Copy of written constitution attached ☒

5) Statement explaining how the proposed Neighbourhood Forum meets the conditions contained in section 61F (5) of the 1990 Act and is a relevant body

This section provides the opportunity to set out the purpose, aims and ambitions of the Neighbourhood Forum and to demonstrate how its membership is representative of the local community.

In order for the Council to designate a Neighbourhood Forum to act on behalf of a Neighbourhood Area, the Council needs to be satisfied that the following conditions are met:

- the proposed forum is established for the purpose of promoting or improving the social, economic and environmental well being of the area;
- membership is open to and includes a minimum of 21 individuals each of whom – live in the Neighbourhood Area concerned, work there or are ward councillors whose ward (or part of their ward) falls within the Neighbourhood Area concerned; and
- it has a written constitution.

The Council will check that the application meets the requirements above. In making a decision about whether to designate the neighbourhood forum, the Council must also consider the extent to which the body applying to be a Neighbourhood Forum has:-

- Secured, or taken reasonable steps to secure, membership from at least one individual who lives in the area, one who works in the area and one who is ward councillor whose ward (or part of their ward) falls within the Neighbourhood Area.
- Drawn its membership from different places within the neighbourhood area concerned, and from different sections of the community in the area.
- A purpose which reflects the character of the neighbourhood area (in general terms).

The Council will use the address, age and occupation information provided under Question 6 to assess the extent to which membership is drawn from different places and different sections of the community. However you may also wish to set out in your statement how they have met these requirements.

(Please continue on a separate page if necessary)

PLEASE SEE ATTACHED SHEET

6) Neighbourhood Forum membership information

Whilst a list is not strictly required by the Neighbourhood Planning (General) Regulations 2012 (as amended), it does enable the proposed Neighbourhood Forum to demonstrate that its membership is widely drawn from across the neighbourhood and from a range of people in the community.

The Neighbourhood Forum must have at least 21 individuals, however there is no maximum number. Please provide information in the attached table at appendix A. This additional information will not be made public.

Does the Neighbourhood Forum have at least 21 members?

(please select one answer)

Yes ☒

No

7) Declaration

I hereby apply to designate a Neighbourhood Forum as described on this form and any accompanying information.

Name

MR BRIAN MCMANUS

Signature



Date

15 APRIL 2023

Blacon Neighbourhood Alliance
Neighbourhood Forum Application
Question 5 Statement

On 18 January 2023 five local residents who were keen on seeing their neighbourhood improve created the Blacon Neighbourhood Alliance ("the Alliance").

The Alliance registered with Cheshire West Voluntary Action and opened up a bank account with West Cheshire Credit Union.

A Constitution has been established for the Alliance, which has at its heart the key purpose of promoting or improving the social, economic and environmental well-being of the area of Blacon by:

-

- Encouraging openness and transparency between all organisations about the services and plans for the area
- promoting community cohesion
- Improving partnerships with voluntary, social, statutory, private and charitable organisations
- To promote and gauge local attitudes to creating a Parish or Community Council for Blacon
- Supporting the development of a social enterprise business model to provide a Community and Employment Hub and additional facility provision for youth training, clubs and associations.
- Protecting, preserving and utilising community assets and green spaces
- Establishing a Blacon Community Trust

The objective of the Alliance is to progress the formal application for Neighbourhood Area and Neighbourhood Forum designation by Cheshire West and Chester Council and to establish itself as a community voice in Blacon.

The Alliance received guidance from Cheshire Community Action on its application for designated Neighbourhood Forum and Neighbourhood Area. Cheshire Community Action provided a map of the proposed designated Area; and liaised with the Principal Planning Officer for Cheshire West and Chester Council and the Manager of the Cheshire West and Chester Council Locality Team on behalf of the Alliance regarding support and resources.

The Committee has met approximately every two to three weeks since it was formed.

The Alliance held its first formal public community meeting on Wednesday 1 February 2023, to formally launch the Alliance and its vision for Blacon to become a Designated Neighbourhood Forum and Neighbourhood Area. The meeting was attended by around 100 local residents, including Councillor Little, a Blacon Councillor, several community group leaders, local media and guest speakers.

The Alliance presented at the Blacon Councillors monthly meeting on Tuesday 7 March 2023. Both Blacon Councillors were supportive and declared they would work with the Alliance; and were impressed and appreciative of the survey the Alliance supplied them with, and that members of the Alliance completed.

The Alliance was due to hold its second community meeting on Wednesday 29 March, unfortunately the meeting had to be postponed due to matters beyond the Alliance's control. Due to it being close to the Local Elections the Local Authority (Cheshire West and Chester Council) would not allow Council owned or managed premises to be used where members of a political party can attend, due to Purdah, which meant that the Councillors, Police and Crime Commissioner and Avenue Services

could not attend. The Commissioner and the Councillors have agreed to attend the meeting once it has been rescheduled.

The Alliance has a Facebook Group (<https://www.facebook.com/groups/blaconneighbourhoodalliance>) which has over 1,100 followers.

The Alliance has secured in excess of over 250 registered members which we believe meets statutory requirements.

90% of members reside within the Area and the remainder either work, volunteer, or own a business in the Area.

57% are in the 45 and below age group bands, and 40% are in the 46 and over age group bands.

The Alliance is committed to ensuring increased participation from the younger age group bands (16-18 age group band 2% membership) and from young adults (19-25 age group band 5% membership) in the educational organisations within the Area, although our members include Blacon Youth Club, who have over 200 members, Blacon Dance troupes with over 100 members and Blacon Boxing Club with over 50 members, who's interest they directly represent.

The Interim Executive Committee of the Alliance has appointed a Youth Representative. The Youth Representative is responsible for listening and respecting the views of what other young people are saying about issues that affect them and to feed these views onto the Committee for consideration and action, if appropriate; and putting across the views of other young people – even if they don't agree with these views, whilst increasing the participation and membership of young people. The Youth Representative is defined as an individual over the age of 15 but under the age of 26.

The Alliance is also committed to increasing participation from 66 and over age group band - currently 7% members – although our membership does include over 60s support groups who represent their members, such as Active in Recovery who have over 30 members of their group and Here and Now, a social enterprise that supports many older people in Blacon.

A continuing aim of the Alliance will be to ensure that all community groups are communicated with regularly and encouraged to contribute to the development of the Plan.

Once Cheshire West and Chester Council has designated the Forum the intention is to hold an inaugural Annual General Meeting of the Alliance formally to elect the Officers defined in the Constitution.

The Alliance has already started the formation of Working Groups that will focus on key aspects of the development needs of the Area. The areas of priority were identified through a survey with our members that concluded a number of areas were of concern within the community, such as Housing, Healthcare, Estate Management and the lack of support and available facilities for the voluntary and community sector, lack of employment opportunities and after school activities. We have formed a number of Sub groups to deal with these priorities including:

Forum Sub group- To progress the Forum Application

Blacon Community Trust Sub group – To progress the development of the Social Business model

Housing Sub group – To establish communication between the provider and the community and develop a relationship to address the concerns raised within the Survey

Health and dental care Sub group - To establish communication between the provider and the community and develop a relationship to address the concerns raised within the Survey

Youth and Community Sub group – To ensure the community are kept informed and involved in the decision making, encourage membership of young people and promote Community participation.

We anticipate a significant focus on the needs of young people and future generations in Blacon. The target will be to draft a Neighbourhood Development Plan that can be put to a Local Referendum

BLACON NEIGHBOURHOOD ALLIANCE CONSTITUTION

1) NAME

The name of the association is: **Blacon Neighbourhood Alliance** ("the Alliance").

2) AREA OF BENEFIT

The area in which the Alliance will pursue its objectives is the Blacon Neighbourhood Area (the Area), which is the area designated by Cheshire West & Chester Council for which the Alliance will produce a Neighbourhood Plan.

3) ADMINISTRATION

Subject to the matters set out below the Alliance and its property shall be administered and managed in accordance with this constitution by the members of the Executive Committee, constituted by clause 6 of this constitution ("The Executive Committee").

4) OBJECTIVES

a) The purpose of the Alliance is:

- i. to prepare a Neighbourhood Plan for the Area; and
- ii. to promote or improve the social, economic and environmental well-being of the Area by:-
 - Encouraging openness and transparency between all organisations about the services and plans for the area
 - promoting community cohesion
 - Improving partnerships with voluntary, social, statutory, private and charitable organisations
 - To promote and gauge local attitudes to creating a Parish or Community Council for Blacon
 - Supporting the development of a social enterprise business model to provide a Community and Employment Hub and additional facility provision for youth training, clubs and associations.
 - Protecting, preserving and utilising community assets and green spaces
 - Establishing a Blacon Neighbourhood Alliance Trust Fund

b) The Alliance shall be non-party in politics, non-sectarian in religion and seek to promote inclusion of all interests and participation of all persons (including those with protected characteristics under the Equality Act 2010) within the Area.

5) POWERS

a) In furtherance of its objectives the Alliance may:

- i. invite and receive contributions and raise funds where appropriate, to finance the work of the Alliance, and to open a bank account to manage such funds;
- ii. publicise and promote the work of the Alliance and organise meetings, training courses, events or seminars etc.

- iii. 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;
- iv. employ staff and volunteers as are necessary to conduct activities to meet the objects of the Alliance;
- v. take any form of action that is lawful, which is necessary to achieve the objectives of the Alliance, including taking out any contracts which it may see fit.

6) MEMBERSHIP

a) Membership of the Alliance is open to:

- i. Individuals aged 16 or over who live, work, study or volunteer in the Area; and
- ii. Individuals who are elected members of Cheshire West & Chester Council, any of whose area falls within the Area.

b) The Alliance will comprise at least 21 individuals who live or work within the Area or who are elected members of Cheshire West and Chester Council, any of whose area falls within the Area.

c) Membership shall be drawn from different parts of the Area and different sections of the community in the Area.

d) The Committee:

- i. may require applications for membership to be made in any reasonable way that it decides;
- ii. shall approve membership applications that meet the membership criteria in clause 6a;
- iii. shall, if they approve an application for membership, notify the applicant of their decision within 21 days; and
- iv. may refuse an application for membership if it decides the applicant does not meet the membership criteria in clause 6a or there is a conflict of interest as defined in clause 8.

e) A list of all members will be kept by the Secretary and any personal details will be only be stored and used with the individual's consent in compliance with the General Data Protection Regulations (GDPR).

7) CEASING TO BE A MEMBER

a) Membership will cease if:

- i. the member sends a notice of resignation to the Committee;
- ii. the member dies;
- iii. the member no longer lives, works, studies or volunteers in the Area; or
- iv. the Committee decides that there is a conflict of interest (as defined in clause 7) and that the member in question should be removed from membership.

b) Any offensive or discriminatory behaviour, including racist, sexist or inflammatory remarks, will not be permitted. Anyone behaving in an offensive or discriminatory way may be asked not to attend further meetings or may be removed from membership if an apology is not given or the behaviour is repeated. The individual concerned shall

have the right to be heard by the Committee, accompanied by a friend, before a final decision is made.

8) MANAGING CONFLICTS OF INTEREST

- a) Member Obligation: Conflicts of interest must be declared as soon as members are aware of any possibility that their personal or wider interests could influence their decision-making.
- b) References to "conflicts" or "conflicts of interest" in this clause include actual or potential conflicts of interest, pecuniary or non-pecuniary and conflicts of loyalty.
- c) Conflicts can arise because of a member's personal interests or duties owed to a third party, for example, without limitation, by virtue of being an employee of Cheshire West & Chester Council, or of a developer or a company assisting any current or future developments in the area, or by working for or belonging to an organisation that might have a financial interest in the outcome of the Neighbourhood Plan. Owning a property or business in the area is not in itself a conflict of interest.
- d) Conflicts can inhibit open discussions and may result in irrelevant considerations being taken into account when taking decisions.
- e) The Alliance aims to operate free from conflicts and manage conflicts appropriately when they arise. As such:
 - i. upon joining, each member must disclose to the Committee the nature of any interests that may give rise to a conflict. The Secretary shall keep a record of such conflicts;
 - ii. members should be alert to situations that may give rise to a conflict, and promptly inform the Committee if any such situation arises;
 - iii. it is for the member concerned to decide which matters to disclose but, if in doubt, they should make a disclosure.
- f) The Committee may decide how to manage conflicts as it deems appropriate. Without limitation, measures could include: excluding a member from voting on certain issues. All conflicts of interest arising in meetings should be recorded in minutes stating: who has the conflict, what the conflict of interest is, and how it was managed.

9) THE EXECUTIVE COMMITTEE

- a) The business of the Alliance will be managed by the Executive Committee ("the Committee").
- b) The membership of the Committee will be as follows:
 - i. Chairperson
 - ii. Vice Chairperson
 - iii. Secretary
 - iv. Treasurer
 - v. Conveners of the sub-groups
- c) The officers of the Committee (Chairperson, Vice-chairperson, Secretary, and Treasurer) will be elected at the Annual General Meeting of the Alliance.

- d) In the event of an officer standing down during the year, a replacement will be elected by the next General Meeting of members.
- e) The officers' roles are as follows:
 - i. Chairperson, who shall chair both General and Committee meetings.
 - ii. Vice-Chairperson, who shall deputise for the Chairperson.
 - iii. Secretary, who shall be responsible for the taking of minutes, the distribution of all meeting papers and keeping a list of members.
 - iv. Treasurer, who shall be responsible for maintaining accounts.
- f) The Committee has the power to co-opt up to 4 additional members to ensure:
 - i. effective representation of people who live, work, study or volunteer in the Area; and/or
 - ii. that the Committee has the appropriate skills and competencies to carry out its responsibilities.
- g) Committee Responsibilities:
 - i. The overall management of the business of the Alliance.
 - ii. Coordinating the activities of the working groups.
 - iii. Drafting, agreeing and promoting the implementation of the Blacon Neighbourhood Plan.
- h) Committee Meetings:
 - i. The Committee shall meet as often as necessary for the effective transaction of the Alliance's business, using a variety of venues across the Area.
 - ii. All meeting agendas, papers and minutes shall be made available to Alliance members.

10) WORKING GROUPS

- a) The Committee may appoint such working groups as it considers necessary to assist it in carrying out the Alliance's objectives set out in clause 4.
- b) Each working group appointed shall operate within Terms of Reference provided by the Committee.
- c) Each working group shall have a chairperson nominated by the Committee, who will report on the working group's progress to the Committee as it requires.
- d) No working group shall be entitled to authorise or commit the Alliance to any expenditure without the Committee's approval.

11) ANNUAL GENERAL MEETING

- a) An Annual General Meeting (AGM) will be held within 15 months of the previous AGM.
- b) All Alliance members will be notified in writing at least 21 days before the date of the meeting, giving the venue, date and time.

c) At the AGM:

- i. The Chairperson of the Committee will present a report of the work of the Alliance over the year.
- ii. The Treasurer will present the accounts of the Alliance for the previous year.
- iii. The officers of the Committee for the next year will be elected.
- iv. Any proposals submitted by members to the Secretary at least 7 days in advance of the meeting will be discussed.

12) SPECIAL GENERAL MEETING

- a) The Chairperson or the Secretary of the Committee may call a Special General Meeting at the request of the majority of the Committee members, or, at least 11 or 10% of the membership (whichever is the greater number) giving a written request to the Chairperson or Secretary stating the reason for their request.
- b) All members will be given 21 days' notice of such a meeting, giving the venue, date, time.

13) RULES OF PROCEDURE

a) Voting

Subject to the provisions of clause 15, all questions arising at any meetings shall be decided by a simple majority of those present and entitled to vote at that meeting. No member shall exercise more than one vote, but in the case of an equality of votes the Chairperson shall have a second or casting vote.

b) Quorum

At least one half of the members shall form a quorum at meetings of the Committee and at all working groups. 11 or one tenth of all members, whichever is the higher, shall form a quorum at Annual General Meetings and Special General Meetings of the Alliance.

c) Minutes

Minutes recording all proceedings and resolutions of meetings shall be kept by the Alliance, the Committee and any working groups which may have been established.

14) FINANCE

- a) All monies raised by or on behalf of the Alliance shall be applied to further the objectives of the Alliance as set out in clause 4 and for no other purpose.
- b) An account may be maintained on behalf of the Alliance at a bank agreed by the Committee. Up to 4 cheque signatories may be nominated by the Committee (1 to be the Treasurer). Any 2 of these must sign every cheque or approve every online banking transaction. The signatories must not be related nor members of the same household.
- c) The Committee may, for administrative convenience, set up finance handling arrangements with an appropriate established organisation to administer all banking transactions on behalf of the Alliance. In the event that this approach is adopted:
 - i. A written agreement will be enacted with the organisation;
 - ii. All financial transactions must be approved by the Committee prior to any banking transactions being carried out by the organisation; and

- iii. All monies raised by or on behalf of the Alliance must be clearly presented and identifiable as a separate budget line within the accounts and any financial reporting arrangements of the organisation.
- d) Records of income and expenditure shall be maintained by the Treasurer and a financial report given to the Committee as it requires.
- e) The end of year accounts produced by the Treasurer shall be examined by an independent examiner prior to being presented at the AGM. The person so appointed to carry out the independent examination shall not be a member of the Committee.
- f) None of the income or property of the Alliance may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise by way of profit to any member of the Alliance. This does not prevent a member (who is not also a member of the Committee) receiving reasonable expenses properly incurred when acting on behalf of the Alliance and proper remuneration for any goods or services supplied to the Alliance.
- g) The Committee may delegate spending powers with clear limitations to individual members and /or working groups acting on behalf of the Alliance.
- h) Members of the Committee:
 - i. are entitled to be reimbursed from the property of the Alliance such reasonable expenses properly incurred when acting on behalf of the Alliance; and
 - ii. may benefit from indemnity insurance purchased at the Alliance's expense.
- i) Members of any working groups which may have been established:
 - i. are entitled to be reimbursed from the property of the Alliance such reasonable expenses properly incurred when acting on behalf of the Alliance and proper remuneration for any goods or services supplied to the Alliance; and
 - ii. may benefit from indemnity insurance purchased at the Alliance's expense.

15) AMENDMENTS TO THE CONSTITUTION

- a) Amendments to the constitution may only be made at the Annual General Meeting or a Special General Meeting.
- b) Any proposal to amend the constitution must be given to the Secretary in writing not less than 28 days before the date of the meeting at which it is first to be considered. The proposal must then be circulated with the notice of the meeting.
- c) Any proposal to amend the constitution will require a two thirds majority of those present and entitled to vote at the meeting.

16) DISSOLUTION

- a) If a meeting of the Committee, by simple majority, decides that it is necessary to close down the Alliance, it may call a Special General Meeting to do so. The sole business of this meeting will be to dissolve the Alliance.

- b) If it is agreed by a simple majority of those present and voting at such meeting to dissolve the Alliance, all remaining money and other assets, once outstanding debts and liabilities have been paid, shall be used for the benefit of the residents of the Area.
- c) The Alliance shall exist for 5 years from its formal designation and at its AGM at the end of year 4 the AGM will give consideration to a continuing or successor organisation to maintain and monitor the Blaen Neighbourhood Plan.

THIS CONSTITUTION was adopted as the Constitution of Blaen Neighbourhood Alliance at a meeting held at:

Venue MEETING ROOM, WAGGON + HORSES, BLAEN, CH15PR

Date 18 JANUARY 2023

Signed



Brian McManus

(Chair)



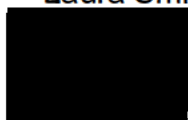
Hayley Dean

(Vice Chair)



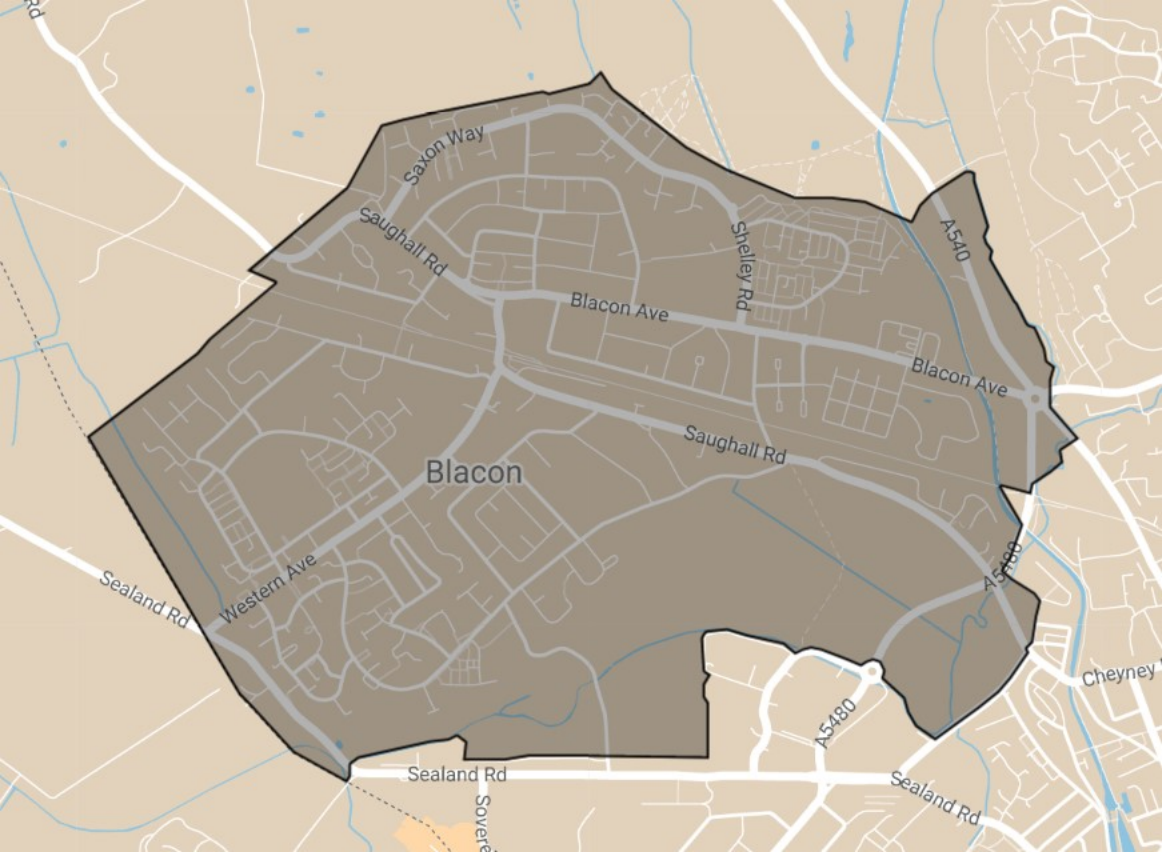
Laura Smith

(Secretary)



Gareth Oliver

(Treasurer)



Saxon Way

Saughall Rd

Shelley Rd

A540

Blacon Ave

Blacon Ave

Saughall Rd

Blacon

Western Ave

Sealand Rd

A5480

Sealand Rd

A5480

Sealand Rd

Cheyney