

30 September 2015

**Andrew Fraser
Forward Planning Manager
Wirral Council Regeneration and Planning Service
North Annexe
Wallasey Town Hall
Brighton Street
WALLASEY
Wirral
CH44 8ED**

Dear Andrew

DESIGNATION AS A "QUALIFYING BODY"

Thank you for inviting the Forum to confirm that it continues to meet the statutory conditions for designation as a "qualifying body" for the purposes of neighbourhood planning as set out in s.61F(5) of the ***Town & Country Planning Act 1990*** (the 1990 Act).

Following the fifth general meeting of the Forum on 28 September 2015 I am now in a position to confirm that the Forum is still willing to act as the qualifying body for the designated Neighbourhood Area and that the Forum will continue to meet the relevant statutory requirements for designation.

To this purpose the Forum makes the following declarations:

The name of the proposed forum is: Birkenhead & Tranmere Neighbourhood Planning Forum.

The name of the designated neighbourhood area is: Birkenhead & Tranmere Neighbourhood Area (as designated by *Wirral Council* on 27 July 2015 (Cabinet, Minute 44 refers)).

A map which identifies the designated Neighbourhood Area is provided at: Appendix A of our revised constitution, adopted 28 September 2015 (attached) and is the same as that provided on the Council's website. Our own website will be updated to reflect these changes in due course.

The contact details which can be made public are:

Mr Philip Barton
Chair, Birkenhead & Tranmere Neighbourhood Planning Forum
1 Lorn Court, Lorn Street, BIRKENHEAD. CH41 6SA
0151 666 2938
chair@batnfpf.org

The Forum makes the following statement in support of its application:

The object of the Forum, as set out in Clause 2) of its constitution (attached), is:
“to promote or improve social, economic and environmental well-being”
within its area of benefit, which includes the Neighbourhood Area designated by the Council.

The area of benefit for the Forum as a whole is the Birkenhead and Tranmere Ward, which is larger than the Neighbourhood Area designated by the Council. The revised constitution (attached) therefore provides for two classes of membership and establishes voting rules to ensure that only those who live in, work in or have been elected to represent the Neighbourhood Area will be involved in any decisions related to neighbourhood planning within the designated Neighbourhood Area.

The Forum as a whole currently has 43 members, 28 of whom live in, work in or are elected to represent the designated Neighbourhood Area. This exceeds the minimum of 21 individuals required to establish a qualifying body for the designated Neighbourhood Area.

The Council's Forward Planning Manager has already verified that: 21 of these qualifying members live in the designated Neighbourhood Area; 5 work in the designated Neighbourhood Area, and 2 are Ward Councillors elected to represent the Neighbourhood Area.

The Annex to this letter sets out the profile of Forum members as a whole. It is not possible to separate out qualifying members from other members because the socio-economic information has been collected anonymously from all members. Nevertheless, the Forum considers that its qualifying membership is broadly representative of the population of the designated Neighbourhood Area and the Forum will continue to encourage additional people who qualify to become members.

Clause 5) of the constitution ensures that membership will continue to remain open to anyone who lives in, works in or has been elected to represent the Neighbourhood Area.

The wider Forum emerged from a pre-existing community group named *These Streets Are Our Streets*, which has already worked with Ward Councillors, Merseyside Police and other local civil society groups to achieve environmental improvements and tackle anti-social behaviour across Birkenhead & Tranmere Ward. However, it was recognised that wider issues, such as the withdrawal of national funding from the Housing Market Renewal Initiative and a lack of

financial and human resources, which is arresting the growth of local civil society, need to be tackled too. A more structured approach was considered necessary to address these issues.

The Forum has made significant efforts to attempt to secure a representative qualifying membership, including at least one individual from each of the sub-groups identified in Section 61F(5) of the 1990 Act and from different places and different sections of the community within the area and to ensure that its object reflects the character of the area.

Prior to the more formal inauguration of the wider Forum in December 2014, about 3,000 leaflets were distributed to homes and businesses across the Ward. More than 21 people signed up as members at the Forum's inaugural meeting and it was clear that there was sufficient interest to continue with the process.

A neighbourhood planning bridging grant of £5,250 was awarded to the Forum in January 2015, which was spent on branding, developing a website and preparing for the designation of both the Forum and its Neighbourhood Area.

In April 2015 a further £5,000 neighbourhood planning grant was awarded to the Forum, which was spent on preparing a project plan and advertising the Forum with a further leaflet campaign to 7,000 homes and businesses.

The membership has continued to increase since the initial application was submitted to the Council in March 2015.

If designated as the qualifying body for the Birkenhead & Tranmere Neighbourhood Area, the Forum will make preparations to conduct an initial public consultation across the designated Neighbourhood Area in order to establish the broad policy areas to be included within a future Neighbourhood Development Plan.

The Forum considers that the information provided above shows that it meets the prescribed conditions for designation and is therefore an appropriate organisation to be designated as the qualifying body for the Birkenhead & Tranmere Neighbourhood Area, for the purposes of statutory neighbourhood planning.

Yours sincerely



Philip Barton MCD BA(Hons) CertIT(cantab) MRTPI
Chair, Birkenhead & Tranmere Neighbourhood Planning Forum

Enclosure: *Forum Constitution adopted 28 September 2015*

Annex

The profile of Forum members as a whole is as follows:

Age:

18-29	3%
30-39	6%
40-49	18%
50-59	29%
60-69	32%
70-79	12%

Prevalence of disability:

Disabled	15%
Able-bodied	85%

Racial identity:

Chinese	24%
White	76%

Cultural identity:

African	3%
British	56%
English	35%
Irish	3%
North American	3%

Sexual orientation:

Asexual	4%
Bisexual	3%
Heterosexual	93%

Gender:

Female	51%
Male	49%

Political affiliation:

BNP	4%
Conservative	3%
Green	17%
Labour	24%
None	52%

Religion/Belief:

Agnostic	16%
Atheist	6%
Buddhist	3%
Christian	60%
Hindu	6%
Humanist	3%
Shintoist	3%
Taoist	3%

Household income:

£5,001 to £10,000	19%
£10,001 to £20,000	33%
£20,001 to £40,000	48%

Home tenure:

Owner-occupier	72%
Tenant (social)	22%
Tenant (private)	6%



& Birkenhead
Tranmere
**Neighbourhood
Planning Forum**

CONSTITUTION

Adopted 28th September 2015

1) NAME AND STATUTORY STATUS

This document serves to incorporate **Birkenhead & Tranmere Neighbourhood Planning Forum** ("the Forum") as: **1)** a civil society organisation, and **2)** a proposed "qualifying body" for the purposes of s.61F of the *Town & Country Planning Act 1990* and s.38A of the *Planning & Compulsory Purchase Act 2004* with respect to the designated neighbourhood area defined at **Clause 4)** of this constitution.

2) OBJECT

The object of the Forum is **to promote or improve social, economic and environmental well-being** within the area of benefit defined at **Clause 3)** of this constitution. This object shall be pursued by:

- a) Engaging with the Local Planning Authority ("LPA") and any other statutory agency, business or civil society organisation with an interest in the area of benefit, in order to collaborate for mutual benefit;
- b) Participating in neighbourhood initiatives, including Neighbourhood Management, in partnership with the LPA and any other relevant body or organisation;
- c) Preparing statutory neighbourhood planning proposals, including a Neighbourhood Development Plan for the designated neighbourhood area defined at **Clause 4)** of this constitution;
- d) Fostering the goodwill and involvement of the whole community through the equal treatment of all, regardless of age, belief, ethnicity, gender, impairment, sexual orientation or any other difference;
- e) Fostering community spirit and encouraging civic pride;
- f) Planning for the provision of decent and adaptable residential, commercial and community buildings and spaces that meet the needs of people who live or work in the area of benefit, and
- g) Working towards a more sustainable, prosperous and secure future for the area of benefit and its people.

3) AREA OF BENEFIT

The area of benefit shall be defined by the solid line boundary shown on the map at **Appendix A**.

4) DESIGNATED NEIGHBOURHOOD AREA

The designated neighbourhood area shall be defined as the area shaded grey and bounded by the pecked line boundary shown on the map at **Appendix A**, which is coterminous with the "Birkenhead & Tranmere Neighbourhood Area" designated by Wirral Council on 27th July 2015.

5) MEMBERSHIP

There shall be two classes of membership – **Standard** and **Enhanced**.

- a) **Standard Membership** shall be open to anyone who lives or carries on business within the area of benefit.
- b) In compliance with s.61F of the *Town & Country Planning Act 1990*, **Enhanced Membership** shall be open to:
 - i) Anyone who lives within the designated neighbourhood area;
 - ii) Anyone who works within the designated neighbourhood area, or
 - iii) Anyone who has been elected to represent the designated neighbourhood area.

Application for membership shall be made to the Honorary Secretary on the forms provided for this purpose. Members shall comply with the rules of the Forum and abide by its adopted constitution. The Management Committee shall have the power to refuse, suspend or terminate membership in cases where it considers that individual membership would be inconsistent with or detrimental to the pursuit of the Forum's object. Any member or prospective member subject to these measures shall have a right of appeal to the Management Committee and the final decision as to the status of the member or prospective member shall be confirmed by a resolution adopted by a

majority of members of the Forum voting at a General Meeting. Any member of the Forum may resign his/her membership by providing the Honorary Secretary with written notice. The Honorary Secretary shall actively maintain a list of members and make it available to the Management Committee upon request. Members will be deemed to have given consent for their name, address and other communication details to be used by the Management Committee to keep them informed of business and social matters relevant to the object of the Forum and to comply with any legal requirements for the purpose of statutory neighbourhood planning proposals.

6) MANAGEMENT

The Forum shall be governed by a Management Committee, elected at each Annual General Meeting by all members of the Forum, whose responsibilities shall be to:

- a) Pursue the Forum's object, as described at **Clause 2)** of this constitution;
- b) Promote sustainable development, environmental improvement and the conservation of identified heritage assets through research, education and practical collaboration;
- c) Apply for, invite and receive voluntary financial contributions, charitable funds and public grants in order to further the pursuit of the Forum's object, and to open and administer a bank account to manage such funds;
- d) Engage with civil society locally to publicise and promote the work of the Forum by organising meetings, training, consultation and any other events or initiatives required in pursuit of the Forum's object;
- e) Employ staff and/or volunteers as and when required in pursuit of the Forum's object, and
- f) Take all forms of action that are lawful and necessary in pursuit of the Forum's object, including entering into contracts and other legal agreements.

7) MANAGEMENT COMMITTEE

The Management Committee shall be composed of no fewer than three (3) and no more than twelve (12) members of the Forum. Management Committee members shall be elected for a period of one (1) year, but may stand for re-election at each Annual General Meeting. All duly elected Management Committee members shall be considered officers of the Forum for the duration of their elected term. The Management Committee shall meet as often as is required but no less frequently than four (4) times per year.

8) OFFICERS

At each Annual General Meeting all members of the Forum shall elect from the Management Committee incumbents for the following honorary posts:

- a) Chair
- b) Treasurer
- c) Secretary
- d) any additional officers needed to effectively pursue the Forum's object.

9) MEETINGS OF THE FORUM

- a) It shall be the responsibility of the Honorary Chair to conduct all meetings. If the Honorary Chair is unable to conduct any meeting s/he shall appoint a deputy, who is also a member of the Management Committee, to do so.
- b) The Honorary Secretary must ensure that a true and accurate record is made of all meetings, such record to be circulated to members of the Forum and made available to any other interested party upon request.
- c) The Honorary Secretary must ensure that voting related to statutory neighbourhood planning proposals is recorded separately from general voting and that the conduct and result of any such vote complies with any legal requirements set out in the Town & Country Planning Acts.
- d) A proposal to amend this Constitution and any other motion or resolution may only be made at a General Meeting and no such amendment, motion

or resolution shall take effect unless it be voted upon and confirmed by a majority of those present and entitled to vote.

- e) A **General Meeting** of all Forum members shall be held at least four (4) times in each twelve (12) month period following the establishment of the Forum (i.e. the date of signing of this document) in order to review and discuss progress made in pursuit of its object.
- f) The Honorary Secretary shall ensure that all members are given at least fourteen (14) days' notice of the date, venue and start time for each General Meeting.
- g) Wherever possible, the agenda and any supporting papers shall be distributed to all members of the Forum by the Honorary Secretary at least ten (10) days before each General Meeting.
- h) The Management Committee shall ensure that each General Meeting shall also be publicised to non-members within the area of benefit.
- i) The defined quorum for a General Meeting shall be six (6) current members, at least two (2) of whom must also be current officers of the management committee. Where the defined quorum has not been reached, a General Meeting may proceed but any vote taken at that meeting shall be invalid.
- j) Every member of the Forum whose name appears on the current membership list shall be entitled to vote at a General Meeting, subject to the exclusions found at **Clauses 9)k), 11)a)** and **11)e)** of this constitution.
- k) Only those qualified for enhanced membership shall be entitled to vote on issues deemed by the Management Committee to relate to the preparation or approval of any statutory neighbourhood planning proposal, including a Neighbourhood Development Plan, within the designated neighbourhood area defined at **Clause 4)** of this constitution.
- l) Each member of the Forum shall have one vote.

- m) Voting shall be by a show of hands, except in the case of elections when voting shall be by ballot. Issues considered sensitive by the Management Committee may also be voted upon by ballot.
- n) In the case of a tied vote, the Honorary Chair (or appointed deputy) shall have a casting vote.
- o) An **Annual General Meeting** shall take place no later than three (3) months after the end of each financial year provided that fifteen (15) months must not elapse without an Annual General Meeting having taken place.
- p) The Honorary Secretary shall ensure that all members are given at least twenty one (21) days' notice of each Annual General Meeting.
- q) Amendments to the proposed agenda may be submitted in writing to the Honorary Secretary by any member of the Forum up to seven (7) days prior to the date of the Annual General Meeting.
- r) An **Extraordinary Meeting** may be convened by the Management Committee or on application in writing to the Honorary Secretary, signed by no fewer than five (5) members of the Forum whose names appear on the current membership list. Each application to convene an Extraordinary Meeting must state the reason for convening the meeting. All of the rules applying to a General Meeting shall apply equally to an Extraordinary Meeting.

10) FINANCE

All monies acquired by the Forum shall be paid into a bank account operated by the Management Committee in the name of **Birkenhead & Tranmere Neighbourhood Planning Forum** (B&TNPF). All funds must be applied solely to the object of the Forum and to no other purpose and subject to any conditions applying to any grant or expenditure. All disbursements from the account must be agreed by at least two (2) Management Committee members, authorised to sign as such, one of whom must be either:

- a) Honorary Chair
- b) Honorary Treasurer, or
- c) Honorary Secretary

The Honorary Treasurer shall be accountable for all Forum income and expenditure; shall ensure that funds are utilised effectively, and that the Forum remains solvent. The Honorary Treasurer shall maintain full and accurate accounting records which shall be examined annually by an independent person who is not a member of the Forum. A financial report for the previous accounting year shall be presented at each Annual General Meeting. The Forum's accounting year shall run from 1st April to 31st March.

11) NEIGHBOURHOOD PLANNING

This Clause relates only to the preparation and approval of statutory neighbourhood planning proposals within the designated neighbourhood area defined at **Clause 4)** of this constitution.

- a) Any decision to undertake, consult upon or submit to the LPA for approval any statutory Neighbourhood Development Plan or Neighbourhood Development Order shall be subject to a vote of all members of the Forum holding a valid and current enhanced membership and to no other member.
- b) All neighbourhood planning consultations shall be open to anyone who lives or works in the designated neighbourhood area or has an interest in the designated area, whether members of the Forum or not.
- c) The Forum shall publicise any neighbourhood planning process, seek to involve everyone who lives, works or carries on business in the designated neighbourhood area and shall make an accurate record of the comments received and the outcome of all consultations.
- d) The Management Committee, on behalf of all members of the Forum, shall be required to work collaboratively on the preparation of any

neighbourhood planning proposals with the LPA, independent experts or advisors and any other interested party.

- e) At the discretion of the Management Committee, any number of work groups may be delegated the task of preparing any neighbourhood planning proposal (or part(s) of it), organise consultation events and undertake any other lawful activity required to further the Forum's object. The remit and membership of any such work group shall be decided by a vote at a General Meeting of members of the Forum holding a valid and current enhanced membership and to no other member. Once duly formed, a work group may co-opt additional members as it sees fit.
- f) If the number of people with a valid and current enhanced membership of the Forum falls below twenty-one (21) the result of any vote taken in relation to the preparation or approval of any statutory neighbourhood planning proposal during this time shall be invalid but business related to other activity referred to at **Clauses 2)** and **6)** of this constitution may continue to be conducted and the result of any related vote shall be valid.

12) DISSOLUTION

The Forum may be dissolved by a majority vote of members at a General Meeting. Any assets and/or remaining monies after debts have been paid shall be returned to their providers or transferred to local charities or bodies with similar objects to those of the Forum at the discretion of the Management Committee.

This constitution was adopted by a majority vote at a General Meeting of the **Birkenhead & Tranmere Neighbourhood Planning Forum** held at Birkenhead YMCA on 28th September 2015.

Signed:



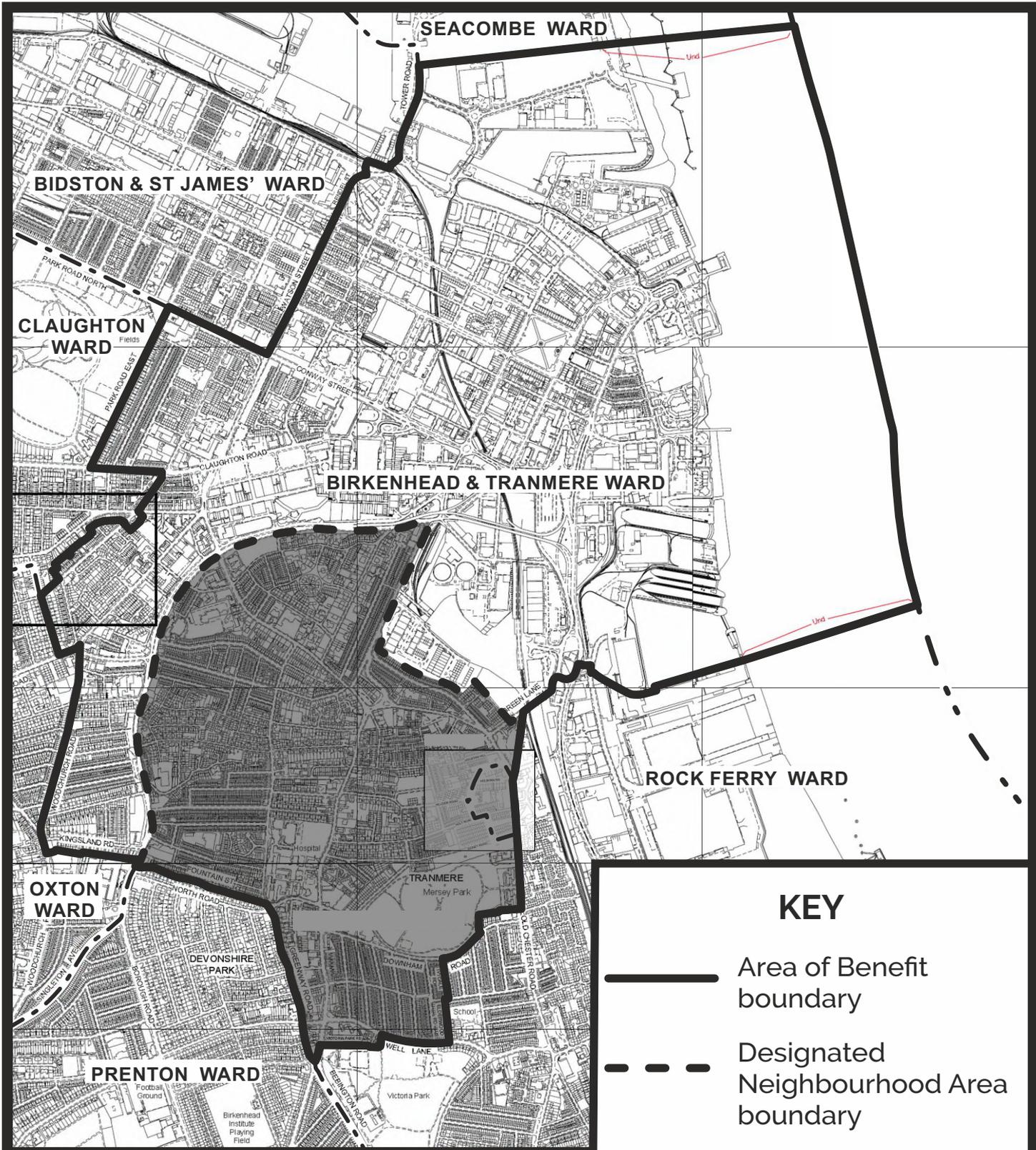
(Philip Barton, Chair)

Signed:



(Greg Vogiatzis, Secretary)

APPENDIX A



KEY

-  Area of Benefit boundary
-  Designated Neighbourhood Area boundary
-  Ward boundaries
-  Borough boundary



Birkenhead & Tranmere Neighbourhood Planning Forum