

# CONSTITUTION

## The Burnley Private Rented Sector Forum

### ***Mission Statement and main objective for the Forum***

*“The main aim of the Private Rented Sector Forum is to discuss and propose projects and programmes so as to improve standards in the private rented sector and raise the profile of responsible letting. It will be representative of landlords, tenants, the local community and other voluntary and statutory agencies operating in the private rented sector”.*

### **Core Objectives of the Forum**

- ❑ To promote responsible letting to all landlords, managing agents and tenants
- ❑ To be a voice and consolation body for accredited and licensed landlords/managing agents, tenants and resident groups within the Borough.
- ❑ To participate in the development and implementation of national and local projects and programmes connected with the private rented sector
- ❑ To operate for the general benefit of the community
- ❑ To bring issues affecting the private rented sector to the attention of the Council and other agencies, to help identify the problems and contribute to finding solutions
- ❑ To assist in the development and delivery of the landlord evenings

### **Powers**

1. In furtherance of the above objectives, the Forum shall have the power to do all such lawful things as are necessary for the attainment of the said objectives.

### **Membership**

- 2(a) Membership of the Forum shall be restricted and shall be restricted to the following:

A maximum of four accredited landlords operating within the Borough (including  
A maximum of three resident/tenant representatives operating within the Borough  
A maximum of two local Councillors (1) portfolio  
A maximum of two Council officers  
A maximum of one Development Adviser  
A maximum of 1 Managing Agent  
A Non-Voting Secretary

- (b) Members shall be persons over sixteen living or working in the area of benefit who accept the rules of the group, regardless of race, sex, disability, politics, religion or sexual preference.

- (c) A member shall cease to be a member if:

- (i) He/she dies

- (ii) He/she resigns
  - (iii) He/she is expelled from membership in accordance with rule 2(d)
- (d) The Chairman shall, with the written agreement of any other two members, have the right to expel any member who is in breach of these rules or any byelaws for the time being of the Forum, or who defrauds the group, or is otherwise unsuitable for any reason whatsoever.
- (e) Any member expelled in accordance with Rule 2(d) shall:
- (i) As soon as reasonably practicable following such expulsion and in any event within 5 days thereof, be informed by the Secretary in writing of their expulsion and the reasons therefore : and
  - (ii) have the right to appeal to a Special Members' Meeting.
- (f) An appeal under Rule 2(e) must be commenced by notice of appeal given in writing by the expelled member to the Secretary within the period of 21 days beginning with the day on which the expelled member was notified of their expulsion by the Secretary.
- (g) Changes in Forum membership rules can only be undertaken at the Annual General Meeting or at a meeting called by 6 members of the Forum and termed a special members meeting (see item 3(b)).

## **Members Meetings**

3(a) An Annual General Meeting (“AGM”) shall be held in April each year (or as soon thereafter as is practicable and in any event once in each calendar year) to consider the following business.

- (i) The report of the Forum for the previous year
- (ii) Changes to the constitution or membership
- (iii) The election of the Forum including Chair/Vice-Chair and Secretary

The election of key posts including the election of a Chair/Vice-Chair and Secretary shall be undertaken on an annual basis at the AGM. The secretary for the project will remain a suitable nominated person.

All members should be given 14 days' clear notice of the AGM.

- (b) Any business other than business transacted at the AGM in accordance with Rule 3(a) or business transacted by the Forum in accordance with Rule 4 shall be transacted at Special Members' Meetings. Such meetings will be called by the Secretary at the request of six members of the Forum in writing or if an expelled member exercises their right of appeal under Rule 2(e). Notice must be given as in rule 3(a).
- (c) Each member has one vote and all decisions are to be carried by a simple majority of those present and voting except a decision effecting an amendment to the constitution and dissolution of the Forum, which shall require a two-thirds majority of those present and voting. Proxy votes are not allowed.
- (d) Subject to Rule 3(e), the quorum of Members' Meetings is six members. If a quorum is not present for an AGM, then the meeting will be adjourned for a period not exceeding seven days at which reconstituted meeting the quorum will be four members of which at least two should be a Council Officer and an accredited landlord or agent.
- (e) If a quorum is not present for a Special Members Meeting called to hear an appeal following an expelled member exercising their right of appeal under Rule 2(e), then the meeting will be adjourned for a period not exceeding seven days and at such reconstituted meeting the quorum shall be four members, of which two should be a Council Officer and an accredited landlord or agent.

## **The Forum**

- 4(a) The Forum shall be responsible for the objectives of the project. The Forum shall comprise of not less than six and not more than 16 members (excluding guests).
- (b) The Forum shall meet at least once every two months, although it may meet more frequently if necessary. At least one week's notice should be given to each member. Reports should be circulated to members at least 7 days prior to the meeting wherever possible. The quorum shall be six Forum members in attendance.

- (c) In order to ensure the smooth and efficient operation of the project the Forum shall have the power to:
  - (i) Enact secondary rules or byelaws within the framework of these rules
  - (ii) Constitute such sub-committees as may be necessary
  - (iii) Make appropriate amendments to the constitution, subject to approval by AGM
- (d) All committee members must declare an interest before they speak or vote on any matter.

### **Rules and activities of the Forum**

- 5(a) The Chair and/or Vice-Chair will effectively chair meetings to facilitate fair discussion of the objectives of the agenda within the meeting agenda and will ensure meetings are not overtaken by sub-agendas or discussion not associated with the progress of the project. The Chair and/or Vice-Chair shall ensure the minutes of previous meeting are correct prior to their distribution and ensure the agenda for meetings is reflective of the needs of the Forum and is achievable within the meeting timescales. The Chair will aim to ensure that all members of the group have fair opportunity to raise issues associated with any debate.
- (b) The Secretary shall record and prepare the minutes of the meeting and agree those minutes with the Chair and/or Vice-Chair before circulation to all members of the Forum. The Secretary shall organise the distribution of minutes and agendas to Forum members with adequate notice. The Secretary shall organise meeting venues within 7 days post meetings.
- (c) The members of the Forum shall have the power to nominate members from within the Forum or from outside the Forum to form at least one sub-group to develop specific project matters. In addition, members of the Forum will have the power to raise new issues and contribute to discussion and the development of the project, including the right to vote.
- (d) The membership of sub-groups will be restricted to nominated members. Sub-groups will prepare items for reporting back to the Forum for approval and further development. Items affecting Council policy will need to be progressed through the normal Council procedure.
- (e) The Forum or any of its members shall not bring individual complaints regarding individual landlords or tenants or residents to the Forum. These must be reported to the Head of Housing and Development Control to be addressed through the Council's complaint procedure.
- (f) No member of the Forum shall use their position to suggest that the project falls below any statutory legal standard or to reduce the overall standards suggested by the project.
- (g) No member of the Forum shall use their position for personal financial gain or betterment at the expense of the project, or shall use their position within the group to influence the group to outside agendas that are not considered to be associated with the improvement of the project.

- (h) Members shall put forward items requiring considerable discussion for potential inclusion on the agenda or future meeting agendas, and shall not raise such items for discussion during "any other business", unless this is at the discretion of the Chair. The same also applies for "matters arising" that will require considerable debate and agreement. Members shall not use their position to dominate meeting discussions and shall aim to ensure the discussion is fair and equal within the group.
- (i) Members of the Forum have the right to request that relevant guests or advisors can attend future meetings on approval by the Forum.