
STATUTORY INSTRUMENTS

2017 No. 1102

The Regulation of Social Housing (Influence of Local Authorities) (England) Regulations 2017

PART 3

Voting rights of local authorities as members

Voting rights of local authority

5.—(1) On and after the appointed day a local authority may not hold or exercise any local authority voting rights in relation to a private registered provider.

(2) Where the constitution of a private registered provider provides for local authority voting rights, that provider must by the appointed day amend that constitution to re-assign those voting rights pro-rata amongst the remaining voting membership.

(3) Where a constitution has not been amended in accordance with paragraph (2) by the appointed day, such voting rights are deemed from that date to have been re-assigned pro-rata amongst the remaining voting membership.

(4) In this regulation “local authority voting rights” mean the voting rights of the local authority itself as a member of the private registered provider.

Other provisions as to voting rights

6.—(1) A provision in the constitution of a private registered provider which requires that a resolution of the board be approved other than by a majority of the members of the board is to have effect on and after the appointed day as a provision requiring that the resolution be approved by at least 75% of the votes cast (or such lower percentage as may be specified in the constitution).

(2) Paragraph (1) does not apply to a private registered provider whose board contains no local authority officers.

(3) Where the constitution of a private registered provider makes provision for the consent of a local authority in order for a change to the constitution to be effective such provision shall have no effect on or after the appointed day.