

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
APPEALS AND COMPLAINTS PANEL

FRIDAY 9 NOVEMBER, 2012 AT 10.00 A.M. AND 11.30 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK

PART 1

PRESENT: Councillors

Grice, Mrs. D. (Chairman)

Davies, D.N.

Todd, Mrs. D.

Sutton, Mrs. H.M.

1. Appointment of Chairman

Councillor Mrs. D. Grice was appointed Chairman for the meeting.

2. Apologies

An apology for absence was received from Councillor F.W.C. Allen.

3. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

No declarations of interests were made.

4. Exclusion of the Public

RESOLVED:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 2 and 3, Part 1, Schedule 12A, Local Government Act 1972 (as amended).

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PART 2

5. Tenancy Appeal

Prior to commencement of the meeting, the Panel were asked to consider further supporting information from the Appellant.

Consideration was given to the Not for Publication Report of the Head of Housing (Enclosure 5.1 – 5.3 of the Official Minutes of the Council).

The Appellant and his representatives were in attendance to present his case.

The Chairman invited all those present to introduce themselves and also outlined the procedure.

The Council's Legal Advisor advised that the supporting information would be accepted from the Appellant; however the Panel would require some time to consider it. Therefore, all parties left the room in order that Members could consider this.

On their return the Officer presented the Council's case by taking the Panel through the report. The Appellant then Members of the Panel were also afforded the opportunity to ask questions of the Officer.

The Appellant was then asked to put his case. The Officer then Members of the Panel were then afforded the opportunity to ask questions of the Appellant.

The Officer and the Appellant were both afforded the opportunity to sum up their respective cases.

The Panel then deliberated in private calling on only the Council's Legal Advisor and Senior Committee Officer for advice.

All parties returned to the meeting and the Chairman outlined the decision of the Panel as follows:-

RESOLVED:

That having considered all the information submitted to it, the appeal be allowed.

Reasons for Decision

The Panel carefully considered all relevant factors, issues and the representations made on behalf of the Appellant.

The Panel had taken into consideration that the Appellant was remorseful for the criminal act which he was convicted of. This was seemingly out of character and it was noted that he was trying to move forward by mending his ways. For example, he was now drinking much less alcohol than before, he had started a college course and had also just commenced part-time employment.

However, the Panel was of the view that the Appellant must receive and engage in Tenancy Support once he was granted a Council Tenancy.

6. Tenancy Appeal

Prior to commencement of the meeting, Councillor D.N. Davies left the meeting and was replaced by Councillor R. Jones.

Consideration was given to the Not for Publication Report of the Head of Housing (Enclosure 6.1 – 6.3 of the Official Minutes of the Council).

The Appellant and her representative were in attendance to present her case.

The Chairman invited all those present to introduce themselves and also outlined the procedure.

The Officer presented the Council's case by taking the Panel through the report. The Appellant then Members of the Panel were also afforded the opportunity to ask questions of the Officer.

The Appellant was then asked to put her case. The Officer then Members of the Panel were then afforded the opportunity to ask questions of the Appellant.

The Officer and the Appellant were both afforded the opportunity to sum up their respective cases.

The Panel then deliberated in private calling on only the Council's Legal Advisor and Senior Committee Officer for advice.

All parties returned to the meeting and the Chairman outlined the decision of the Panel as follows:-

RESOLVED:

That having considered all the information submitted to it, the appeal be allowed.

Reasons for Decision

The Panel carefully considered all relevant factors, issues and the representations made on behalf of the Appellant.

The Panel had taken into consideration that the Appellant was now able to live more independently due to the support she had been receiving and would continue to

receive in the future.

CHAIRMAN

(The meeting concluded at 12.15 p.m.).