



Constitution of the Leigh Central Forum

Revision 2

Date: 27th January 2022

1. Name	2
2. Life	2
3. Structure	2
4. Neighbourhood Business Plan Area	2
5. Objects	3
6. Powers	4
7. Membership and Voting	7
8. Meetings	8
9. Working Parties	16
10. Application of Funds	16
11. Investment	17
12. Trustees	17
13. Disposal of Funds	18
14. Indemnity	18
15. Minutes	18
16. Copyright	19
17. Amendments	19
18. Notices	19
19. Winding Up	20

1. Name

1.1.

The organisation shall be called "Leigh Central Forum" and referred to hereafter as "LCF".

2. Life

2.1.

The life of the Forum is the period of designation of the Forum as a "designated authority" within the meaning of the Localism Act 2011. On or before the expiration of any such designation the Forum shall consider, at a General Meeting, whether it wishes to continue and seek renewal of that designated status.

3. Structure

3.1.

LCF shall be structured in accordance with all stipulated guidelines from within the Localism Act 2011. There shall be a Management Committee, hereafter known as "The Committee", providing governance for the group.

4. Neighbourhood Business Plan Area

4.1

Justification for this boundary has been derived from analysing the prominent building usages and we are sure you would agree, represents a fair assessment of the town centre.

5. Objects

LCF is established within the terms of the Localism Act 2011 to consider and exercise rights conferred under the Act, in addition to undertaking other activities outlined below for the public benefit in Leigh Neighbourhood Area, the boundaries of which are specified in section 1, above, in words, and in the attached map (Appendix 1), and which area is hereinafter referred to as the "area of benefit" for the following purposes:-

5.1.

Overall, LCF is established for the express purpose of promoting and contributing to the improvement and sustainability of the social/cultural, economic and environmental wellbeing of the area of benefit.

5.2.

To protect and preserve and stimulate public interest in the area of benefit.

5.3.

Develop a master plan and associated design guide for the purpose of short, medium and long term planning to ensure high standards of architecture and continuity of town planning within the area of benefit.

5.4.

Safeguard the important environmental, economic, cultural, social assets and heritage.

5.5.

Promote investment for the benefit of the people who live, work and use the area.

5.6.

Take advantage of wider strategies including, for example, Northern PowerHouse and Greater Manchester Devolution.

5.7.

Be engaged in the consultation and representation of the communities with regard to proposed planning proposals.

5.8.

Develop and engage in transport proposals.

Appendix C - Constitution of the Leigh Central Forum

5.9.

To promote and encourage full involvement of the communities within the area benefit.

5.10.

To secure the preservation, conservation, development and improvement of features of general public amenity or of historic or public interest in the area of benefit.

5.11.

To monitor and express views on any planning and development in the area of benefit.

5.12.

To recognise that members belong to many political parties and none and to conduct all business in a non partisan, apolitical manner and ensure, through the direction of the Committee, that meetings are conducted in this manner and that members observe this stricture in their own conduct in meetings.

5.13.

Members represent views at meetings to accord with the Forum's objectives as opposed to personal objectives and identify any such personal interest which could be perceived as motive for bias, particularly, but not entirely, a financial or commercial interest.

6. Powers

In furtherance of the said purposes only, LCF, through its Committee, shall have these powers:

6.1.

To act as a co-coordinating body and to cooperate with the local authority, planning committees, sanitary, drainage, environmental and all other local and statutory authorities; voluntary organisations and charities and persons who are active in the area of benefit.

Appendix C - Constitution of the Leigh Central Forum

6.2.

To support the sustainable development of the commercial elements in the area of benefit including, but not exclusively, as a destination (as appropriate) for retail, industry, socialising, culture, health, wellbeing, creativity and learning so that the mix will not only include shops but also other social, commercial and cultural enterprises and meeting places so that they increasingly become places where residents and visitors can go to engage with other people in the benefit area where there are a variety of reasons to visit.

6.3.

To promote and support measures to provide the necessary transport links and adequate parking provision to support and improve the sustainability of all users.

6.4.

To promote and support the development of unused sites and buildings.

6.5.

To promote and support a consistent improvement of the aesthetic environment in all its forms, in accordance with the proposed LCF design guide.

6.6.

To promote or assist in promoting activities in the area of benefit to enrich the cultural, educational and artistic life of residents.

6.7.

To hold meetings, lectures and exhibitions; educate public opinion and to give information.

6.8.

To make surveys and prepare maps and plans and collect information in relation to any place, erection, or building of beauty or historic interest within the area of benefit.

6.9.

To promote research and to publish the results of any such research and to publish and distribute papers, reports and other literature;

Appendix C - Constitution of the Leigh Central Forum

6.10.

To raise funds and seek to cover its reasonable expenses in furtherance of the above objectives in any lawful way by seeking grants, statutory contributions to expenses, donations from members of the public or from businesses, and by fundraising activities, but not permanent trading. Such funds shall be accounted for annually, and donations above the amount of £100 by businesses or individuals with a commercial interest in the area of benefit, or philanthropic motivation, will be declared under section 4 of this constitution.

6.11.

To take and accept any gifts of property, whether subject to any special trusts or not.

6.12.

To sell, let, mortgage, dispose of or turn to account all or any of the property or funds of LCF as shall be necessary.

6.13.

To borrow or raise money for the purposes of LCF on such terms and on such security as the Committee shall think fit, but so that the liability of the individual members of LCF shall in no case extend beyond the amount of their Forum's funds.

6.14.

Where appropriate, necessary and possible, to acquire and hold land or property of local significance in line with the provisions of the Localism Act 2011

6.15.

To do all such other things as are necessary for the attainment of the said purposes.

7. Membership and Voting

7.1.

Membership shall be open to all persons who work or reside, or can demonstrate a clear and active involvement in a charitable or business organisation with its operations located within the area of benefit or who represent the electoral wards within the area including the MP and MEPs of the constituency wherein the boundaries lie. Under the Act no membership fee can be charged. Voting rights may be restricted to those aged 18 years and over on legal and financial matters and at the Chair's discretion.

7.2.

In accordance with the Act, Membership should include at least one elected member from within the wards encompassed within the area of benefit.

7.3.

Individuals will become members of LCF by completing an online form on the LCF website, or by downloading a hard copy form and submitting that form on email or by post, as per the contact details available on the LCF website. A list of all members shall be kept by the Membership Secretary who will be allowed to use the members' names and contact details for the purposes of the organisation.

7.4.

The list of members shall be reviewed annually.

7.5.

Those wishing to resign from formal membership may do so in writing to the Secretary, where their resignation will be effective immediately at midnight on the date of the communication.

7.6.

All such members may speak, propose, second and vote at any meeting. All votes will be decided by a simple majority. Each member has only one vote per item.

7.7.

In the event of equality of voting, the Chairman shall have a casting vote.

7.8.

In addition, LCF welcomes as visitors any individual with an interest in the area of benefit, by virtue of family connection, nearby residence, sentiment, professional concern, or other reason. The Act and this constitution does not give such visitors proposing, seconding or voting rights but may be invited to speak by the Chair.

8. Meetings

8.1.

Conduct of Meetings/Proposals

8.1.1.

Business and conduct of meetings by officers and members must be in compliance with '5. Objects', above.

8.1.2.

Proposals must have a proposer and a seconder and must be voted on. The proposer and seconder must be in attendance.

8.1.3.

When a proposal is made and seconded the Chair will indicate the speaking parameters. The Chair reserves the right to restrict the amount of time(s) and for how long members can speak on any issue.

8.1.4.

Any amendment must be voted on first.

8.1.5.

In the case of any required decision regarding any procedure which is not evidently covered in this Constitution the Chair will alone decide on how to proceed and the Committee will discuss at their next meeting whether there needs to be an appropriate amendment to the constitution to be put at the following AGM.

8.1.6.

All those who intend to participate in meetings, by speaking or voting, should declare their grounds of membership (or status as visitor) when signing in at meetings.

Appendix C - Constitution of the Leigh Central Forum

8.2. Proxies

8.2.1.

A member is entitled to appoint another person as their proxy to exercise all or any of their rights to attend and speak and vote at a meeting of LCF on a specified proposal. A proxy must vote in accordance with any instructions given by the member by whom the proxy is appointed on that specific proposal.

8.2.2.

Unless a Proxy Notice indicates otherwise, it must be treated as allowing the person appointed under it as a proxy discretion as to how to vote on any other ancillary or procedural resolutions put to the meeting on that specific occasion..

8.2.3.

A proxy can only be appointed to vote on proposals published beforehand by email or website.

8.2.4.

Proxies may only validly be appointed by a notice in writing (a "Proxy Notice") which: states the name and address of the member appointing the proxy; identifies the person appointed to be that member's proxy and the specific general meeting in relation to which that person is appointed; is signed by the member appointing the proxy; is delivered to LCF in accordance with any instructions contained in the notice of general meetings to which they relate.

8.2.5.

In the case of a Proxy Notice appointing the Chair as proxy then the Proxy Notice must indicate how the Chair as proxy is to vote on all resolutions.

8.2.6.

A Proxy Notice meant for the Chair must be delivered to the Chair before the start of any meeting.

8.2.7.

Proxy votes on specific issues for a general meeting which have been specified by email or website may be sent to a Proxy Address specified in the email or website.

Appendix C - Constitution of the Leigh Central Forum

8.2.8.

A Proxy Notice must be received at a Proxy Notification Address not less than 48 hours before the general meeting to which it relates to be sure of collection and sent to a proxy address only when notified that for the specific meeting or issue there is voting via a Proxy address.

8.2.9.

The Chair with the agreement of one other officer may make whatever arrangements they consider appropriate to enable those attending AGMs and ordinary general meetings to exercise their rights to vote at it including what they view as an appropriate use of voting on the website.

8.3.

Written Proposals

8.3.1.

A written proposal can be a document sent or supplied in hard copy form and is sufficiently authenticated if it is signed by the person sending or supplying it; and a document sent or supplied in electronic form is sufficiently authenticated if the identity of the sender is confirmed in a manner specified by LCF or where no such manner has been specified by LCF, if the communication contains or is accompanied by a statement of the identity of the sender and LCF has no reason to doubt the truth of that statement.

8.3.2.

Written proposals must be received by the Chair four weeks before a General Meeting and six weeks before an AGM.

8.3.3.

Proposals made on the floor without previous notification can only be raised under the appropriate agenda heading and if there is any opposition the chair is authorised to judge whether there is sufficient time at that meeting for appropriate discussion given the remaining agenda and time constraint. If there is no such time then the proposal will be deferred to a subsequent meeting, the nature of which will be decided by the committee.

Appendix C - Constitution of the Leigh Central Forum

8.3.4.

If LCF gives an electronic address in any document containing or accompanying a written resolution, it will be deemed to have agreed that any document or information relating to that resolution may be sent by electronic means to that address (subject to any conditions or limitations specified in the document).

8.4.

Methods of communication

8.4.1.

Any document or information (including any notice, report or accounts) sent or supplied by LCF may be sent or supplied in any legal way by LCF, including without limitation: in hard copy form; in electronic form; or by making it available on a website.

8.5.

Documentation or information sent or supplied by LCF to the members.

8.5.1.

Where it is sent by post it is deemed to have been received 48 hours (including Saturdays, Sundays, and Public Holidays) after it was posted; where it is sent or supplied by electronic means, it is deemed to have been received on the same day that it was sent; where it is sent or supplied by means of a website, it is deemed to have been received when the material was first made available on the website.

8.6.

An Annual General Meeting (AGM)

8.6.1.

This will be convened annually following the date of the inaugural AGM. The inaugural meeting will take place within eight weeks of the official date of designation for LCF.

8.6.2.

To receive the Committee's written report and audited accounts in respect of the previous twelve months;

Appendix C - Constitution of the Leigh Central Forum

8.6.3.

To elect officers and members of the Committee to serve until the next AGM.

8.6.4.

To appoint one independent examiner to examine LCF's accounts for the following year.

8.6.5.

To decide upon any resolution submitted to the meeting, in accordance with the Constitution.

8.6.6.

Members representing at least 40% of the overall membership votes, including at least three committee members personally present shall constitute a quorum for all AGM's.

8.6.7.

Resolutions shall be decided by a simple majority of those present voting; in the event of equality of voting the Chairman shall have a casting vote.

8.7.

Special General Meetings

8.7.1.

These shall be held at the written request of LCF representing not fewer than ten members, or three committee members which must include one officer.

8.7.2.

Not less than fourteen days notice shall be given of a Special General Meeting and of its agenda.

8.7.3.

Members representing at least fourteen votes as well as two committee members personally present shall constitute a quorum for all AGM's. Resolutions shall be decided by a simple majority of those present voting; in the event of equality of voting the Chairman shall have a casting vote.

Appendix C - Constitution of the Leigh Central Forum

8.7.4.

Members representing at least four votes, including at least two committee members personally present shall constitute a quorum for all Special General Meetings.

8.7.5.

Resolutions shall be decided by a simple majority of those present voting; in the event of equality of voting the Chairman shall have a casting vote.

8.8.

Ordinary Meetings will be held as appropriate

8.8.1.

A meeting may be cancelled in extraordinary circumstances as defined by the Chairman with the approval of two other officers. Two consecutive meetings may not be cancelled.

8.8.2.

Members representing at least five votes, including at least two committee members personally present shall constitute a quorum for all Ordinary Meetings.

8.8.3.

Resolutions shall be decided by a simple majority of those present voting; in the event of equality of voting the Chairman shall have a casting vote..

8.9.

Declarations of Interest.

8.9.1.

During the meeting, members must declare any pecuniary interest, with regard to the agenda items or other business item when speaking or voting on any such item. Members with any pecuniary interest in any decision may not, in line with Government regulations, vote on that issue.

8.10.

Officers and Committee

8.10.1.

The officers of LCF shall consist of a Chairman, a Vice-Chairman, a Secretary and a Treasurer.

8.10.2.

Outgoing officers shall be eligible for re-election. A President and Vice-Presidents may also be elected at a General Meeting of LCF, for periods to be decided at such a meeting though they may only vote if they qualify as a member under Part 6. The Committee shall have the power to fill vacancies occurring among the officers of LCF between Annual General Meetings.

8.10.3.

The Committee shall consist of the officers together with not more than fifteen other elected members, ideally acting as sub-group leaders. Amongst those members, LCF looks for those who volunteer for such officer positions as Fundraising Coordinator, Membership Secretary, Communications, Marketing, IT and Web Specialist, Planning Coordination, Conservation, Social and Cultural Development, Environmental Management, Design, education, business development, and other responsibilities, as may be designated at the meetings, as required to fulfil the LCF objectives.

8.11.

Election of Officers and Committee Members:

8.11.1.

Officers and committee members must be Forum members. Nominations for election of officers and members to the Committee shall be made in accordance with Rules 3.1 in writing before or by nomination from the floor at the Annual General Meeting. Such nominations shall be supported by a seconder and the consent of the proposed nominee must first have been obtained. Proposed officers and committee members must be present at the AGM with the exception of members who have notified an officer of their apologies by email or in writing. If the nominations exceed the number of vacancies a ballot shall take place in such a manner as shall be determined by the Chair, with each member present having one vote per vacancy. Outgoing members shall be eligible for reelection. The election of officers shall be completed before the election of further committee members, and newly elected officers shall assume office immediately upon election.

8.12.

Duties of the Committee

8.12.1.

The Committee shall be responsible for the management and administration of LCF. The Committee shall have power to take decisions specified in this constitution on behalf of LCF, to administer the funds of LCF, and such other powers as are contained in this Constitution. The Committee shall be responsible for the protection of such rights as LCF acquires under the terms of the law of copyright for the time being.

8.12.2.

The Committee shall have power to create, regulate and dissolve such subordinate subcommittees and working groups from time to time as shall be considered necessary for such purposes as shall be thought fit.

8.12.3.

The President and Vice-Presidents may attend any meeting of the Committee. In the event of equality in votes cast at meetings of the Committee the Chairman shall have the casting vote.

8.12.4.

The Committee shall meet not less than three times a year at intervals of not more than four months and the Secretary shall give all members of the Committee not less than seven days' notice of each meeting.

8.12.5.

However, the Committee can meet at any additional time with the approval of at least three officers and the same notice must be given. Members representing at least four votes, including at least two committee members personally present shall constitute a quorum for all such meetings. Resolutions at such meetings shall be decided by a simple majority of those present voting; in the event of equality of voting the Chairman shall have a casting vote.

9. Working Parties

9.1.

Members of the Committee may be members of any working party. Membership of a working party shall be no bar to election or co-option to the Committee.

10. Application of Funds

10.1.

All monies received by LCF shall be paid into an account of the LCF at bankers approved by the Committee and cheques drawn upon its bankers must be signed by at least two officers. The financial year of LCF shall end on the last day of the month of December.

10.2.

The Committee shall, out of the funds of the Forum, pay all proper expenses of administration and management of LCF. After the payment of such expenses and the setting aside to reserve of such sums as may be deemed expedient, the remaining funds shall be applied by the Committee in furtherance of the purposes of LCF.

10.3.

No action involving expenditure in the name of LCF shall be taken and no undertaking that will commit LCF to expenditure shall be made without the prior agreement of the Committee.

10.4.

The Treasurer shall be the officer in the financial transactions and keeping of accounts.

11. Investment

11.1.

All monies at any time belonging to LCF and not required for immediate application for its purposes shall be invested by the Committee in the name of LCF in such investments, securities or property as it may think fit, subject nevertheless to such authority, approval or consent as required by law or by the special trusts affecting any property in the hands of the Committee. The Treasurer shall be the officer in such negotiations.

12. Trustees

12.1.

Any freehold and leasehold property acquired by LCF shall be, and if the Committee so directs any other property belonging to LCF may be vested in trustees who shall deal with such property as the Committee may direct. Any trustees shall be at least three in number or a trust corporation. The power of appointment of new trustees shall be vested in the Committee. At least one trustee must be a member of LCF.

12.2.

The Secretary shall from time to time notify the trustees in writing of any amendment thereto and the trustees shall not be bound by any such amendments in their duties unless such notice has been given.

12.3.

LCF shall be bound to indemnify against all expenses incurred by the trustees in their duties (including the proper charge of a Trustee being a trust corporation) and liability under such indemnity shall be a proper administration expense.

13. Disposal of Funds

13.1.

LCF shall not from its funds make any dividend, gift or bonus in money to or between any of its members.

13.2.

In the event of the dissolution of the Forum, the available funds of the Forum shall be transferred to such one or more charitable institutions having objects similar or reasonably similar to its own objects as shall be chosen by the Committee and approved by the General Meeting at which the decision to dissolve LCF is confirmed, in accordance with Rule 19 hereof.

14. Indemnity

14.1.

Officers and members of the Committee and other committees shall not be liable for any loss suffered by LCF as a result of the discharge of their respective duties on its behalf, except such as arise from their own respective wilful default, and they shall be entitled to an indemnity out of the funds of LCF against the expense incurred by them in discharge of such duties. LCF shall seek insurance cover, or other provision through the Local Authority, to protect its members and officers from any action which may arise from the legitimate exercise of the functions of LCF

15. Minutes

15.1.

Minutes shall be recorded of all resolutions and formal proceedings of all AGMs, Special General Meetings, and Ordinary General Meetings, and meetings regarding finances: also at any Meeting, when required by the Chairman and one other officer.

16. Copyright

16.1.

LCF shall acquire the copyright of all publications and other works published by it in furtherance of the objects of LCF, provided always that the Committee may at any time permit the use without payment of any copyright in whole or in part by a member of LCF; and further provided that the Committee shall have power to publish, at its discretion, material the copyright of which is retained by its author. The Secretary shall be the authorised officer to acquire copyright on behalf of LCF and shall be fully indemnified by LCF in respect of any liability for any suits claims or proceedings brought against him/her on the grounds that the work in whole or in part is an infringement of copyright or on other grounds.

17. Amendments

17.1.

This Constitution may be amended by a two-thirds majority of members present at an Annual or Special General Meeting of the Forum, provided that fourteen days' notice of the proposed amendment has been flagged on the home page of LCF website, and to all members who have registered their emails with the LCF secretary and are therefore members of The Forum; and provided that nothing herein contained in any such amendment would contravene the Localism Act and provided that the authorising body at Wigan Council are consulted before the amendment is implemented.

18. Notices

18.1.

Any notice required to be given by these Rules shall be deemed to be duly given if emailed to members leaving their email with the Secretary, and when the notice is also placed on the homepage of LCF's website at the time to conform to requirements in this constitution.

19. Winding Up

19.1.

LCF may be dissolved by a two-thirds majority of members voting at an Annual General Meeting of LCF whose decision must be confirmed by a simple majority of members voting at a further Special General Meeting held not less than fourteen days after the previous meeting and not more than forty-two after. If a motion for the dissolution of LCF is to be proposed at an Annual General Meeting or a Special General Meeting this motion shall be referred to specifically when notice of the Meeting is given. On dissolution, the minute books and other records of the LCF shall be deposited with a body agreed with Wigan Council.

19.2.

Four AGMs following the inaugural AGM, the committee will decide whether to re-apply to Wigan Council, or anybody designated by the Government in future, to renew its designation as a Neighbourhood Forum unless a two-thirds majority of members voting at the Annual General Meeting of LCF decide not to re-apply which decision must be confirmed by a simple majority of members voting at a further Special General Meeting held not less than fourteen days after the previous meeting and not more than forty-two after. Thereafter, the same decision will be made at the AGM preceding the fifth year of designation. The LCF will continue to follow this or any procedure the Government determines in the future.