

PLuSS Constitution

Purpose

1. **Name and Status** This is an Unincorporated Association to be known as PLuSS (this is short for 'Private Landlords Supporting Stockton' which is not part of the name).
2. **Objects** The objects of PLuSS are:
 - a. for all properties in the Private Rental Sector ('PRS') in the borough of Stockton-on-Tees, England (the 'Borough') to be of high quality and consistently well-managed, and in pursuit thereof:
 - i. to promote good standards and practices in the PRS within the Borough; and
 - ii. to provide opportunities for partnership working, training, business development and networking for PRS owners/managers in the Borough;
 - b. to maintain sustain and encourage cooperative and constructive working relations between owners & managers of such properties, Stockton-on-Tees Borough Council (the 'Council') and other local stakeholders;
 - c. to provide a viable and effective alternative to Selective Licensing within the Borough and to oppose any plans for introducing such;
 - d. to support, as appropriate, service provision to residents in need within the Borough; and
 - e. to advance the standing of the private rented sector within the Borough.
3. **Not For Profit** PLuSS does not exist to make a profit. Any funds that it raises are to be spent in due course in pursuit of its objects. If PLuSS should be wound up any surplus funds, after payment of any creditors, should either be returned to members or be donated to charities based in and serving the needs of people within the Borough.

Membership

4. **Ordinary Membership Eligibility** Except as provided below, all persons (whether individuals or companies) who own or are responsible for private rented properties are eligible for ordinary membership, provided they accept the Terms and Conditions of membership including that they will abide by the PLuSS Code of Conduct (as may be amended) and pay the required membership fees.
5. **Ordinary Membership Fees/Subscriptions:** Ordinary members pay the joining fee and annual membership fee (including for the first year) if, and as, set by the Founding Constitution or as amended by the Committee except that:
 - a. only one among connected parties who are ordinary members (close relations and/or connected companies) has to pay such fees; and
 - b. ordinary members who are agents managing, but not themselves owning, private rented properties within the PLuSS Priority Areas (as defined at www.pluss.me.uk) do not have to pay such fees.
6. **Non-Voting Membership Eligibility** Others may, as the Committee may decide from time to time, be permitted to become non-voting members provided they

accept the Terms and Conditions of membership including that they will abide by the PLuSS Code of Conduct (as may be amended). Unlike ordinary members, non-voting members

- a. may pay reduced or nil joining and/or annual membership fees as decided from time to time by the Committee;
 - b. are not entitled to be invited to, & do not have a vote at, a General Meeting;
 - c. as the Committee shall decide, may have restricted entitlement to membership benefits; and
 - d. may be required at any time by the Committee to upgrade to ordinary membership or have their membership cancelled.
7. **Special Member** A special PLuSS membership at no charge is reserved for the Council which it is entitled but not obliged to take up or give up by written notice. If and while it is taken up, the Council shall be entitled to have up to two special Committee members to attend and vote at Committee meetings.
8. **Continuing Membership** The Committee may in its sole discretion refuse the application for, or suspend or terminate the membership of, any member; for instance someone who they do not consider to be a fit and proper person or who does not observe the Terms and Conditions of membership including abiding by the Code of Conduct and paying membership fees and subscriptions. In pursuance thereof the Committee may adopt such procedures as it sees fit except that
- a. if the suspension or termination relates to a Committee member, such member shall not have a vote in the decision; and
 - b. no refunds shall be due to a suspended or expelled member.

General Meetings

9. **Frequency** General Meetings of PLuSS shall normally be held at least annually.
10. **Right to Call A General Meeting** A General Meeting may be called
- a. by the Committee with such agenda as it shall decide; or
 - b. by any single Committee member upon receipt by him/her of a hard copy of a requisition for such General Meeting specifying an agenda and which has been signed by not less than 15 ordinary members. In such case the agenda specified in the requisition shall be altered (if at all) only to remove items that are inappropriate for decision by a General Meeting.
11. **Notice of a General Meeting** The notice of a General Meeting, including the agenda, shall be sent in writing (as defined) to all members not less than 7 days in advance. General Meetings shall be held online or at a suitable physical venue within the Borough.
12. **Proceedings of General Meetings**
- a. The Chair of the Committee (or if such person is absent or unwilling then the Treasurer or the Secretary or a voting ordinary Committee member or a person chosen by the Meeting - in that order) shall preside at General Meetings and shall have a casting vote.
 - b. Decisions may be taken by acclamation or if there is a reasonable doubt as to the majority then by vote. Votes on items stated on the agenda may be approved by acclamation or a simple majority, votes on items arising under AOB (Any Other Business) require a 75% majority.

- c. Proxies declared to the presiding person at the start of the Meeting may be exercised by one member on behalf of others.
 - d. Non-members (including representatives of the Council whether members of the Committee or not) may attend a General Meeting only upon the explicit approval of the presiding person and may not vote.
 - e. Proceedings of an Annual General Meeting will normally include:
 - i. A report from the Committee on the events in the last year
 - ii. Presentation and approval of the accounts
 - iii. Election (or re-election) of Committee members
 - iv. Any proposed changes to these Rules (including fees/subscriptions)
 - v. Any proposed changes to the PLuSS Code of Conduct
 - vi. Any Other Business (AOB)
13. **General Meeting by Non-Attendance** A General Meeting may be held by non-attendance (i.e. without any actual meeting taking place) and without notice if a written copy of its decisions, including consent to lack of due notice and non-attendance, is signed and dated by 75% of members, and such decisions will have the full force of decisions taken at an attended General Meeting.

The Committee

14. Committee Membership

- a. PLuSS and its finances shall be managed by a Committee consisting of:
 - i. at least two voting ordinary Committee members (who must be or represent members of PLuSS),
 - ii. up to two voting special Committee members from the Council (if and while it has taken up its special membership of PLuSS); and
 - iii. an unspecified number of co-opted non-voting ordinary Committee members.
- b. The Committee shall select from the voting ordinary Committee members a Chair, Secretary and Treasurer (which roles may be separate or combined) who shall continue to hold such offices unless either they, the Committee or a General Meeting shall decide otherwise or they cease to be a voting ordinary Committee member.
- c. Voting ordinary Committee members shall be elected at the PLuSS Foundation Meeting or at a PLuSS General Meeting and are eligible for and must seek re-election at least every three years three months. They leave the Committee by:
 - i. not presenting themselves for, or failing to achieve, re-election through a General Meeting when required;
 - ii. resigning by written notice;
 - iii. if they cease to be or represent a PLuSS member; or
 - iv. by decision of the Committee if they fail to engage with more than two consecutive Committee meetings.
- d. If a voting ordinary Committee member leaves the Committee, the Committee may co-opt another person (being or representing a member of PLuSS) in their place and such person shall have voting rights on the Committee until the next General Meeting when they must stand for election to the Committee.

- e. The Committee may also co-opt additional ordinary Committee members to serve on it but without voting rights.
 - f. Committee members shall not be entitled to remuneration for their work in such capacity but shall be entitled to reimbursement of any out-of-pocket expenses (including, if such expenses form part of a larger sum, a fair proportion thereof).
15. **Committee Proceedings**
- a. The Committee shall meet as required online or at a suitable physical venue
 - b. Committee members shall be given not less than 4 days notice by the Secretary or Chair by email of forthcoming meetings.
 - c. Decisions of the Committee are taken by majority vote of those present and entitled to vote subject to a quorum of two voting ordinary Committee members, except that the quorum shall not apply when there are insufficient voting Committee members (including those not attending) to meet such quorum.
 - d. In the event of a tie the Chair shall have a casting vote.
 - e. For any Committee meeting a proxy may be given by a voting Committee member (the 'principal') to another Committee member (including a non-voting member) who may then exercise the principal's vote (in addition to their own vote, if they have one).
 - f. Notwithstanding the above, Committee decisions may be taken without formal meeting and/or without due notice provided they have the demonstrable unanimous agreement of all voting Committee members.
16. **Expenditure**
- a. The Committee may task one or more Committee members with responsibility for authorising expenditure within such limits as it deems fit.
 - b. The ordinary Committee members shall be responsible collectively for reporting to the General Meeting upon overall income and expenditure.
 - c. The Committee shall prepare the annual accounts of PLuSS and offer them for approval to the Annual General Meeting. Unless a General Meeting shall decide otherwise, it shall not be a requirement for the accounts to be subject to external audit.
17. **Bank Accounts** The Committee may decide to open one or more bank accounts and use financial services for and/or in the name of PLuSS and their operation and control shall be a matter for decision by the Committee.

Other

18. **Foundation** The Foundation Meeting of PLuSS was held on 19 June 2019 at 4pm at Stockton Business Centre, 74 Brunswick St, Stockton-on-Tees TS18 1DW at which this Constitution and the PLuSS Code of Conduct in their original forms were agreed and adopted by the founder members.
19. **Force Majeure - Selective Licensing** If the Council should announce that it is considering or has decided to implement Selective Licensing (or a similar successor scheme) then the PLuSS Committee shall urgently review all options including:
- a. entering into discussions with the Council;
 - b. engaging professional advice and campaigning; and

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- c. calling a General Assembly (to propose, for instance, raising further funds or dissolution of PLuSS and return of any surplus funds to members).
- 20. **Code of Conduct** The PLuSS Code of Conduct is integral to PLuSS and all members agree to abide by it. It may be amended by a General Meeting with the consent of the Council.
- 21. **Alteration of these Rules** These rules may be altered by a General Meeting, and any such alterations shall take immediate effect and be binding on all members.
- 22. **Communication**
 - a. It is the responsibility of all members to keep PLuSS updated with their current contact details including postal address and phone number(s) and to provide an email address which shall be the primary method of communication.
 - b. All notices may be served by email except where specifically stated otherwise, and the term 'in writing' shall in these Rules be taken as including service by email or by text message to the last notified email address or phone number of the member. Reasonable demonstration that an email or text was sent shall be taken as proof that such email or text was received.
 - c. Notices to PLuSS itself should be served to the Chair of the Committee copied to the Secretary of the Committee.
- 23. **Properties**
 - a. It is the responsibility of members to keep PLuSS updated if they sell or cease to be responsible for all of their properties within the Borough;
 - b. Members who are responsible for private rented properties in the Borough that they do not own have further responsibilities to inform PLuSS:
 - i. if they cease to be responsible for properties in the Borough of a given owner (no refund of fee/subscription); or
 - ii. if they take on responsibility for properties in the Borough on behalf of a new owner (additional fees/subscriptions shall be due either immediately from the new owner or at annual renewal time from the existing member).
- 24. **Equality & Diversity** PLuSS is committed to treating all people equally and with respect irrespective of their age, disability, gender reassignment, marriage or civil partnership, pregnancy or maternity, race, religion or belief, sex, or sexual orientation.

To be read with: **PLuSS Code of Conduct, Stockton Rental Standard**

[Note: this is as revised and approved by General Meetings on 19 February 2020 and 1 September 2021]