

# **Gospel Oak District Management Committee**

## **CONSTITUTION**

### **SECTION A**

#### **1. PURPOSE OF THE DISTRICT MANAGEMENT COMMITTEE (DMC)**

- a) The District Management Committee (DMC) is constituted as an advisory committee to the Council's Cabinet, addressing housing and related district issues.
- b) The DMC will discuss and make recommendations to the Council's Cabinet, Cabinet Member for Better Homes, and the Housing Scrutiny Committee.
- c) The DMC will focus on all matters related to the services for management, maintenance and expenditure within their housing district including regeneration, leisure and the environment.
- d) Changes to the constitution can be made at the first meeting of the municipal year or, if a reason for urgency arises, throughout the year.
- e) The DMC will discuss and make recommendations to all other relevant bodies related to other housing issues.
- f) The DMC will focus on all matters related to the service for management, maintenance, and expenditure within the housing district, and all other relevant departments.
- g) Other matters as may be referred to the DMC from the Council and all other sources, such as borough wide housing policy issues and housing issues that specifically require to be consulted on by the LB Camden and its tenants and leaseholders.

#### **2. MEMBERS' VOTING RIGHTS**

- a) Each Tenant and Residents' Association (TRA) registered with Camden Tenant Participation Service within the area of the DMC, shall elect one of its members as a DMC representative, together with one substitute representative, the latter being entitled to vote only in the absence of the full member.
- b) Only those Associations whose memberships comprise a majority of Council tenants shall be accorded voting rights.

- c) Only tenants, and Leaseholders, may be elected to serve as DMC representatives. TRAs will be mindful of the balance between tenants and leaseholders on their estate when deciding on their DMC representative.
- d) In those cases where a DMC representative is elected Chair of the DMC, the Chair will step down from their representative position and the Association concerned shall be allowed to elect an additional voting member. Where a substitute is elected as Chair, the TRA may elect one additional voting member and substitute.
- e) Each TRA representing more than 300 properties shall be entitled to elect one additional voting member and substitute.
- f) Tenant Management Organisations recognised by Camden Tenants Participation Service shall enjoy the same rights of representation as Tenants and Residents' Associations.

### **3. ATTENDANCE AND INVITEES TO THE DMC WITHOUT VOTING RIGHTS**

- a) Council Members/Officers
- b) Camden Leaseholders Forum
- c) Sheltered Housing Forum
- d) Trade Union Officer
- e) Meetings are open to individuals and representatives from relevant groups within the LB Camden as observers without voting rights, and will be entitled to speak at the discretion of the Chair.
- f) The Cabinet Member for Better Homes will be invited to all DMC meetings.
- g) Nominated Members of Camden Council will be invited to the DMC meeting without voting rights but may be allowed to speak at the discretion of the Chair.

### **4. THE CHAIR**

- a) Each DMC shall elect its Chair, and Vice-Chairs annually, at the first meeting of the municipal year. If there is more than one nomination there will be a secret ballot. Only DMC representatives or substitutes can be nominated as Chair. If a DMC representative or substitute is nominated as Chair, he/she is no longer a representative of their TRA.
- b) If it is not possible to hold the AGM at the first meeting of the municipal year, it shall be held at the next meeting of the DMC that is held thereafter.
- c) If there is still a vacancy for the Chair or one or both Vice Chairs after the holding of the AGM, further elections may be held at subsequent DMC meetings during the course of the year to fill any vacancies that may be remaining unfilled.

- d) At the end of the DMC year the Chair will step down from their position and return to their original position as DMC representative or substitute.
- e) DMC Chairs do not have a vote other than in instances where a vote is tied. Where this arises he/she has the casting vote.
- f) The DMC Chair should be a Council tenant.
- g) If more than one Vice- Chair .is elected, one of them shall be elected to be senior Vice-Chair to serve as Chair if the elected Chair is indisposed or ceases his/her role in that municipal year, and the DMC Chair and Vice Chairs shall have no decision making powers unless authorised by the DMC.
- h) Only TRA representatives or substitute representatives on the DMC shall be eligible to hold the positions of Chair and Vice-Chair of the DMC.
- i) The Chair of the DMC shall not act as the representative of their TRA for the duration of their term of office, excluding provision under clause 4**0** ~~4b~~.
- j) The Vice-Chair(s) of the DMC shall continue to represent their TRA and have according voting rights unless they are acting as the Chair.
- k) The outgoing Chair will resume their elected TRA representative status at the time the role of Chair is relinquished if they remain the representative of their TRA.
- l) A temporary DMC representative elected by their TRA as per clause 2e d, shall stand down at such point where the Chair relinquishes the role.
- m) Should the Vice-Chair be deselected as a representative or substitute representative of their TRA, they will be entitled to fulfil their term of office but without voting rights (except if acting as the Chair where they will have a casting vote as per clause 4c).

## **5. DUTIES AND RESPONSIBILITIES OF CHAIR**

- a) The Chair of the DMC will be empowered to represent the DMC's views on any matter, for example, in response to consultations, if there is not sufficient time to consult the DMC either formally or informally.
- b) The DMC Chair shall consult on all matters that arise from time to time with the Vice Chairs and shall notify them of all invitations to attend meetings with the LB Camden and other bodies, and all communications from the LB Camden wherever the Chair considers it necessary to do so.
- c) The Chair shall declare at the beginning of any meeting any possible conflict of interest regarding any Agenda Item.

- d) The Chair may make FOI/EIR requests on behalf of the DMC regarding any issues that he or she considers to be relevant to the DMC and its stated purposes.
- e) Any such requests, along with all responses from the LB Camden or any other public body shall be included in the Agenda in Information Items.
- f) A DMC member may request the Chair to make an FOI/EIR requests on behalf of the DMC regarding any issues that he or she considers to be relevant to the DMC and its stated purposes.
- g) Any such application may be submitted to the Chair and/or Vice Chairs or TP for onward forwarding to the Chair who may approve it and submit it as requested.
- h) A decision by the Chair as to whether to submit an FOI/EIR request from a DMC member shall be final.
- i) Should the Chair, for unforeseen circumstances cease his/her role during the municipal year, the senior Vice-Chair shall by default become acting chair for the remainder of that municipal year unless another Chair is elected in the interim period.
- j) The Chair may write letters whether in hard copy or by email to any organisation or body on a matter of interest to the DMC either on his own motion or on request by a DMC representative or at the request of the whole of the DMC representatives.

## **6. Votes of no confidence in the Chair and Vice Chairs**

- a) DMC members can call for a vote of no confidence in either the Chair, Vice-Chair(s) or any DMC member/co-opted member elected to represent the DMC on another body.
- b) A motion of no confidence must:
  - i) Give oral reasons or set out reasons if in writing;
  - ii) be proposed and seconded by DMC representatives from at least three affiliated TRAs.
  - iii) If made in writing, must be submitted to the LB Camden's Committee Services at least 3 weeks before the DMC meeting and circulated on the Agenda.
- c) Where the reasons constitute a serious matter, including perpetrating fraud and criminal activity whilst acting as Chair, or Vice Chair, undisclosed conflicts of interest, or repeated breaches of the Code of Conduct, the motion may be accepted up until the day of the meeting.

- d) The Council will inform the signatories to the motion if it is appropriately worded in order for it to be published with DMC papers and presented to the DMC.
- e) Motions of no confidence will not otherwise be accepted. The following matters are specifically excluded:
  - i) Matters being considered and yet to be resolved through code of conduct processes;
  - ii) Where reasons given are the same or similar to another motion of no confidence at either of the last two DMC meetings.
- f) If a motion of no confidence is accepted in respect of the Chair, a Vice-Chair will assume the Chair for the duration of the motion's consideration at the meeting.
- g) If a Vice Chair is a signatory to the motion or otherwise feels unable to preside, a senior Housing Officer will chair the meeting for the duration of the item.
- h) Any motion of no confidence will be taken as the first item of business at a DMC meeting.
- i) If the motion of no confidence is passed in the Chair or a Vice-Chair they will immediately resume their position as an ordinary DMC member in line with 4i).
- j) If the motion of no confidence is passed in the Chair or a Vice-Chair an election of a new Chair or a Vice Chair will take place at the meeting or a subsequent meeting.

**7. Meetings with the Chair and Vice Chairs by voting representatives of Tenants and Residents Associations**

- a) In the event that a Chair of a Tenant and Residents Association or other officer registered with the DMC wishes to contact the DMC about a matter in between DMC meetings and requests a meeting, the representative or officer shall in the first instance contact the Vice Chairs in writing or orally, and explain the purpose of the meeting and its relevance to the DMC and its functions.
- b) On receipt of such a request, the Vice Chairs shall notify the Chair of the request who will then determine whether the request raises valid issues or concerns regarding the running or functions of the DMC.
- c) The decision of the Chair in respect of this shall be final.
- d) No such requests for such a meeting from any Chair of a Tenant and Residents Association or other officer registered with the DMC regarding a bid

either submitted to the DMC or proposed to be submitted to the DMC may be accepted by the Vice Chairs.

- e) The Chair and Vice Chairs may attend individual TA meetings such as AGMs on specific invitation from the Chair of the individual TA Chair concerned conveyed via the LB Camden TP Service as independent observers.
- f) At such meetings, the Chair and Vice Chairs will adopt a completely neutral role, and the fact that such a meeting has taken place at which either or all of them were present shall be reported back to the next DMC meeting.

## **8. DMC REPRESENTATION ON OTHER COMMITTEES AND GROUPS**

- a) Elections will take place at the first meeting of the District Management Committee (DMC) each municipal year to relevant groups, and forums.
- b) Should a group or forum be formed during the municipal year, elections to that body will occur at the next available DMC meeting.
- c) Where there is more than one nomination, a secret ballot shall be held. A relative majority will determine the vote.
- d) Those elected to outside groups and forums shall stand down at the end of the municipal year and fresh elections held.
- e) If for any reason any elected representative to relevant group or forum ceases to be a member, the District Management Committee may elect a replacement member.
- f) The DMC will have the power to co-opt tenants or leaseholders who are not registered TRA representatives or substitutes to act as its representative on external groups or forums. Any co-opted representatives shall not have voting rights at the DMC, but are entitled to vote at the external groups or forums to which they have been nominated.
- g) The DMC will decide on the manner in which representatives will report back from outside groups and forums.

## **9. REQUIREMENTS OF MEMBERSHIP OF THE DMC**

- a) All TRAs wishing to be represented on the DMC shall annually provide Camden's Tenant Participation Service with a copy of the minutes of the meeting at which their representatives were elected for registration.
- c) When an Association registers or re-registers, they should inform Camden Tenant Participation Service of the total membership of their Association and the total number attending the meeting at which their officers were elected.

- d) Membership of TRAs wishing to be represented on the DMC must be open to all tenants and their households living on the estate/area covered by the Tenants and Residents Association.
- e) Where Associations change their officers during the course of the municipal year, the minutes of the meeting at which the change was made shall be sent to Camden Tenant Participation Service as soon as possible.
- f) Where a suspension of a TRA representative or deputy or the Chair or a Vice Chair of the DMC is issued under the Code of Conduct, their respective posts shall be immediately vacated and shall be of no effect.
- g) In respect of a TRA representative, the substitute TRA representative will assume the TRA representative role until the TRA has elected a new TRA representative.
- h) In respect of a substitute TRA representative, the TRA representative will assume both roles until the TRA has elected a new substitute TRA Representative.
- i) In respect of a Chair, a Vice Chair will assume the post of Chair until the committee elect a new Chair at the meeting or subsequent one, or at the following AGM.
- j) In respect of a Vice Chair, the other Vice Chair will assume both roles until the committee elect a new Vice Chair at the meeting or subsequent one, or at the following AGM.

## **SECTION B**

### **10. MEETINGS**

- a) DMC meetings are open to all members of the public, and residents of the Gospel Oak area.
- b) There will be at least four ordinary meetings of the DMC a year.
- c) DMC representatives have the right to call Special DMC meetings at the discretion of the Chair and Vice-Chairs.
- d) The quorum of DMC meetings shall be 20% of the voting members.
- e) The quorum for all Special meetings of the DMC shall be 5 voting members.

### **11. PRESENTATION OF MOTIONS AT MEETINGS**

- a) Any DMC representative or the Chair or any Vice Chair may propose a motion at a meeting of the DCM on any matter that is relevant to the DMC and its stated purposes.

- b) Any DMC representative or the Chair or any Vice Chair shall obtain a sponsor to support the motion either in writing or orally at the meeting.
- c) In order to present a motion, the DMC representative or Chair or Vice Chair should if possible notify the Chair in the case of the DMC representative or Vice Chair, or LB Camden Committee Services of the motion 7 days before hand, and in the case of the Chair notify the Vice Chairs or LB Camden Committee Services of the motion 7 days before hand.
- d) If good reasons are shown for not notifying the Chair, and/or Vice Chairs or the LB Camden Committee Services of the motion 7 days beforehand, the Chair may accept to receive such a motion at a meeting.
- e) If good reasons are shown for not notifying the Chair, and/or Vice Chairs or the LB Camden Committee Services of the motion 7 days beforehand, in the case of a motion proposed by the Chair or a Vice Chair, the matter will be put to a vote of the whole committee whether to accept the Chair's or Vice Chair's Motion at a meeting.
- f) An application made by a DMC representative to present such a motion without prior notification in writing shall be determined by the Chair at the commencement of the meeting after the meeting preliminaries have been completed.
- g) A decision by the Chair as to whether a motion is relevant to the DMC and its stated purposes after consulting if necessary with the Vice Chairs shall be final.
- h) A decision by the Chair as to whether a motion by a DMC representative or Vice Chair is to be accepted after consulting if necessary with all of the Vice Chairs shall be final.

## **12. PRESENTATION OF DEPUTATION REQUESTS**

- a) Any DMC representative may present a deputation request at a meeting of the DMC on any matter that is relevant to the DMC and its stated purposes at the discretion of the chair.
- b) Any member of the public may present a deputation request at a meeting of the DCM on any matter that is relevant to the DMC and its stated purposes at the discretion of the chair.
- c) In order to present a deputation request, the DMC representative or member of the public should if possible notify the Chair, and Deputy Chairs or LB Camden Committee Services of the deputation request, 7 days beforehand.
- d) If good reasons being shown for not notifying the Chair, and Deputy Chairs or LB Camden Committee Services of the deputation request 7 days beforehand, the Chair may accept to receive such a deputation request at a meeting.



- e) An application made by a DMC representative to present such a deputation request without prior notification in writing shall be determined by the Chair at the commencement of the meeting after the meeting preliminaries have been completed.
- f) A decision by the Chair as to whether a deputation request is relevant to the DMC and its stated purposes after consulting if necessary with the Vice Chairs shall be final.
- g) A decision by the Chair as to whether a deputation request is to be accepted after consulting if necessary with the Vice Chairs shall be final.

### **13. AGENDA AND DISPATCH OF PAPERS**

- (a) DMC Chairs may allow a verbal report on issues arising since the agenda was dispatched to members.
- (b) TRAs must submit a written list of items for the DMC agenda at least 4 weeks before the meeting.
- (c) LB Camden Committee Services staff will post the agenda for the meeting to DMC members at least 2 weeks before the meeting.
- (d) The agenda will be agreed by the Chair in consultation with the Vice-Chair(s) and relevant Council officers at a pre-agenda meeting.
- (e) Urgent business may be taken at the discretion of the Chair in consultation with the Vice Chairs.
- (f) Minutes of DMC meetings will be produced and distributed in a manner agreed by the DMC.

### **14. OTHER REQUIREMENTS**

- (a) The DMC budget will be agreed at DMC level.
- (b) The DMC may request reports and relevant documents from the Council and these reports and relevant documents will be accompanied by the appropriate Council officer where agreed.
- (c) All meetings will be run in line with the LB Camden Engagement Code of Conduct approved by the DMC.
- (d) Members shall be reminded to declare any possible conflict of interest at the start of every meeting.
- (e) Any proposed amendments to the DMC's constitution must be submitted in writing to the DMC's Chair and clerk at least 15 days before the Annual General Meeting of the DMC for inclusion on the agenda or other meeting

in the case of urgency. Amendments must be approved by a majority of the voting DMC members present at the meeting at which the changes are being considered.

#### **15. SUBMISSIONS OF DMC BUDGET BIDS**

- (a) The DMC budget will be agreed at DMC level.
- (b) The DMC will only approve bids from TRAs for funding where a member of the TRA is present at the meeting, except in extenuating circumstances. The DMC will decide on exemptions on a case-by-case basis.
- (c) To be eligible for funding a TRA must have been represented (not necessarily through their designated representative or substitute representative) at a minimum of two meetings in the past twelve months, except in extenuating circumstances. The DMC will decide on exemptions on a case-by-case basis.
- (d) New or revived TRAs registered with the Council within the previous twelve months shall be exempted from clause 9a).

### **SECTION C**

#### **16. FUNCTIONS**

The function of the DMC is to discuss and, where appropriate, make recommendations to the Council.

DMC functions include the following:

- a) To identify priorities for investment/improvement in the district.
- c) To encourage the provision and use social and community facilities.
- d) To receive reports from representatives involved in the tenant scrutiny process to direct/inform performance monitoring.
- e) Management matters in relation to Council properties within the DMC locality.
- f) Caretaking Services in the DMC locality.
- g) Discussing problems arising from the redevelopment or rehabilitation of estates including plans for regeneration areas.
- h) Discussing matters concerning the environment of the area covered by the DMC.
- i) Discussing any other matters as referred to the DMC from time to time.
- j) To consider items relating to Council tenancies and leases.

## SECTION D

### 17. REGULATIONS AND GUIDANCE FOR DMC REPRESENTATIVES

- a) Members of the DMC are subject to the same restrictions covering pecuniary interests as Council members, and must disclose any general or specific pecuniary interests to the Chief Executive. However, under section 97(1) and 105 of the Local Government Act 1972, DMC members may have a dispensation to seek and vote on matters relating to the exercise of any housing functions as it affects the whole or part of their area, in the same way as otherwise disqualified Council members who are Council Tenants are permitted.

In short such DMC members will be permitted to participate in the deliberation of any matter other than one relating to their particular tenancy.

- b) Members should comply with the Code of Conduct for DMC members, which has been approved by the DMC.
- c) DMC representatives are entitled to claim expenses for relevant travel, childcare and other costs incurred due to attendance at the DMC meetings. Any such applications must be submitted to the Camden Tenants' Participation Service in accordance with any information and directions given by LB Camden Committee Services in the DMC Agenda papers.
- d) Under the provisions of the Local Government Act 1972, an employee of the Council cannot be a member of a DMC unless they are also a tenant or leaseholder and an elected representative of a member Tenant and Residents Association and not associated with the LB Camden's Housing Department, Tenant Participation or Committee Services.
- e) For reasons of transparency elected members of the council are not eligible to become DMC Representatives as this could be viewed as a conflict of interest.

### SUMMARY OF THE GOSPEL OAK DMC CONSTITUTION

The function of the DMC is advisory. It is to discuss and, if appropriate, make recommendations on local issues to the Cabinet Member for Housing, and other Council Committees, and sub-committees.

- Reporting annually to the Cabinet Member for Housing on the progress of district service plan/district agreement, and to identify priorities for investment/improvement in their district.
- Advising the Cabinet Member for Housing on the expenditure of the HRA Budget.

- Encouraging the provision and use of social and community facilities.
- The control and use of amenities on estates.
- The inspection of estates and properties within the DMC area.
- Regular contact and meetings with individual Tenants and Residents Associations.
- To receive reports from representatives involved in the tenant scrutiny process on district performance and provide details of local issues to direct/inform performance monitoring.
- All other Tenants and Leaseholder forums may be invited to provide reports to DMC.
- Management matters in relation to Council properties in the area of the DMC.
- Caretaking Services in the DMC area.
- Discussing problems arising from the redevelopment or rehabilitation of estates as referred to the DMC by the Cabinet Member for Housing including plans for new regeneration areas.
- Discussing matters concerning the environment of the area covered by DMC.
- Discussing other matters as may be referred to the DMC by Housing and all other bodies within/out of the Council.