

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
APPEALS AND COMPLAINTS PANEL
WEDNESDAY 13 JULY, 2011 AT 10.00 A.M.
IN THE CIVIC CENTRE, BEECROFT ROAD, CANNOCK
PART 1

PRESENT: Councillors

Grocott, M.R. (Chairman)

Burnett, J.
Dixon, D.I.

Rowley, J.

1. Appointment of Chairman

Councillor M.R. Grocott was appointed Chairman for the meeting.

2. Apologies

An apology for absence was received from Councillor Mrs. D. Grice.

3. 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 Paragraph 4, Part 1, Schedule 12A, Local Government Act 1972 (as amended).

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PART 2

4. Complaint

Prior to consideration of the report the Council's Legal Advisor advised Members of the Panel that it was for the Panel to consider the complaint submitted only as the homelessness decision had already been dealt with. Furthermore, the Complainant had allowed the time to lapse and could not request a further review and therefore the report was based on the complaint. However, the Complainants did previously have the right to Appeal to the County Court although they submitted their complaint to the Local Government Ombudsman who referred it to the Council for consideration.

Consideration was given to the Not for Publication Report of the Head of Housing (Enclosure 5.1 – 5.9 of the Official Minutes of the Council).

The Complainants were not in attendance to present their case.

The Chairman invited all those present to introduce themselves.

The Officer presented the Council's case by taking the Panel through the report.

As the Complainants were not present to ask questions of the Officer, the Panel moved to the next part of the procedure.

Members of the Panel were then afforded the opportunity to ask questions of the Officers. A Member referred to the report and questioned the fact that the Complainants wished to remain central to Cannock when accommodation was offered in Rugeley which was not too much further. The Officer presenting the Council's case advised Members that every effort was made to accommodate the complainants. A Member queried the fact that the complainants went to reside with the mother-in-law and they were only there for a month. The Officer advised the Panel that the complainants intended to reside there for a year with the intention of saving a deposit so they could purchase their own property, however the relationship broke down. She then advised the Panel that when the complainants last visited the Council they were still in possession of the keys to the property they had currently been residing at. A Member then referred to enclosure 5.3 of the report, section 5.2 and the fact that the complainants did not think the accommodation they were offered was in a good state. The Member was keen to know what the complainants thoughts were when told the repairs would be made. The Officer advised the Panel that the complainant did not think the property was in a good state and therefore a visit was carried out and it was

confirmed there were a number of repairs etc that would need to be carried out. The Landlord confirmed that the property would be re-decorated and the carpets changed, the property was subsequently let shortly after. Members then discussed the travelling distance from Rugeley to the schools that the complainants' children attended.

As the Complainants were not present to present their case, the Panel moved to the next part of the procedure.

As the Officer could not ask questions of the Complainants, the Panel moved to the next part of the procedure.

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Finally, the Officers' representing the Council were afforded the opportunity to sum up their respective case.

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

At this point the Chairman called on the Officers' representing the Council and referred to the Officers' report. Concern was raised that a letter had been forwarded from the Housing department which contained no names on it. The Officer confirmed that this was a copy that was sent as the original copy did have the correct details on.

RESOLVED:

That, having considered all the information submitted to it, the appeal be dismissed and the Officer's original decision be upheld.

Reasons for the Decision

The Panel dismissed the appeal and upheld the Officer's original decision as the Council had undertaken its duty to try and help the complainants and had followed all procedures correctly.

The Panel considered and decided that no compensation would be granted and that the homelessness decision would not be re-considered, although the complainants were still in a position to submit a new homelessness application at any time. The Panel also considered that the Officers' had treated the complainants in a fair and appropriate manner.

CHAIRMAN

The meeting ended at 10.40 a.m.