

## APPEALS COMMITTEE

DATE 21 SEPTEMBER 2007

Present: Councillor Patel (Chairperson);  
Councillors Hyde and Goddard

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

### A5 : 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 the Local Government Act 1972 and Category 3 of the Local Authority's (Access to Information) (Variation) (Wales) Order 2007 as follows:-

"Category 3 – Information which is likely to reveal the identity of an individual".

### A6 : REVIEW OF DECISION TO EXCLUDE

Mr D M

Neither the Appellant nor his representative were present during the Appeal. It was confirmed that no form of communication had been received from the Appellant or his representative explaining the reasons for his non-attendance.

Following a reasonable period of time to allow the Appellant to attend, the Committee agreed to determine the case in his absence.

The Council was represented at the hearing by Mike Friel, Operational Manager (Strategy, Advice and Support) and Chris Fox, Housing Safety Unit Manager.

The meeting was conducted in accordance with the procedure which was read out at the meeting.

From the information received and the submissions made by the Officers

of the Housing and Safety Unit present at the meeting, the Committee found that:-

- (i) A general housing application had been received from the Appellant on 27 September 2006.
- (ii) The Applicant had been asked to provide supplementary information which was received on 28 June 2007 when it was noted the Applicant had disclosed a number of convictions.
- (iii) As a result of the supplementary information received, the application was referred to the Common Exclusion Panel on 16 August 2007. The Panel, based on the information submitted, concluded that the applicant should be excluded from the waiting list for a period of six months.
- (iv) On 31 August 2007 Committee Services received a request for a review of the decision.
- (v) The Review Exclusion Panel met again on 6 September 2007, there being no additional information to consider, the Panel upheld its original decision to exclude the applicant from the waiting list for six months.

The Committee considered all the evidence before it together with the submission of the Officers of the Housing and Safety Unit present at the meeting.

The Committee were of the view that the decision of the Common Exclusion Panel to exclude the applicant from the waiting list was reasonable and should be upheld, however, the Committee were of the view that the exclusion period should be increased to 12 months.

RESOLVED – That

<u>Applicant</u>	<u>Request</u>	<u>Decision</u>
Mr D M	Review of decision to exclude from the waiting list.	(1) The Appeal be disallowed for the following reasons:- <ul style="list-style-type: none"><li>• Taking into consideration the information provided and the submissions at the Appeal, the Committee</li></ul>

concluded that the Appellant had a recent history of serious offences including assaults and criminal damage.

- It was noted that the Appellant had started to engage with support services, however the Committee were of the view that insufficient time had elapsed for the Appellant to demonstrate that the positive changes he had made to his lifestyle could be sustained.

(2) Taking into consideration the information provided and the submissions at the Appeal the Committee concluded that the timescale for the exclusion be increased to 12 months ending on 16 August 2008.

Signed By Chairperson.....

Date.....