

# **Exeter City Council Tenant and Leaseholder Committee (TALC)**

## **CONSTITUTION JULY 2006**

### **1.0 Objectives of the Committee**

- 1.1 To represent the views of the residents of Exeter City Council property with reference to repairs, improvement of housing stock and conditions of tenancy and to make comment/recommendations as appropriate on strategies, policies and customer services.
- 1.2 To represent the views of residents in local partnerships established to improve the quality of life in neighbourhoods and to receive reports on progress in such groups.
- 1.3 To ensure effective liaison with Exeter City Council and the elected tenant representatives in particular and to promote the establishment of resident associations and neighbourhood groups.
- 1.4 To keep under review the training needs of TALC members in order to enable effective participation.
- 1.5 To consider policy issues and make recommendations where appropriate, and where practically possible, to obtain the views of residents before making any decisions or recommendations.
- 1.6 To promote and oversee effective resident involvement and consultation, participation and new initiatives.

### **2.0 Equal Opportunities**

The TALC is aiming to be an equal opportunities organisation. The TALC will therefore ensure that: -

- 2.1 We will not discriminate on any grounds. This includes those of race, colour, age, religious or political beliefs, disability or illness, gender, marital status, sexual orientation, class, learning difficulty, appearance or employment status.
- 2.2 The TALC will ensure there is full participation and equality of opportunity of all members in the composition and operation of its committee, sub-committees and general meetings, and in the election of its officers and in particular, will encourage representation from those currently under represented.
- 2.3 In its meetings and the conduct of its business generally, the committee will not tolerate any racist, sexist, or other discriminatory remarks. Racial or sexual harassment are grounds for expulsion from the committee.
- 2.4 The committee will consider the needs of different communities when booking venues and arranging times of meetings.
- 2.5 The committee will arrange training for all members of the committee on equal opportunities and provide training opportunities for its members to enable them to develop skills in equal opportunities.
- 2.6 The committee will monitor the participation of different groups at meetings and on the committee, and will set targets for improvement of involvement each year.

### **3.0 Membership**

- 3.1 The committee will consist of 17 directly elected voting members from the six identified areas of Exeter.
- 3.2 A maximum of four members (pro rata) will be elected from each of the six areas. Each Tenant and Resident Association (T&RA), recognised by Exeter City Council, will have

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the right to nominate one member to represent the T&RA on the Tenant and Leaseholder Committee.

- 3.3 In the case of the representative not being available, each Tenant & Resident Association will have the right to nominate a deputy who will have full voting rights.
- 3.4 The Sheltered Housing Forum (SHF) will have the right to nominate two representatives to represent the SHF on the TALC.
- 3.5 In the case of either of the representatives not being available the Sheltered Housing Forum (SHF) will have the right to nominate up to two deputies who will have full voting rights.
- 3.6 Membership of TALC shall be open to all residents of Exeter City Council estates regardless of age, gender, sexuality, marital status, ethnicity, religion, disability or political persuasion.
- 3.7 Elections will be carried out under the supervision of Exeter City Council on a two yearly cycle.
- 3.8 Vacancies that occur within the directly elected members will be filled by asking potential members from the appropriate neighbourhood to seek the support of a minimum of three tenants from different households. Nominations have to be made on the form available from Exeter City Council. Applications will be processed by a subgroup, which will include the Chair and Vice – Chair, which will arrange an interview with all applicants before co-option.
- 3.9 Formal co-option will be agreed at the next available committee meeting.

### **4.0 Quorum**

- 4.1 Eight members will form a quorum of the Committee

### **5.0 Change of Constitution**

- 5.1 Should the TALC wish to change its constitution then a 60% majority of at least 50% of the membership of the Committee will be required, with the notice of the motion together with the names of the proposer and seconder being received in writing seven days prior to the next TALC Annual General Meeting or Special General Meeting.

### **6.0 Election of Officers**

- 6.1 The Committee at the Annual General Meeting will appoint officers of the TALC annually.

### **7.0 Sub-Committees**

- 7.1 The Committee will have the right to form Sub-Committees. Any decision that such Sub-Committees make will be recommendations to the main Committee and, until further ratified, will not be binding on the main Committee.
- 7.2 Three members will form a quorum of a Sub-Committee.

### **8.0 Grounds for Dismissal**

The members of the Committee will cease their membership if: -

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- 8.1 They are no longer residents of Exeter.
- 8.2 They fail to attend three consecutive meetings of the TALC unless incapacitated through illness or injury or send in apologies.
- 8.3 They are considered to act against the interests of the Committee by bringing it into disrepute or by failing to adhere to the Constitution.
- 8.4 They are judged by the TALC to have breached the code of conduct agreed by the TALC.

### **9.0 Code of Conduct**

- 9.1 All members shall at all times abide by the 'code of conduct' agreed by the Committee.

### **10.0 Decision of the Committee**

- 10.1 All the decisions of the TALC will be recorded in the minutes and will be signed by the Chair after the agreement of the Committee has been obtained that they reflect a true record of the decisions taken. Should decisions be required between Committee meetings, then the Chair, in conjunction with the Vice-Chair, is empowered to act subject to subsequent ratification by the full Committee.
- 10.2 All relevant decisions and recommendations of the Committee will be reported to the Head of Housing and Social Inclusion.
- 10.3 If Exeter City Council does not accept a TALC recommendation, a full written explanation of the reasons for the decision will be given.

### **11.0 Meetings**

- 11.1 The Committee should meet at least four times each year to coincide with the publication of Performance Information. Additional meetings shall be called as necessary.
- 11.2 Meetings will be arranged and the venues booked by Exeter City Council for the following years meetings.
- 11.3 The AGM will be held annually in the month of June.
- 11.4 Reminders for meetings will be received three weeks prior to the meeting.
- 11.5 Any items for the agenda are to be received by the secretary at least two weeks prior to the meeting.
- 11.6 The agenda will be agreed by the Chair and sent out to members to their home address
- 11.7 Minutes will be taken at each meeting and presented to the next quorate meeting for approval.
- 11.8 Meetings will be held at venues and times that are acceptable to members.
- 11.9 Help with travel and reasonable expenses will be provided where necessary.

### **12.0 Dissolution**

- 12.01** If the TALC, by a simple majority, decides at any time that on the grounds of expense or otherwise that it is necessary or advisable to dissolve the committee it shall call a special meeting of all members of TALC.
- 12.02** A minimum of **twenty-one** days notice of a special general meeting shall be given in writing to all members of the TALC.

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**12.03** The notice shall be posted to the last known address of the members and will state the terms of the resolution to be proposed.

**12.04** Postal voting will be allowed in the case of dissolution.

**12.05** If such a resolution shall be confirmed by a two-thirds majority of those present and voting at such a meeting, the general committee shall have the power to dispose of any assets held by or in the name of TALC.

**12.06** Any assets remaining after all debts and liabilities have been settled shall be applied to Tenants and Residents Associations recognised by Exeter City Council for the benefit of the inhabitants of the estates covered by the said Tenants and Residents Association.

Formally adopted by the Constitution Steering Group, consisting of members of the Tenants and Leaseholders Consultation Group, T&RAs and Sheltered Housing Forum on (date) \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Signed \_\_\_\_\_ Date \_\_\_\_\_

Signed on behalf of Exeter City Council \_\_\_\_\_ Date \_\_\_\_\_

### THE SCHEDULE OF AREAS

**North**

Stoke Hill  
Beacon Heath  
Pinhoe  
Summerway  
1010 (3)

**Central**

Newtown  
Sidwell St area  
South St area  
Holloway St area  
Shilhay area  
Heavitree  
St Leonards  
900 (3)

**West**

Alphington  
St Thomas  
Exwick  
Cowick  
Flowerpot area  
750 (2)

**East**

Whipton  
Whipton Barton  
Hamlin Gardens  
1366 (4)

**South**

Wonford  
St Loyes  
1190 (4)

**South East**

Countess Wear  
Topsham  
379 (1)

5900 properties – 5100 General Needs & 800 Leaseholders = 327 per representative equating to 17 members