

CANNOCK CHASE COUNCIL
MINUTES OF THE MEETING OF THE
APPEALS AND COMPLAINTS PANEL
TUESDAY, 14 FEBRUARY 2006 AT 10.00 A.M.

PART 1

PRESENT: Councillors

Easton, R. (Chairman)

Davies, D.N.

Freeman, M.P.

Dixon, D.I.

Jones, Mrs. A.E.

Also in attendance:

Miss J. Tunncliffe (Senior Committee Officer)

Miss C. Beddow (Senior Solicitor)

Mr. N. Haywood (Tenancy Services Manager)

Appellant

29. Appointment of Chairman

Councillor R. Easton was appointed Chairman for the meeting.

30. Exclusion of 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 I, Schedule 12A, Local Government Act, 1972.

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PART 2

31. Homelessness Appeal

Councillor R. Easton was appointed Chairman and dealt with the preliminaries, including the exclusion of the public from the meeting.

Consideration was given to the Not for Publication Report of the Head of Housing (Enclosure 5.1 – 5.5 of the Official Minutes of the Council).

The Appellant attended the meeting to present her case.

The Chairman invited all those present to introduce themselves. He also asked the Appellant if she had received, read and understood the procedure and agenda. The Appellant confirmed she had.

The Officer then presented the Council's case by taking the Panel through the report. The Appellant was then afforded the opportunity to ask questions of the Officer. The Appellant confirmed she had no questions. Following this, Members of the Panel were also afforded the opportunity to ask questions. Members asked questions concerning benefits claimed by the Appellant. The Appellant confirmed that her partner claimed benefits on her behalf.

The Appellant was afforded the opportunity to put her case. The Appellant explained that she was left with debts when she separated from her partner and had now sorted her situation with Social Services. The Officer provided Members of the Panel with financial information concerning the Appellant's financial affairs.

The Officer was then afforded the opportunity to ask questions of the Appellant. The Officer asked the Appellant what she was offering to contribute towards her outstanding rent arrears. The Appellant advised the Officer and Members of the Panel what payment she was willing to make in order to clear her outstanding rent arrears. She also stated that she was not sure on occasions what was being asked of her; therefore she did not seek proper advice. The Officer claimed that the Appellant had never informed the Council that she was experiencing difficulties.

The Members of the Panel were afforded the opportunity to ask questions of the Appellant. Members asked the Appellant if she would consider setting up a direct debit. The Appellant confirmed she would consider this. Members also asked questions regarding the second person occupying the property. The Appellant confirmed that the other person occupying the property moved out during August 2005.

Finally, both parties were afforded the opportunity to sum up their respective cases. The Panel then deliberated in private calling on only the Council Solicitor and Senior Committee Officer for advice.

RESOLVED:

That having considered all the information submitted to it, the Appellant's appeal be dismissed and the Council's original decision be upheld in accordance with Section 191 of the Housing Act 1996 (as amended).

Reasons for the Decision

The Panel considered that the Appellant had broken her agreement to pay her rent arrears on several occasions, neglected her financial affairs and had not taken reasonable steps to obtain financial assistance.

CHAIRMAN