

Item No. 5.	Classification: Open	Date: 22 September 2011	Meeting Name: Democracy Commission – Phase 2
Report title:		Area Housing Forums and Community Councils	
Ward(s) or groups affected:		All	
From:		Simon Godfrey, Resident Involvement Senior Manager	

Brief overview

1. This paper is a short discussion document looking at the potential connections between area housing forums and community councils

Background on area housing forums

2. Area housing forums exist to consult residents locally on housing matters. There are currently twelve of them, reduced from the original nineteen neighbourhood housing forums. The reduction was made when Southwark's housing was restructured from nineteen neighbourhoods to eight areas. Six forums argued strongly for their continuance, resulting in the twelve current forums.
3. The area housing forums are the middle tier of a pyramid that forms the formal consultation structure for housing. At the base are tenants' & residents' associations and tenant management organisations, each of which are able to send delegates to forum. The majority, but not all, take up this option.
4. The forum constitutions also allow for delegates from other groups in the community (young people, people with disabilities, people with caring responsibilities for children and/or relatives, pensioners, lesbians/gay men, black and ethnic minorities) but in practice these places are seldom filled.
5. At the top of the pyramid are tenant council and home owners council, both of which mainly comprise delegates and deputies from area housing forums.
6. The housing service restructured to two areas on 1 September 2011. However, there are no plans at this time to restructure the area housing forums to match this arrangement.
7. Historically, area housing forums were introduced to serve a purpose in a partially devolved housing service, when there were local repairs teams and devolved capital budgets. Their remit was based on the housing service but able to reach beyond that. This can be seen from the functions and powers set out in the existing constitution for Bermondsey area housing forum (appendix one). Other forums have mirrors of that constitution.

Links with Community Councils

8. The way practice has developed has seen area housing forums specialising in council housing, whilst other matters are discussed at Community Councils.

9. There is some cross over between the two structures, with many forum delegates also attending their local community council.
10. The dedication of forums to housing matters allows those most affected - council tenants and leaseholders - to discuss housing matters in forums and helps provide the space for other issues to be raised at community councils without duplication.
11. This separation of functions can therefore be seen as useful, and is well understood by those involved.
12. Further thought may well be needed on whether the forums need to be changed in some way following many years of evolution from their origins, What started as nineteen forums for nineteen devolved areas now sees us with twelve forums and two areas where almost all services are defined on a borough-wide basis.
13. Community councils have some ability to make local decisions and also allocate grant funding. Area housing forums are consultative only, and do not have any budget. Tenants' & residents' associations, however, are frequently the recipients of funding allocated by community councils.

London Borough of Southwark

Bermondsey west Area Forum Constitution

UPDATED: 18th April 2005.

1. General Purpose

1.1 The Bermondsey West Area Forum is one of Southwark Council's principal advisory bodies on housing and related issues in the Bermondsey 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 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 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 decision on how the budget should be spent;
- (v) **To prepare and priorities 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 Office, the use of community accommodation and equipment under the control of the Area Office;
- (x) **To elect** 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 that are accountable to the forum and shall regularly report back and where necessary, seek approval of the Forum. All sub-groups 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 comprise 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 Person (between 16 - 18 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. The appropriate nominating body must fill vacancies in membership arising during the year, 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 whom 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 borough;
 - (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 heading incorporated with in 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 for that meeting only by a 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 the Forum and the Vice Chair and the Area Manager at least three weeks before the scheduled meeting.
- 5.2 The Chair, the Vice Chair, the Resident Involvement Manager and the Area 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 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 two delegates and two deputies, 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 leaseholder, 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 do not take effect until approved by the appropriate body.
 - (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 times;
 - (c) Agenda items are relevant to local needs, interesting and have broad appeal;
 - (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 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 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 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 Resident Involvement Manager will inform the organisation if a representative has not attended for three consecutive meetings.
- 7.5 Agendas and documentation circulated at the meeting are available in formats that can be accessed by those with sensory difficulties.

London Borough of Southwark

BERMONDSEY WEST AREA FORUM CONSTITUTION

UPDATED: 18th April 2005

APPENDIX 2: CODE OF CONDUCT FOR MEETINGS

1. Area Forums are there to give all sections of the community the chance to have said 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 Area Manager 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 there 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 presents and voting at the Forum.

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BERMONDSEY WEST AREA FORUM CONSTITUTION

UPDATED: 18th April 2005

APPENDIX 1: MEMBERSHIP CRITERIA

- 1. Criteria for recognition of groups sending delegates to Area Forum on behalf of under-represented sections of the Borough**
 - 1.1 Groups sending delegates to the 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 with the terms of their constitution
 - (viii) not be represented by a person employed by the group or the Council.
 - (ix) Register with the Council (Resident Involvement Manager) 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 Bermondsey West Area Forum.**
 - Young persons (between 16-18 years of age)
 - People with disabilities (including physical and learning disabilities, and mental illness).
 - People with caring responsibilities for children and/or relatives
 - Pensioners
 - Lesbian/Gay men
 - Black and ethnic minorities
- 3. Schedule of Recognised Tenants Management Organisations and Tenants & Residents Associations**

Arnold Estate

Dickens Estate

St Saviour, Purbrook and Aylwin Magdalen Estate. (SPAM)

Neckinger Estate

Setchell Estate

Swanmead, Harold, Creasy Estate(SHACCA)

Vauban estate.

Tooley Street. (TMO)

Two Towers TMO (TMO)

Bermondsey Street

Kipling Estate

Crosby, Lockyer & hamilton

Tanner House Co-operative. (TMO)

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 two (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 two (Numbers).

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

Bermondsey Pensioner Action Group.

Southwark Group of Tenants Association (SGTO) .

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

5. Quorum

5.1 The quorum for Area Forums shall be not less than a third (Portion) of its elected membership or 4 (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 Code of Conduct

6.1 Bermondsey West Area Forum adopted its Constitution and Code of Conduct at the Area Forum meeting held on: 29 November 05.

Signed: Chair

Vice Chair

Area Manager