

APPEALS COMMITTEE

17 FEBRUARY 2006

Present: Councillor Patel (Chair);
Councillors Gething, Hyde, Jones and Percy

Also: Julia Reynolds – Legal Services and Val Davies –
Committee Services

A7 : EXCLUSION OF THE PUBLIC

RESOLVED – That the public be excluded during discussion of the following items 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 100(A)(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.”

A8 : REVIEW OF DECISION TO EXCLUDE

Mr R.V.

The appellant and his representatives were present at the hearing.

Chris Fox, the Housing and Safety Unit Manager and Mike Friel, the Operational Manager, Advice Services represented the Council.

The meeting was conducted in accordance with the procedure, which was read out at the meeting for the benefit of the appellant, his representatives and the representatives of the Housing and Safety Unit.

The Committee considered the following information in respect of the appeal and asked a number of questions and sought clarification on the points discussed:-

- (i) The appellant made application to the Council on the 8 August 2005.

- (ii) The applicant provided supplementary information following which his application was referred to the Exclusion Panel for consideration. The Exclusion Panel met on the 24 November 2005 when it considered all the information presented to it including information from the Support Agencies.

The Exclusion Panel unanimously determined to exclude the applicant from the waiting list for a period of 12 months, as it was the opinion of the Panel that he had demonstrated behaviour that made him unsuitable to be a tenant due to the nature of his previous convictions and the risk to vulnerable members of the community.

- (iii) A letter was sent to the appellant on the 29 November 2005 advising him of the Panel's decision to exclude him from the waiting list and to his right of appeal.
- (iv) A request for appeal was received by Committee Services on 22 December 2005 together with submissions supporting his application. The appellant in his letter stated that he had served his sentence and would do nothing to commit further offences in the future.
- (v) In accordance with the Appeal Panel's procedure, the Exclusion Panel met again on 24 January 2006 in order to review its decision in light of the appeal request, at that meeting the Panel concluded to uphold its decision to exclude from the waiting list for a period of 12 months.

The Committee considered all the evidence before it and listened to representations made by the appellant and his representative together with representations made by the Officers of the Housing Safety Unit, the Committee came to the view that the decision of the Exclusion Panel was reasonable given the serious nature of the offences and the fact that the applicant was still in denial.

RESOLVED – That the decision of the Exclusion Panel be upheld and the appeal be disallowed.

Applicant

Request

Decision

Mr R.V.

Review of the decision to exclude from the waiting list.

Appeal disallowed and the decision of the Exclusion Panel on the 24 November 2005 and the 24 January 2006 to exclude for a period of 12 months be upheld.