

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b> 13 <sup>th</sup> April 2004	<b>Meeting Name:</b> Executive
<b>Report title:</b>		Area Housing Forum Constitution and changes to Tenant and Leaseholder Council Constitutions	
<b>Ward(s) or groups affected:</b>		All Wards	
<b>From:</b>		Strategic Director of Housing	

## RECOMMENDATION

1. That the Executive
  - a) Receive the report.
  - b) Agree to the proposed Area Housing Forum Constitution as set out in Appendix 1 of the consultation report which is attached as Appendix A.
  - c) Agree the amendments to the Tenant Council Constitution as set out in Appendix 2 of the consultation report which is attached as Appendix A.
  - d) Agree the amendments to the Leaseholder Constitution as set out in Appendix 3 of the consultation report and to agree the proportional formula for membership for 2004/05 which is attached as Appendix A.
  - e) Note the proposed course of action for the introduction of inaugural meetings of Area Housing Forums set out in paragraphs 3 to 8 of the Neighbourhood Forum consultation report.
  - f) Note that job and section titles highlighted in ***bold italic*** in the constitutions are provisional and may be subject to change.

## BACKGROUND INFORMATION

2. The Executive at the committee meeting of 16<sup>th</sup> December 2003 resolved that the proposal for 12 Area Forums as outlined in paragraphs 14 and 17 of the report be agreed and a separate Leathermarket Gardens area forum be supported.
3. To enable this decision to be implemented, a constitution based on the Neighbourhood Forum constitution has been proposed for Area Housing Forums. This would involve a simple name change from "Neighbourhood" to "Area" and involve similar name changes to Tenant Council and Leaseholder Council Constitutions. In addition due to Leaseholder Council having a form of proportionate representation from Neighbourhood Forums a formula needs to be adopted to estimate the number of Leaseholder Council delegates from each new Area Housing Forum.

## FACTORS FOR CONSIDERATION

4. Neighbourhood Forums are scheduled to hold their AGMs between 20<sup>th</sup> April and 25<sup>th</sup> May 2004, it is proposed that Neighbourhood Forums are each dissolved at the AGM meetings. An inaugural meeting of each of the Area Housing Forums will then take place. This will result in Area Housing Forum inaugural meetings being held between April and the beginning of June 2004. This schedule will allow for all Area Housing Forums to be up and running by the Tenant Council AGM to be held on 7<sup>th</sup> June 2004 and Leaseholder Council AGM on 14<sup>th</sup> June 2004.

## RESOURCE IMPLICATIONS

5. The cost of servicing housing area forums will be met out of existing budgets, and this is likely to be proportional to the number of properties covered in each area, the proposed number of forums in each new area should not result in additional resource implications.

## **CONSULTATION**

### **Consultation with Neighbourhood Forums**

6. Neighbourhood Forums were consulted on the Draft Area Housing Forum Constitution and amendments to Tenant Council and Leaseholder Council Constitutions between the 17<sup>th</sup> February and the 16<sup>th</sup> March 2004. A copy of the consultation report to Neighbourhood Forums is attached as Appendix A.

The Neighbourhood Forum recommendations are attached as Appendix B.

### **Consultation with Tenant Council**

7. Tenant Council received the report on the 22<sup>nd</sup> March 2004 and made the following recommendation:

“That the current Neighbourhood Forum structure remains in place.”

### **Consultation with Leaseholder Council**

8. Leaseholder Council received the report on the 29<sup>th</sup> March 2004 and made the following recommendation:

“Leaseholder Council accept the report and agree the proposed constitutional changes”.

### **Issues Arising from Tenant Council’s Recommendation**

9. The Executive at the committee meeting of 16<sup>th</sup> December 2003 resolved that the proposal for 12 Area Forums as outlined in paragraphs 14 and 17 of the report be agreed and a separate Leathermarket Gardens area forum be supported. The Tenant Council recommendation would therefore require the Executive to make a change in Council policy.
10. Tenant Council does not appear to have made a recommendation on the first 3 of the 4 report recommendations relating to the proposed creation of an Area Forum constitution and amendments to the Tenant Council and Leaseholder Council.

### **Issues Arising from Leaseholder Council’s Recommendation**

11. Leaseholder Council accepted the constitutional amendments and agreed the change in the formula for proportional representation and in addition the annual setting of the formula.
12. Leaseholder Council requested that the Executive ensure a good communication strategy is used to advertise the introduction of Areas and Area Forums.

## **CONCURRENT REPORT FROM THE BOROUGH SOLICITOR**

13. The changes recommended in this report have been through the Council's consultation process under section 105 of the Housing Act 1985. The Executive now needs to consider the responses noted in this report and decide whether to implement the proposals.

## **SUMMARY**

14. The Executive is asked to consider the amendments to the constitutions as clause 6.2 (iv) or (v) of all three constitutions require Executive to ratify all amendments.

## BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Neighbourhood Forum, Tenant Council and Leaseholder Council Constitution	Housing Community Development	Celine Arnold 020 7525 4025

## AUDIT TRAIL

14. This section must be included in all reports.

<b>Lead Officer</b>	Chris Brown – Head of Housing Management	
<b>Report Author</b>	Barry Assinder – Assistant Project Manager	
<b>Version</b>	Final	
<b>Dated</b>	01/04/04	
<b>Key Decision?</b>		
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Borough Solicitor & Secretary	Yes	yes
Chief Finance Officer	No	No
List other Officers here		
<b>Executive Member</b>	Yes	No
<b>Date final report sent to Constitutional Support Services</b>	01/04/04	

## APPENDIX A

<b>Item No.</b>	<b>Classification:</b> Open	<b>Date:</b>	<b>Meeting Name:</b> Neighbourhood Forum
<b>Report title:</b>		Draft Area Housing Forum Constitution and amendments to Tenant Council and Leaseholder Council Constitutions	
<b>Ward(s) or groups affected:</b>		Borough-wide	
<b>From:</b>		Strategic Director of Housing	

### RECOMMENDATION

1. **That the Neighbourhood Forum agree:**
  - a) To note and receive the report.
  - b) To make any comments or recommendation(s) on the Draft Area Housing Forum Constitution and amendments to Tenant Council and Leaseholder Council Constitutions as they deem appropriate.
  - c) To note the proposed course of action for the introduction of inaugural meetings of Area Housing Forums set out in paragraphs 3 to 8.

### BACKGROUND INFORMATION

#### 2. **Area Housing Forums**

The Executive at the committee meeting of 16<sup>th</sup> December 2003 resolved that the proposal for 12 Area Forums as outlined in paragraphs 14 and 17 of the report be agreed and a separate Leathermarket Gardens area forum be supported.

The agreed number of Area Housing Forums is as follows:

<b>Housing Management Area:</b>	<b>Number of Forums:</b>
Bermondsey	2 Forums. (West/East split)
Borough & Bankside	1 Forum
Camberwell	2 Forums (boundaries to be confirmed)
Dulwich	1 Forum
Nunhead & Peckham Rye	1 Forum
Peckham	1 Forum
Rotherhithe	1 Forum
Walworth	3 Forums (based on Wards)
Leathermarket Gardens	1 Forum
	12 Forums (Housing Management) + Leathermarket Gardens

3. Neighbourhood Forums have meetings scheduled until their Annual General Meetings. The AGM meetings are due to be held between April and the beginning of June 2004.
4. It is proposed that when all the Neighbourhood Forums have completed their AGMs, then an inaugural meeting of each of the Area Housing Forums will take place. This means that Housing Area Forum inaugural meetings will be phased in between April and the beginning of June 2004. This schedule will allow for all Area Housing Forums to be up and running by the Tenant Council AGM to be held on 7<sup>th</sup> June 2004 and Leaseholder Council AGM on 14<sup>th</sup> June 2004.

5. The early establishment of Area Housing Forums as part of the new housing consultation structure in the months leading up to the introduction of Housing Area Offices will give delegates an opportunity to be consulted on the establishment and development of their own local Housing Area.
6. The draft Housing Area Constitution (see Appendix 1) is based on the current agreed Neighbourhood Forum Constitution with only minor changes to replace the term "Neighbourhood" with "Area". Job and Section titles highlighted in ***bold italic*** in the constitution are provisional and may be subject to change.
7. There are 3 Areas with more than one Area Forum, i.e. Bermondsey, Camberwell and Walworth. It is possible that in these Areas, a Housing Manager could receive contradictory recommendations. This could be resolved by joint meetings of the Chair and Vice-Chair of each Area Housing Forum in that Area, meeting with the Housing Area Manager. Protocols as to how this could work on a local level can be discussed at the inaugural meetings. Area Housing Forums will be reviewed after the first 12 months of operation.
8. Where there will be more than one forum in an Area Housing, it is proposed that the Housing Area name is used first, followed by a description name for the forum:

<b>Housing Management Area:</b>	<b>No.</b>	<b>Proposed Provisional Area Housing Forum Names:</b>
Bermondsey	2	Bermondsey West, Bermondsey East
Borough & Bankside	1	Borough & Bankside
Camberwell	2	<i>Camberwell West, Camberwell East (to be confirmed)</i>
Dulwich	1	Dulwich
Nunhead & Peckham Rye	1	Nunhead & Peckham Rye
Peckham	1	Peckham
Rotherhithe	1	Rotherhithe
Walworth	3	Walworth West, Walworth East, Walworth Central
Leathermarket Gardens	1	Leathermarket Gardens

9. **Tenant Council Constitution**

The draft Tenant Council Constitution (see Appendix 2) is based on the current agreed Tenant Council Constitution with only minor changes to replace the term "Neighbourhood" with "Area".

10. **Leaseholder Council Constitution**

The draft Leaseholder Council Constitution (see Appendix 3) is based on the current agreed Leaseholder Constitution with changes to replace the term "Neighbourhood" with "Area". Leaseholder Council Constitution has a form of proportional representation in the number of delegates it receives from each Neighbourhood Forums based on the number of leaseholders in that neighbourhood. Currently it has 3 places for delegates from Crown House Neighbourhood Forum, 2 from West Walworth and one delegate from each other Neighbourhood Forum. It is recommended that due to the current redistribution of leaseholders in the Housing Areas and the expected growth in the future number of leaseholders that a formula is adopted: On the current numbers One delegate per 500 leaseholders (or to the nearest 500) would produce 20 delegates, the same as the current number of neighbourhood forum delegates, as shown below:

- 2 Delegates from Bermondsey West Housing Area Forum
- 2 Delegates from Borough & Bankside Housing Area Forum
- 2 Delegates from Camberwell *West* Housing Area Forum (if confirmed by Executive).
- 2 Delegates from Dulwich Housing Area Forum
- 2 Delegates from Nunhead & Peckham Rye Housing Area Forum
- 2 Delegates from Rotherhithe Housing Area Forum
- 2 Delegates from Walworth West Housing Area Forum
- 1 Delegate from each of the other (6) Area Housing Forums

11. It is proposed that the formula for area housing reps to Leaseholder Council is set at the beginning of each municipal year.

## KEY ISSUES FOR CONSIDERATION

### 12. **Current Neighbourhood Forum Constitution**

Tenant Council considered the report: Review of Neighbourhood Forum Constitution at the meeting held on 14<sup>th</sup> January 2002 and agreed the revised model constitution for Neighbourhood Forums with localised forum membership and quorum defined in appendix 1 of the constitution.

13. Leaseholder Council considered the report: Review of Neighbourhood Forum Constitution at the meeting held on 25<sup>th</sup> March 2002 and agreed the revised constitution.

### 14. **Current Tenant Council Constitution**

Tenant Council considered the report: Review of Tenant Council Constitution at the meeting held on 14<sup>th</sup> January 2002 and agreed the revised constitution with a number of amendments.

15. It was further considered at the Tenant Council AGM held on 9<sup>th</sup> June 2003 and additional amendments were agreed.

### 16. **Current Leaseholder Council Constitution**

Leaseholder Council considered the report: Review of Leaseholder Council Constitution at the Annual General Meeting held on 24<sup>th</sup> June 2002 and the revised constitution was agreed.

## CONSULTATION:

17. Neighbourhood Forums are asked to consider this report in the cycle of forums between the 17<sup>th</sup> February and 16<sup>th</sup> March 2004.

18. Tenant Council will consider the report on 22<sup>nd</sup> March 2004 and Leaseholder Council on 29<sup>th</sup> March 2004. It is envisaged that the Executive will consider the report and consolidated recommendations on 13<sup>th</sup> April 2004.

Report Author: Barry Assinder – Assistant Project Manager

Lead Officer: Chris Brown – Acting Head of Housing Management

#### Background Papers

Various BV documents

Current Neighbourhood Forum  
Tenant & Leaseholder Council  
Constitutions

#### Held At

BV Team, Larcom Street

Housing Community  
Development

#### Contact

Marian Chengo

Celine Arnold

## **APPENDIX B**

### **RECOMMENDATIONS OF NEIGHBOURHOOD FORUMS**

Draft Area Housing Forum Constitution and Amendments to Tenant Council and Leaseholder Council Constitutions

#### **Abbeyfield (09 March 2004)**

Report received and noted.

#### **Acorn (08 March 2004)**

Acorn Neighbourhood Forum noted the reduction in representation to Tenants Council for the Peckham Area Forum from 2 delegates to 1, noted that Executive had not agreed the Forum recommendation that there should be separate Neighbourhood Forums for Acorn and Rosemary Gardens and recommends that each Management Area have 2 delegates.

Also Acorn Forum recommends that transport and childcare is available for meetings, venues are accessible and there is due regard for bus routes and main roads that need crossing when agreeing venues.

#### **Alfred Salter (09 March 2004)**

- a/ Noted and received the report.
- b/ Noted the proposed Draft Area Constitutions.
- c/ Noted the proposed course of action for the inaugural meetings,

But observed that they have no apparent option but to agree the recommendations.

It was unanimously agreed.

#### **Cherry Gardens (02 March 2004)**

- a) Cherry Gardens Forum received the report.]
- b) There were great concerns from Cherry Gardens as to where the Bermondsey Area Forum is going to meet. Paragraph 7 of the report was sited.
- c) Proposal was agreed.

#### **Crown House (Forum cancelled)**

#### **Denmark Hill (17 February 2004)**

Denmark Hill Neighbourhood Forum received the report and noted the proposed course of action for the introduction of inaugural meetings as set out in paras. 3 to 8.

### **Harris Street (23 February 2004)**

Report deferred until the 29<sup>th</sup> March Neighbourhood Forum meeting.

### **Leathermarket Gardens (08 March 2004)**

- a) Noted
- b) Draft Area Housing Forum Constitution: recommend amending constitution to read

#### **2 Function and Powers**

2.1 (iv) **To participate in drawing up the Area budget**, and in decisions on how the budget should be spent, *including participating in drawing up the HRA budget, how this budget is spent and the strategies surrounding it.*

(vi) **To advise** on the disbursement of any special grants for community provision within the Area, *including Section 106 funding.*

- c) Paragraphs 3 – 8 noted.

### **Library Street (16 March 2004)**

a/ The report is received and noted.

b/ We will close the Neighbourhood Forum on the 27th April and open the new Area Forum on 27th April - the same night! Haddonhall Tenants Co-op will be invited.

It was unanimously agreed.

### **Lynton Road (04 March 2004)**

No recommendation made.

### **Parkside (04 March 2004)**

Parkside Neighbourhood forum reject the document in total and will continue to reject it until we are properly consulted in a participatory manner and have a proper input into the new structure.

### **Pelican (02 March 2004)**

Pelican Neighbourhood Forum received the report.

### **Rodney Road (04 March 2004)**

- (a) The report is received and noted.
- (b) As the current arrangement is working well, there is a strong feeling among the Delegates that the forums should remain the same and not be over loaded.
- (c) (10) Leaseholder Constitution 3 Membership (i) (a) Delegate appointed by the Area Forums, who have full voting rights. 1 delegate from each of the other (6) Area Forums **should be fully itemised.**

### **Rosemary Gardens (02 March 2004)**

Rosemary Gardens does not receive this report, but we will, however, make comments.

Rosemary Gardens does not believe in going backwards, our Forum does not want to give up our identity of East and West Peckham. With reference to the consultation meeting that took place with Acorn Neighbourhood Forum it was agreed that Acorn and Rosemary Gardens Forums would remain separately. We object to this and respect the Acorn Forum and believe that each area is entitled to have its own voice.

We would like to build on what we have already achieved, and do not want to go backwards to disempowerment of the Peckham people. If communities are to take part in consultation, their voice must be heard.

### **Taplow (02 March 2004)**

Accept the report with reservation as there are concerns over Neighbourhood closures and reduction in services.

### **West Camberwell (25 February 2004)**

The Forum deferred this report until the next Forum meeting.

### **West Walworth (11 March 2004)**

- a/ Received and noted the report but;
- b/ Would like to continue to be called WEST WALWORTH, not Walworth West.
- c/ Accept other Constitutional changes as they involve functions already constituted.

This was unanimously agreed.

### **Summary of Recommendations:**

Received and noted report (✓)	Received, noted and Agreed (at least part of report)	Rejected the report	Deferred, did not take the report or made no recommendation	Made comments not related to constitutional issues in the report.
11	(6)	2	3	1

**London Borough of Southwark**  
**XX AREA FORUM CONSTITUTION**

UPDATED: -

**1 GENERAL PURPOSE**

- 1.1 The xx Area Forum is (one of) Southwark Council's principal advisory body (bodies) on housing and related issues in the xx Area. It was established to enable local representatives:
- **to express their views** to the Council, other authorities and agencies on the provision and development of services within the Area,
  - **to work with the Area Housing Office** to determine the quality, level and delivery of services provided within the Area,
  - **to influence** the way in which Area budgets are drawn up and resources are allocated within the Area.

It is part of a network of Area Forums which, along with the Tenant and Leaseholder Councils, have been established by Southwark Council to assist Southwark Council to consult its tenants and leaseholders about matters of housing management.

**2 FUNCTIONS AND POWERS**

- 2.1 The Forum's functions are:
- (i) **To act as a sounding board** for local opinion in relation to matters referred to it by Southwark Council, Tenant Council, Leaseholder Council or by its own members;
  - (ii) **To receive monitoring information** on the performance of the Area Housing Office;
  - (iii) **To monitor and make recommendations** about the quality, level and priorities of service provisions in the Area and on strategic and policy matters borough wide and nation-wide if these affect the Area.
  - (iv) **To participate in drawing up the Area budget**, and in decisions on how the budget should be spent;
  - (v) **To prepare and prioritise bids** for the Council's capital spending programme;
  - (vi) **To advise** on the disbursement of any special grants for community provision within the Area;
  - (vii) **To comment on any planning and licensing applications** relating to the Area;
  - (viii) **To promote activities** which integrate the local community and lead to a better understanding of Council Services and services provided by other statutory agencies;
  - (ix) **To regulate**, in conjunction with the Area Housing Office, the use of community accommodation and equipment under the control of the Area Housing Office;
  - (x) **To appoint** council tenants to represent the Area on Tenant Council and council leaseholders to represent the Area on Leaseholder Council.

- 2.2 The forum may consider any matter of direct relevance to its functions, but must not consider or discuss matters:
- (i) relating to individual members of staff or their employment conditions,
  - (ii) arising between the council and any individual tenant, or
  - (iii) of a purely party-political nature.
- 2.3 The forum is an advisory body and does not have the power to make decisions on behalf of Southwark Council.
- 2.4 The forum must: -
- (i) conduct its business in a way that does not unlawfully discriminate, directly or indirectly, against any individual or section of the community, and work within the Council's Equal Opportunities Policy;
  - (ii) deal with issues in accordance with Southwark Council's policies and financial constraints.
- 2.5 The forum may: -
- (i) appoint sub-groups and special working groups which are accountable to the forum; must be re-appointed at the Annual General Meeting if their work continues into another municipal year.
  - (ii) require, where reasonably necessary, any Council Manager or Contractor who provides the Area with a service to attend to provide information or progress reports and answer questions.

### **3 MEMBERSHIP AND VOTING**

- 3.1 The Forum is comprised of: -
- (i) Voting Members;
    - (a) Delegate/s from each Tenant Management Organisation and each recognised Tenants & Residents Association.
    - (b) Delegate/s from each local community group recognised by the council as having a "housing interest".
    - (c) Delegate/s from each of the following groups within the borough, selected in accordance with Appendix 1:-
      - Young persons (up to 21 years of age),
      - People with disabilities (including physical and learning disabilities, and mental illness),
      - People with caring responsibilities for children and/or relatives,
      - Pensioners,
      - Lesbians/Gay men,
      - Black and ethnic minorities.
  - (ii) Members with observer status and speaking rights
    - (a) Deputies for each voting delegate. The Deputy may vote if their delegate is absent.
    - (b) Ward Councillors for the Area, who may not vote.
    - (c) Deputies from a borough-wide group housing interest, who may attend meetings to discuss matters of mutual interest, but may vote only if the deputy is resident in the Area.
    - (d) Co-opted members, whose speaking and voting rights are decided at the time the Forum appoints them.
- 3.2 A list of organisations providing delegates, details of numbers of delegates, and minimum membership criteria are contained in Appendix 1. Vacancies in membership arising during the year must be filled by the appropriate nominating body, and the forum informed of the nomination at its next meeting.
- 3.3 A maximum of one-fifth of the forum membership may be co-opted. Members may be co-opted to represent a local or under-represented group, or because they have particular skills or expertise

beneficial to the forum. Co-optees' appointments last until the next Annual General Meeting, or for such shorter time as is decided by the forum.

- 3.4 A person may not serve as a voting member of the forum if: -
- (i) They do not live in the Area.  
A decanted person with a right to return who represents a Forum Voting Member in 3.1. (i) will be deemed to still live in the Area.
  - (ii) They are an employee of the council or a contractor to the council, and are employed to provide a housing related service in the Area.
  - (iii) They represent a community group and are employed by that group.
- 3.5 Only representatives who are council tenants may vote on questions that may directly affect the level of rent charged to tenants. (expenditure headings incorporated within the housing revenue account that may affect the rent charged)
- 3.6. The composition of the Forum should aim to reflect the local community.

#### **4 MEETINGS**

- 4.1 *[Frequency]* The forum must meet at least once in every two monthly interval.
- 4.2 *[Openness]* Forum meetings are open to the public.
- 4.3 *[Chair]* The Forum Chair and Vice Chair are elected at the Annual General Meeting. If they are both absent at a meeting then an acting chair is elected by simple majority of those present. A Southwark Borough Councillor or Council Employee may not act as chair.
- 4.4 *[Meeting Procedure and Standing Orders]* Forum meetings are conducted in accordance with the Code of Conduct (Appendix 3), Forum Standing Orders (Appendix 4) and reasonable rules of debate.
- 4.5 *[Quorum]* The Quorum is set out in Appendix 1. The Forum is validly constituted if the required quorum is present, even if any delegate is absent or there is a vacancy in the forum's membership.

## 5 AGENDA

- 5.1 Agenda items must be sent to The Chair of Forum, the **Area Housing Manager** or the **Housing Community Development Section** at least three weeks before the scheduled meeting.
- 5.2 The Chair, the Vice-Chair, the **Area Community Development Officer** and the **Area Housing Manager** will meet and draw up the agenda two weeks before the meeting. Late items may be discussed at the discretion of the Chair and Vice-Chair.
- 5.3 Items will be excluded from the agenda if:
- (i) The Forum has no power to consider them (under clause 2), or
  - (ii) They have been considered by the Forum within the previous six months and were not recommended to be forwarded to the appropriate Committee, or Council.
- 5.4 The Council will send an agenda and supporting papers at least one week before the meeting.
- 5.5 Late items may be discussed at the discretion of the Chair and Vice Chair. Reports in respect of emergency items will, if necessary, be distributed to delegates before the meeting. In exceptional circumstances, emergency items may be circulated round the table at the meeting.

## 6 ANNUAL GENERAL MEETING

- 6.1 The first meeting of the Municipal Year is the Annual General Meeting. At least 4 weeks notice of the Annual General Meeting must be given to all groups sending delegates to the Forum to enable them to nominate delegates.
- 6.2 At the Annual General Meeting the Forum
- (i) Receives written reports on the work of the **Area** from the **Area Housing Manager**, and the outgoing Chair of the Forum.
  - (ii) Receives notification of delegates and deputies from:
    - Tenants and Residents Associations
    - Tenant Management Organisations
    - Housing Interest Groups
    - Under-represented sections.
  - (iii) Elects the Chair, Vice Chair and any representatives to committees, working parties and outside bodies,
  - (iv) Elects a delegate and a deputy, who must be Southwark Council tenants, to represent the Forum at Tenant Council.
  - (v) Elects a delegate and a deputy, who must be Southwark Council leaseholders, to represent the Forum at Leaseholder Council.
  - (vi) May review its Constitution, Code of Conduct, and appendices and recommend amendments to the Executive. Amendments must be referred to Tenant Council and Leaseholder Council, and do not take effect until ratified by the Executive.
  - (vii) May amend its standing orders. Amendments to standing orders do not require ratification by Southwark Council.

## 7 ADMINISTRATION

- 7.1 The Council provides administrative support for **Area** Forums and must ensure that:
- (i) Minutes are taken;
  - (ii) Appropriate officers are informed of decisions taken;
  - (iii) Recommendations and reports are referred to the appropriate committee;
  - (iv) Meetings are accessible to local representatives in order to encourage participation and in particular: -
    - (a) The meeting room has disabled access;
    - (b) Meetings are participative in style and sympathetically timed;
    - (c) Agenda items are relevant to local needs, interesting and have broad appeal;
    - (d) Reports are written in jargon free language and in an appropriate format;
  - (v) If needed, and if one week's notice is given:

- (a) agendas and documentation circulated at the meeting are available in formats that can be understood by those with sensory difficulties;
- (b) facilities are available for:
  - Interpreting and signing;
  - Transport to and from the meeting;
  - Childcare, or payment of a childcare/carers allowance.

- 7.2 The **Area Housing Manager** will respect the Forum's recommendations, but need not follow the recommendations if they are contrary to Council policy or against the law. The **Area Housing Manager** must inform the Forum in writing of his or her reasons for not following the Forum's recommendation.
- 7.3 If a dispute arises between the **Area Housing Manager** and the Forum then the Forum can refer the dispute to the appropriate Head of Service or Director of Housing and Chair of Tenant Council for resolution.
- 7.4 The **Area Community Development Officer** will inform a body sending a delegate to the Forum if it is unrepresented for three consecutive meetings.

**London Borough of Southwark**  
**XX [Area] FORUM CONSTITUTION**

**UPDATED: -**

**APPENDIX 1: MEMBERSHIP CRITERIA**

**1. Criteria for recognition of groups sending delegates to XXX [Area] Forum on behalf of under-represented sections of the Borough**

**1.1. Groups sending delegates to [Area] Forum must**

- i) be based in the [Area]
- ii) support the Council's Equal Opportunities Policy
- iii) be a not for profit group
- iv) not be party-political
- v) be constituted in a fashion consistent with council policies
- vi) be able to demonstrate that their services or meetings are regularly publicised
- vii) act within the terms of their constitution.
- viii) not be represented by a person employed by the group.
- ix) register with the Council (***Housing Community Development Section***) and provide details of their aims, the area covered by the organisation, their criteria for membership, the names and addresses of their officers, a commitment to the Council's Equal Opportunities policy and a copy of the organisation's constitution.
- x) be approved by Southwark Council as a nominating body. Southwark Council may revoke approval after consultation with the [Area] Forum.

**2. Groups currently representing under-represented sections of the community on XXX [Area] Forum.**

Young persons (up to 21 years of age)

People with disabilities (including physical and learning disabilities, and mental illness)

People with caring responsibilities for children and/or relatives

Pensioners

Lesbians/Gay men

Black and ethnic minorities.

3. Schedule of Recognised Tenants Management Organisations and Tenants & Residents Associations

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3.1. The number of representatives from each of the properly constituted and recognised tenants/residents associations and management co-operatives as identified above will be ..... (Number).

3.2. The number of deputies from each of the properly constituted and recognised tenants/residents associations and management co-operatives as identified above will be ..... (Number).

4. Schedule of local community groups with a housing interest as recognised in accordance with Clause 3.1. (b) of the [Area] Forum Constitution.

.....  
.....  
.....

4.1. The number of representatives from each local community group with a housing interest shall be ..... (Number).

**5. Quorum**

5.1. The quorum for [Area] Forums shall be not less than ..... (Portion) of its elected membership or ..... (Number) of members whichever is the greater. If there is no quorum after twenty minutes from the scheduled start time, the meeting will be cancelled. Once the meeting has commenced, it will close if there is no longer a quorum.

6. **Adoption of Constitution and Code of Conduct**

6.1. ....  Forum adopted its Constitution and Code of Conduct at the  Forum meeting held on

.....

Signed : Chair .....

Vice Chair .....

**Area Housing Manager** .....

**London Borough of Southwark**  
**XX AREA FORUM CONSTITUTION**

**UPDATED: -**

**APPENDIX 2: CODE OF CONDUCT FOR MEETINGS**

1. Area Forums are there to give all sections of the community the chance to have a say on how services are provided by the Council and to raise other matters of local concern. Their success depends upon their ability to reflect the diversity of opinions that the public hold.
2. The constitution of Area Forums include provision for the involvement of under represented sections of the community and the guidelines on the establishment of Area Forums specify ways that meetings should be organised to ensure all sections of the community can attend. It is important also that all of those participating are given the opportunity to express their view and are treated with equal courtesy.
3. To ensure that Forum meetings are conducted in a spirit of equality and informality in which minority opinions can be heard, the following code of conduct should apply to Forum meetings.
  - 3.1 All participants (this means everyone present at the meeting - delegates, officers, Councillors and observers) in the Forums have a responsibility to conduct themselves in a way that does not cause offence to others or limits in any way their ability to participate in meetings.
    - 3.1.1 This includes racist, sexist or other derogatory remarks or actions, behaviour that intimidates people who are speaking or wish to speak and preventing people from expressing their views through interrupting or talking while they are speaking.
  - 3.2 Forum members must be particularly sensitive to the needs of those members who may not be used to speaking in public or whose first language is not English.
4. Forum members or members of the public who feel that this code of conduct has been breached should raise it with the Chair either at the time or immediately after the meeting.
  - 4.1 The Chair, on the advice of the Client Officer will judge whether the person has breached the code of conduct. If there has been a breach the Chair will point out to the person that such behaviour is not acceptable.
    - 4.1.1. Where a Forum member or member of the public feel the Chair of the meeting has breached the Code of Conduct then they should request the Vice Chair or in their absence another Forum member to propose a motion of No Confidence in the Chair. During the debate on the motion the Chair should hand over to the Vice Chair.
  - 4.2 If the unacceptable behaviour persists a motion will be put to the meeting to suspend the person or persons from the meeting. Future participation by that person will be dependant upon a commitment being given in writing to the Chair that such behaviour will not recur.
  - 4.3 Continued breaches of the code of conduct by Forum members will result in membership being withdrawn by a simple majority of those present and voting at the Forum.

## APPENDIX 2

### LONDON BOROUGH OF SOUTHWARK

#### TENANT COUNCIL CONSTITUTION

UPDATED: -

## 1 GENERAL PURPOSE

1.1 The Tenant Council is an advisory committee, established by Southwark Council:

- to act as a link between Southwark Council and its tenants.
- to advise Southwark Council, its committees, or sub-committees on issues affecting Southwark Council tenants.
- to provide a framework for Southwark Council to consult its tenants about matters of housing management.

## 2 FUNCTIONS AND POWERS

2.1 The Tenant Council's functions are:

- (i) To advise Southwark Council, its committees or sub-committees of the borough-wide view on any issue referred to Tenant Council by:  
Area Forums and other organisations that send delegates to Tenant Council,
  - Southwark Council, its committees or sub-committees,
  - The Executive Member for Housing
  - The Strategic Director of Housing,
  - Leaseholder Council.Wherever possible issues will be referred to Area Forums for timely consultation.
- (ii) To nominate representatives to appropriate committees, sub-committees, scrutiny panels or working parties.
- (iii) To promote activities which integrate the local community and lead to a better understanding of Council services and services provided by other statutory agencies.

2.2 Notwithstanding 2.1 above, Tenant Council must not consider or discuss matters:

- (i) relating to individual members of staff or their employment conditions,
- (ii) arising between Southwark Council and any individual person,
- (iii) of a purely party-political nature,

2.3 Tenant Council is an advisory body and does not have the power to make decisions on behalf of Southwark Council.

2.4 Tenant Council must always:

- (i) conduct its business in a way that does not unlawfully discriminate, directly or indirectly, against any individual or section of the community, and work within Southwark Council's Equal Opportunities Policy,
- (ii) deal with issues in accordance with Southwark Council's policies and financial constraints.

2.5 Tenant Council may, as necessary:

- (i) appoint sub-groups of members and special working parties, which:
  - are accountable to it.
  - must be re-elected at the Annual General Meeting if their work continues into another municipal year,
- (ii) require the Strategic Director of Housing (or relevant officer who provides a service within the functions of Tenant Council) to attend to provide information or progress reports, and to answer questions.

### 3 **MEMBERSHIP**

#### 3.1 Tenant Council comprises:

- (i) Voting members, who must be a Southwark council tenant, resident in the London Borough of Southwark, made up of the following:
- (a) One delegate from each Area Forum,
  - (b) One delegate from the Southwark Group of Tenant Organisations (SGTO), who may not be employed by SGTO,
  - (c) One delegate from each of the following groups representing under-represented sections in the borough:
    - Young persons (up to 21 years of age),
    - People with disabilities (including physical and learning disabilities, and mental illness),
    - People with caring responsibilities for children and/or relatives,
    - Pensioners,
    - Lesbians/Gay men,
    - Black and ethnic minorities.
- These delegates are appointed by recognised borough-wide community groups, but may not be employed by the group they represent.
- (ii) Members with observer status and speaking rights:
- (a) Deputies appointed for each voting delegate who must be a Southwark council tenant, resident in the London Borough of Southwark, and who may vote if their delegate is absent, but may not be employed by the group they represent.
  - (b) Southwark Borough Councillors<sup>1</sup>, who may not vote.

3.2. Criteria for recognition, and a list of groups currently approved to send delegates, are contained in Appendix 1.

3.3. Vacancies in membership arising during the year must be filled by the appropriate nominating body.

### 4 **MEETINGS**

4.1 [*Frequency*] Tenant Council must meet at least 4 times a year.

4.2 [*Openness*] Tenant Council meetings are open to the public and to the press.

4.3 [*Chair*] The Tenant Council Chair and Vice Chair are elected from voting members at the Annual General Meeting. If both are absent an acting chair is elected by simple majority of those present. A Southwark Borough Councillor or Council Employee may not act as chair.

4.4 [*Meeting Procedure and Powers of Chair*] Tenant Council meetings are conducted in accordance with the code of conduct for meetings (Appendix 2), Tenant Council standing orders (Appendix 3) and reasonable rules of debate.

4.5 [*Quorum*] The Quorum is set out in Appendix 1. The Forum is validly constituted if the required quorum is present, even if one or more delegates are absent, or there is a vacancy in the forum's membership.

### 5 **AGENDA**

5.1 Agenda items must be sent to the *Housing Community Development Section* at least three weeks before the scheduled meeting.

5.2 The Chair, the Vice-Chair, and the *Principal Community Development Officer (PCDO)* meet and draw up the agenda three weeks before the meeting.

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<sup>1</sup> Only councillors who have indicated an interest in Housing Issues will receive meeting papers.

5.3 Items will be excluded from the agenda if:

- (i) The Tenant Council has no power to consider them (under clause 2), or
- (ii) They have been considered by the Tenant Council within the previous six months and were not recommended to be forwarded to the Executive.

5.4 The *Principal Community Development Officer* will send an agenda and supporting papers at least one week before the meeting.

5.5 Late items may be discussed at the discretion of the Chair and Vice Chair. Reports about emergency items will, if necessary, be distributed to delegates before the meeting. In exceptional circumstances, emergency items may be circulated round the table at the meeting.

## 6 **ANNUAL GENERAL MEETING (AGM)**

6.1 The first meeting of the Municipal Year is the Annual General Meeting. At least four weeks notice of the Annual General Meeting must be given to all organisations sending delegates to Tenant Council to enable them to nominate delegates.

6.2 At the Annual General Meeting the Tenant Council

- (i) Receives the outgoing Chair's report on the work of Tenant Council in the previous year
- (ii) Receives notification of delegates and deputies from nominating bodies.
- (iii) Elects the Chair, Vice Chair and any representatives to committees, scrutiny panels and working parties.
- (iv) May review its Constitution and Code of Conduct (Appendix 1), and recommend amendments to the Executive. No amendment is effective until ratified by the Executive.
- (v) May amend its Standing Orders (Appendix 2).

## 7 **ADMINISTRATION**

7.1 The *Principal Community Development Officer* provides administrative support for Tenant Council and must ensure that:

- (i) Minutes are taken;
- (ii) Appropriate officers are informed of decisions taken;
- (iii) Recommendations and reports are referred to the appropriate committee;
- (iv) Meetings are accessible to local representatives in order to encourage participation and in particular: -
  - (a) The meeting room has disabled access;
  - (b) Meetings are participative in style and sympathetically timed;
  - (c) Agenda items are relevant to local needs, interesting and have broad appeal;
  - (d) Reports are written in jargon free language and in an appropriate format;
- (iv) If needed, and one week's notice is given:
  - (a) Agendas and documentation circulated at the meeting are available in formats that can be understood by those with sensory difficulties;
  - (b) Facilities are available for:
    - Interpreting and signing;
    - Transport to and from the meeting;
    - Childcare, or payment of a childcare/carers allowance.

7.2 The *Principal Community Development Officer* will inform a Area Forum or nominating organisation if it is unrepresented at Tenant Council for three consecutive meetings.

# LONDON BOROUGH OF SOUTHWARK

## TENANT COUNCIL CONSTITUTION

UPDATED: -

### APPENDIX 1: MEMBERSHIP CRITERIA

1. Criteria for recognition of groups sending delegates to Tenant Council.
  - 1.1 Groups sending delegates to Tenant Council must
    - i) be based in the borough
    - ii) support the Council's Equal Opportunities Policy
    - iii) be a not for profit group
    - iv) not be party-political
    - v) be constituted in a fashion consistent with council policies
    - vi) be able to demonstrate that their services or meetings are regularly publicised
    - vii) act within the terms of their constitution.
    - viii) not be represented by a person employed by the group.
    - ix) register with the Council (*Housing Community Development Section*) and provide details of their aims, the area covered by the organisation, their criteria for membership, the names and addresses of their officers, a commitment to the Council's Equal Opportunities policy and a copy of the organisation's constitution.
    - x) be approved by Southwark Council as a nominating body. Southwark Council may revoke approval after consultation with Tenant Council.

- 1.2. Groups currently representing under-represented sections of the community on Tenant Council.

*Young persons (up to 21 years of age)*

None

*People with disabilities (including physical and learning disabilities, and mental illness)*

SDA (Southwark Disability Association)

- 4 People with caring responsibilities for children and/or relatives

None

*Pensioners*

None

- 5 Lesbians/Gay men

None

*Black and ethnic minorities.*

SBMETRO (Southwark Black and Minority Ethnic Tenants and Residents Organisation)

- 1.3. The number of representatives from each under represented group identified above will be One (Number).
- 1.4. The number of deputies from each under represented group identified above will be One (Number).

2. Schedule of **Area** Forums:

Borough & Bankside	Camberwell <i>East</i>
Bermondsey East	Camberwell <i>West</i>
Bermondsey West	Peckham
Rotherhithe	Nunhead & Peckham Rye
Walworth Central	Dulwich
Walworth East	Leathermarket Gardens
Walworth West	

- 2.1. The number of representatives from each **Area** Forum identified above will be One (Number).
- 2.2. The number of deputies from each **Area** Forum identified above will be One (Number).
3. Schedule of other Tenant Council members in accordance with Clause 3.1. (i) (b) of Tenant Council Constitution.

Southwark Group of Tenant Organisations (SGTO), who may not be employed by SGTO

- 3.1. The number of delegates from the SGTO shall be one (Number).
- 3.2. The number of deputies from the SGTO shall be one (Number).

4. **Quorum**

- 4.1. The quorum for Tenant Council shall be not less than a quarter (Portion) of its elected membership or eight (Number) of members whichever is the greater. If there is no quorum after twenty minutes from the scheduled start time, the meeting will be cancelled. Once the meeting has commenced, it will close if there is no longer a quorum.

# LONDON BOROUGH OF SOUTHWARK

## TENANT COUNCIL CONSTITUTION

UPDATED: -

### **APPENDIX 2: CODE OF CONDUCT**

#### **1. BACKGROUND**

- 1.1 Tenant Council was established to ensure that all sections of the community have the chance to have a say on how services are provided by the Council and to raise matters of concern. Its success depends upon its ability to reflect the diversity of opinions that the public holds. It is important that all participants are given the opportunity to express their views and are treated with equal courtesy.
- 1.2 To ensure that Tenant Council meetings are conducted in a spirit of equality in which minority opinions can be heard, the following Code of Conduct applies to all meetings of Tenant Council and its committees or working parties.

#### **2. CODE OF CONDUCT**

- 2.1 All participants (including delegates, officers, Councillors and members of the public)
- (i) Must treat other participants with courtesy,
  - (ii) Must be sensitive to the needs of those members who are not used to speaking in public, or whose first language is not English,
  - (iii) Must conduct themselves in a way that does not cause offence to others or limits in any way others' abilities to participate in meetings. Unacceptable conduct includes: -
    - (a) Racist, sexist or other derogatory remarks or actions,
    - (b) Behaviour that intimidates people who are speaking or who wish to speak,
    - (c) Preventing others from expressing their views by interrupting or talking while they are speaking
    - (d) Failure to comply with Tenant Council standing orders.

#### **3. BREACH OF CODE**

- 3.1 Participants who feel that this code of conduct has been breached can raise it with the Chair either at the time or after the meeting.
- 3.2 The Chair, on the advice of the *Principal Community Development Officer*, will judge whether a person has breached the Code of Conduct. If the Chair thinks the Code has been breached, then the Chair will point out to the person that such behaviour is not acceptable, and will ensure that the body the person represents on Tenant Council is informed of the breach.
- 3.3 If unacceptable behaviour persists, then a motion will be put to the meeting to suspend the person or persons from the meeting. The person may not participate in future meetings unless he or she provides a written commitment to the Chair, and to the Area Forum or body s/he represents, that such behaviour will not recur.
- 3.4 Continued breaches of the code of conduct by a Tenant Council delegate will result in membership being withdrawn by a simple majority of those present and voting at the forum meeting.
- 3.5 If any participant Council member or member of the public thinks the Chair of the meeting has breached the Code of Conduct then he or she should ask the Vice Chair, or another Tenant Council member, to propose a motion of no confidence in the Chair. During the debate on a motion of no confidence the Chair must hand over the chair of the meeting to the Vice Chair, or in his or her absence, another Tenant Council member.

# LONDON BOROUGH OF SOUTHWARK

## TENANT COUNCIL CONSTITUTION

UPDATED: -

### **APPENDIX 3: TENANT COUNCIL STANDING ORDERS**

#### **1. MEETING TIMING**

- 1.1 Tenant Council decides a provisional schedule of meetings at its Annual General Meeting. The *Principal Community Development Officer* may, after consultation with the Chair and Vice Chair, vary the meeting schedule. Special Meetings may be called by the *Principal Community Development Officer*, following consultation with the Chair and Vice Chair, if urgent matters arise.
- 1.2 Meetings begin at [7pm] and end no later than [9.30pm] Meetings may be extended, with the agreement of Tenant Council, by no more than [15 minutes]
- 1.3 Tenant Council meetings are open to the public and to the press, but photographs and taped recordings may not be made without the agreement of the forum At the discretion of the Chair, members of the public may speak about a specific item of business.
- 1.4 There will be no smoking at the meeting and mobile phones are to be switched off.

#### **2. CHAIR'S POWERS AND RULES OF DEBATE.**

- 2.1 Only one person may speak at a time. All remarks and discussion must be made through and/ with the permission of the chair.
- 2.2 The chair may
  - (i) decide the order of speakers.
    - (ii) limit the time that someone may speak.
    - (iii) limit the time spent in debating a particular issue
    - (iv) alter the order of the agenda.
    - (v) require that a motion be proposed and seconded before an issue is debated.
    - (vi) permit discussion on an issue or report without first requiring a motion.
    - (vii) adjourn the meeting for a short period.

#### **3. DECISION MAKING**

- 3.1 A motion must be proposed and seconded before any vote is taken.
- 3.2 Voting is by show of hands.
- 3.3 Decisions are made by a simple majority of voting members who are present at a meeting.
- 3.4 In the event that votes are tied, the Chair of the meeting may exercise a casting vote, in addition to his or her normal vote.
- 3.5 When voting, delegates are expected to respect the wishes of their nominating body, but may, following discussion or debate, vote as they see fit. Delegates must report back to their nominating body.

## APPENDIX 3

# LONDON BOROUGH OF SOUTHWARK LEASEHOLDER COUNCIL CONSTITUTION

## 1 PURPOSE

- 1.1 The Leaseholder Council is an advisory body, established by Southwark Council
- **to act as a link** between Southwark Council and its leaseholders, and
  - **to advise Southwark Council**, its committees, sub-committees, and scrutiny panels on issues affecting Southwark Council leaseholders
  - **to provide a framework** for Southwark Council to consult its leaseholders about matters of housing management.

## 2 FUNCTIONS AND POWERS

2.1 The Leaseholder Council's functions are:

- (i) **To advise** Southwark Council, its committees, sub-committees and scrutiny panels of the borough-wide view on any issue referred to it by:
- Area Forums and other organisations that send delegates to Leaseholder Council
  - Southwark Council, its committees, sub-committees, or scrutiny panels
  - The Cabinet Member for Housing
  - The Strategic Director of Housing
  - Tenant Council

Wherever possible issues will be referred to Area Forums for consultation.

- (ii) **To nominate** representatives to appropriate Committees, sub-committees, scrutiny panels or working parties.
- (iii) **To promote** activities which integrate the local community and lead to a better understanding of Council Services and services provided by other statutory agencies.

2.2 Notwithstanding, 2.1 above, Leaseholder Council may not consider or discuss matters:

- (i) relating to individual members of staff or their employment conditions;
- (ii) arising between the council and any individual person;
- (iii) of a purely party-political nature.

2.3 Leaseholder Council is an advisory body and does not have the power to make decisions on behalf of Southwark Council.

2.4 Leaseholder Council must:

- (i) conduct its business in a way that does not unlawfully discriminate, directly or indirectly, against any section of the community, and must work within the Council's Equal Opportunities Policy;
- (ii) deal with issues in accordance with Southwark Council's policies and financial constraints;

2.5 Leaseholder Council may, as necessary:

- (i) appoint sub-groups and special working parties, which:
- are accountable to it
  - must be re-elected at the Annual General Meeting if their work continues into another municipal year;
- (ii) require the Strategic Director of Housing (or relevant officer who provides a service within the functions of Leaseholder Council) to attend to provide information or progress reports, and to answer questions.

## 3. MEMBERSHIP

3.1. Leaseholder Council comprises:

- (i) Voting members who must be resident in the London Borough of Southwark:
- (a) Delegates appointed by Area Forums, who have full voting rights.

- 2 delegates from Bermondsey West Area Forum
  - 2 delegates from Borough & Bankside Area Forum
  - 2 delegates from Camberwell West Area Forum
  - 2 delegates from Dulwich Area Forum
  - 2 delegates from Nunhead & Peckham Rye Area Forum
  - 2 delegates from Rotherhithe Area Forum
  - 2 delegates from Walworth West Area Forum
  - 1 delegate from each other Area Forum
- (b) 1 delegate from Dulwich Right to Buy Club, who must not be employed by the club
- (c) 1 delegate from Leaseholder Association of Southwark 2000 who must not be employed by the association
- (d) 1 delegate from each recognised and properly constituted Area Committee of the Leaseholder Association of Southwark 2000. An Area Committee will be recognised if it is properly constituted and has a membership of a minimum of 10% of Council Leaseholders or 50 Council Leaseholders in the respective area whichever is the greater.

(ii) Members with speaking rights and observer status:

- (a) Deputies appointed for each voting delegate who must be resident in the London Borough of Southwark, and who may vote if their delegate is absent
- (b) Southwark Borough Councillors, who may not vote

3.2.1 All voting members must:

- (a) be resident in the London Borough of Southwark and
- (b) be the leaseholder of a residential property of which the London Borough of Southwark is the freeholder and
- (c) occupy the property as their sole or principal residence

3.3 Vacancies in membership arising during the year must be filled by the appropriate nominating body.

## 4. MEETINGS

4.1 *[Frequency]* The Leaseholder Council must meet at least 4 times a year.

4.2 *[Openness]* Leaseholder Council meetings are open to the public and to the press.

4.3 *[Chair]* The Chair and Vice-Chair are elected from voting members at the Annual General Meeting. If both are absent an acting Chair is elected by simple majority of those present. A Southwark Borough Councillor or Council Employee may not act as Chair.

4.4 *[Meeting Procedure and Powers of Chair]* Leaseholder Council meetings are conducted in accordance with its Code of Conduct for Meetings (Appendix 1), Leaseholder Council Standing Orders (Appendix 2) and reasonable rules of debate.

4.5 *[Quorum]* The quorum of the Leaseholder Council is one quarter of its voting membership, or 8 members, whichever is the greater. Names of delegates present must be recorded in the minutes. If, 20 minutes after the scheduled start of the meeting, there is no quorum then the meeting will be cancelled.

## 5. AGENDA

5.1 The Chair, the Vice-Chair, and the appropriate Council officer meet and draw up the agenda three weeks before the meeting.

5.2 Items will be excluded from the agenda if:

- (i) Leaseholder Council has no power to consider them (under clause 2), or
- (ii) They have been considered by Leaseholder Council within the previous six months and were not recommended to be forwarded to the Committee.

5.3 The Council will send an agenda and supporting papers at least one week before the meeting.

- 5.4 Late items may be discussed at the discretion of the Chair and Vice-Chair. Emergency items will be distributed to delegates before the meeting. In exceptional circumstances, emergency items may be circulated round the table at the meeting.

## **6 ANNUAL GENERAL MEETING (AGM)**

- 6.1 The first meeting of the Municipal Year is the Annual General Meeting. At least four weeks notice of the Annual General Meeting must be given to Area Forums to enable them to nominate delegates.
- 6.2 At the Annual General Meeting the Leaseholder Council
- (i) Receives the outgoing Chair's report on the work of Leaseholder Council in the previous year;
  - (ii) Receives notification of delegates and deputies from nominating bodies;
  - (iii) Elects the Chair, Vice-Chair and any representatives to committees and working parties;
  - (iv) Sets provisional meeting dates for the following year;
  - (v) May review its Constitution and Code of Conduct and recommend amendments to the Cabinet. No amendment is effective until ratified by the Executive;
  - (vi) May amend its Standing Orders. Amendments to Standing Orders do not require ratification by the Executive.

## **7 ADMINISTRATION**

- 7.1 The Council will provide administrative support for Leaseholder Council and must ensure that:
- (i) Minutes are taken;
  - (ii) Appropriate officers are informed of decisions taken;
  - (iii) Recommendations and reports are referred to the appropriate committee;
  - (iv) Meetings are accessible to local representatives and in particular:
    - (a) The meeting room has disabled access;
    - (b) Meetings are participative in style and sympathetically timed;
    - (c) Agenda items are relevant to local needs, interesting and have broad appeal;
    - (d) Reports are written in jargon free language and in an appropriate format;
  - (v) If needed, and one week's notice is given:
    - (a) agendas and documentation circulated at the meeting are available in formats accessible to those with sensory difficulties;
    - (b) facilities are available for:
      - Interpreting and signing
      - Transport to and from the meeting
      - Childcare, or payment of a childcare/carers allowance.
- 7.2 The Council will inform a Area Forum or nominating organisation if it is unrepresented at Leaseholder Council for three consecutive meetings.

**LONDON BOROUGH OF SOUTHWARK**  
**LEASEHOLDER COUNCIL CONSTITUTION**

**APPENDIX 1: CODE OF CONDUCT**

**BACKGROUND**

1. Leaseholder Council was established to ensure that all leaseholders have the chance to have a say on how services are provided by the Council and to raise matters or concerns. Its success depends upon its ability to reflect the diversity of opinions of leaseholders. It is important that all participants are given the opportunity to express their views.
2. To ensure that forum meetings are conducted in a spirit of equality in which minority opinions can be heard, the following code of conduct applies to Leaseholder Council meetings.

**CODE OF CONDUCT**

3. All meeting participants (including delegates, officers, Councillors and members of the public):
  - (i) Must treat other participants with courtesy;
  - (ii) Must be sensitive to the needs of those members who are not used to speaking in public, or whose first language is not English;
  - (iii) Must conduct themselves in a way that does not cause offence to others or limits in any way others' abilities to participate in meetings. Unacceptable conduct includes:
    - (a) Racist, sexist or other derogatory remarks or actions;
    - (b) Behaviour that intimidates people who are speaking or who wish to speak;
    - (c) Preventing others from expressing their views by interrupting or talking while they are speaking;
    - (d) Failure to comply with standing orders.

**BREACH OF CODE**

4. Participants who think that this code of conduct has been breached can raise it with the Chair either at the time or after the meeting.
5. The Chair, on the advice of the appropriate Council Officer, will judge whether a person has breached the Code of Conduct. If the Chair thinks the Code has been breached, then the Chair will point out to the person that such behaviour is not acceptable, and will ensure that the body the person represents on Leaseholder Council is informed of the breach.
6. If unacceptable behaviour persists, then a motion will be put to the meeting to suspend the person or persons from the meeting. The person may not participate in future meetings unless he or she provides a written commitment to the Chair, and to the Area Forum s/he represents, that such behaviour will not recur.
7. Continued breaches of the code of conduct by a Leaseholder Council member delegates will result in membership being withdrawn by a simple majority of those present and voting at the forum meeting.
8. If a Leaseholder Council member or member of the public thinks the Chair of the meeting has breached the Code of Conduct then he or she should ask the Vice-Chair, or another Leaseholder Council member, to propose a motion of no confidence in the Chair. During the debate on a motion of no confidence the Chair must hand over the Chair of the meeting to the Vice-Chair, or in his or her absence, another Leaseholder Council member.

**LONDON BOROUGH OF SOUTHWARK**  
**LEASEHOLDER COUNCIL CONSTITUTION**

**APPENDIX 2: STANDING ORDERS**

**MEETING TIMING**

1. Leaseholder Council decides a provisional schedule of meetings at its Annual General Meeting. The appropriate Council Officer may, after consultation with the Chair and Vice-Chair, vary the meeting schedule. Special Meetings may be called by appropriate Council Officer, following consultation with the Chair and Vice-Chair, if urgent matters arise.
2. Meetings begin at 7pm and end no later than 9.30pm. Meetings may be extended, with the agreement of Leaseholder Council, by no more than 15 minutes Leaseholder Council meetings are open to the public and to the press, but photographs and taped recordings may not be made without the agreement of the forum. At the discretion of the Chair, members of the public may speak about a specific item of business.
3. There will be no smoking at the meeting

**CHAIR'S POWERS AND RULES OF DEBATE**

4. Only one person may speak at a time. All remarks and discussion must be made through and with the permission of the Chair.
5. The Chair may
  - (i) decide the order of speakers
  - (ii) limit the time that someone may speak
  - (iii) limit the time spent in debating a particular issue
  - (iv) alter the order of the agenda
  - (v) require that a motion be proposed and seconded before an issue is debated
  - (vi) permit discussion on an issue or report without first requiring a motion
  - (vii) adjourn the meeting for a short period.

**DECISION MAKING**

6. A motion must be proposed and seconded before any vote is taken.
7. Voting is by show of hands.
8. Decisions are made by a simple majority of voting members who are present at a meeting.
9. In the event that votes are tied, the Chair of the meeting may exercise a casting vote, in addition to his or her normal vote.
10. When voting, delegates are expected to respect the wishes of their nominating body, but may, following discussion or debate, vote as they see fit. Delegates must report back to their nominating body.