

APPEALS COMMITTEE

10 JUNE 2005

Present: Councillors Patel (Chairperson); Councillors Goddard, Hyde, Percy and Reece

A1 : EXCLUSION OF THE PUBLIC

RESOLVED – That the public be excluded during discussion of the following item of business on the grounds that, if members of the public were present during the discussions, due to the nature of the business to be transacted, there would be disclosure to them of exempt information as defined in Section 100A(1) of the Local Government Act 1972 as follows:

“Information relating to any particular occupier, or former occupier, or applicant for, accommodation provided by, or at the expense of, the Authority.”

A2 : REVIEW OF DECISION TO EXCLUDE

The hearing was due to commence at 2.30pm. Neither the Appellant nor her representative were present at the appeal. No form of communication was received from the Appellant or her Representative explaining the reason for non-attendance. At 2.55pm the Committee agreed to determine the case in the Appellant's absence. The Council was represented by the Advice Services Manager and the Senior Housing Officer.

The Panel considered the following information in respect of the Appeal:-

- (a) The Appellant had applied to be admitted to the housing list on 20 July, 2004.
- (b) As a result of information provided the Appellant was referred to the Housing and Safety Unit.

On 1st September 2004 it was determined that the application had cause to be reviewed by the Exclusion Panel.

- (c) Following information received from the Appellant and a number of support agencies, the Panel determined to defer the application pending further information from Social Services and the Police.
- (d) Following consideration of the information received, the Exclusion Panel determined to exclude the Appellant's housing application from the Housing Waiting List for a period of 12 months. The consensus of the Panel believed that the Appellant would require support in any tenancy but had not adequately engaged with the support services to date. There were additional concerns over the Appellant's previous behaviour towards staff. A letter was sent to the Appellant on 4 May 2005 advising her of the decision to exclude her from the Housing Waiting List. The letter also advised her of the right to appeal.
- (e) A letter was received from the Appellant on 10 May appealing against the decision. The Appellant in her letter accepted that she had a history of previous anti-social behaviour, but stated she had engaged with professionals over the past 15 months and was now accessing counselling services to try to remain stable and continue to make progress, and look to rehabilitation services to make permanent changes to her lifestyle.
- (f) The Appellant has received assistance since January 2005 from a project worker who advised on 12/5/05 that the Appellant is engaging well with their service to make an effort to move forward.
- (g) Letters received from two other professional agencies dated 3/3/05 and 25/4/05 advised that the Appellant had failed to cooperate and engage with their services

The Appeals Committee, following consideration of the information presented to them

RESOLVED – That the appeal be disallowed as detailed below:

<u>Applicant</u>	<u>Request</u>	<u>Decision</u>
Miss M	Review of decision to exclude from the waiting list	Appeal disallowed. Reason: The Committee noted the Appellant's statement in

support of her appeal that she had made an effort to move forward and had engaged with agencies in an effort to make permanent changes to her lifestyle. However, the Committee after considering all relevant information decided that, in view of the Appellant's history of anti-social behaviour and the risk to the safety of staff as a result of aggressive behaviour, and her failure to engage fully and consistently with all support agencies, she would not be suitable to hold a satisfactory tenancy at this time.

The Committee agreed that the Appellant should be excluded from the waiting list for a period of 12 months.

Signed

Date