

APPEALS COMMITTEE

19 MAY 2006

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

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

A10 : 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."

A11 : REVIEW OF DECISION TO EXCLUDE

Miss P. A.

The appellant and her representative were present at the hearing.

Chris Fox, Housing Safety Unit Manager and Ceri Meloy, 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, her representative and the representatives of the Housing & 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 28 September 2005.

- (ii) The applicant provided supplementary information following which her application was referred to the Exclusion Panel for consideration. The Exclusion Panel met on 8 November 2005 where the application was deferred pending further information from the Tenant Support Team.

The Exclusion Panel met again on 9 March 2006 following receipt of information from the Tenant Support Team when it was determined to exclude the applicant from the waiting list for a period of 12 months due to her history of anti-social behaviour in permanent and temporary accommodation provided by Cardiff County Council and her history of failing to engage with support agencies.

- (iii) A letter was sent to the appellant on 14 March 2006 advising her of the Panel's decision to exclude her from the waiting list and of her right of appeal.
- (iv) A request for appeal was received by Committee Services on 30 March 2006, no written submissions were provided with the request.
- (v) In accordance with the Appeals Panel's procedure, the Exclusion Panel met again on 9 May 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 her 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 applicant's history of anti-social behaviour and neighbour nuisance, the fact that she had not engaged with support agencies, and the fact that she had not provided any evidence or reassurances that she had now modified her behaviour since she last held a Council tenancy.

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

Applicant

Miss P. A.

Request

Review of the decision to exclude from the waiting list.

Decision

Appeal disallowed and the decision of the Exclusion Panel on 9 March to exclude for a period of 12 months be upheld.

Signed

Date