



# Epping Forest District Council

## ***HOUSING APPEALS AND REVIEW PANEL Thursday, 23rd November, 2006***

<b>Place:</b>	Civic Offices, High Street, Epping
<b>Room:</b>	Committee Room 1
<b>Time:</b>	4.00 pm
<b>Democratic Services Officer</b>	Graham Lunnun, Research and Democratic Services Tel: 01992 564244 Email: glunnun@eppingforestdc.gov.uk

Members:

Councillors Mrs P K Rush (Chairman), Mrs R Gadsby (Vice-Chairman), Mrs P Richardson, Mrs P Smith and J Wyatt

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**1. APOLOGIES FOR ABSENCE**

**2. MINUTES (Pages 3 - 6)**

To agree the minutes of the meeting of the Panel held on 19 October 2006 (attached).

**3. SUBSTITUTE MEMBERS**

(Head of Research and Democratic Services) To report the attendance of any substitute members for the meeting.

**4. DECLARATIONS OF INTEREST**

To declare interests in any item on the agenda.

**5. EXCLUSION OF PUBLIC AND PRESS**

**Exclusion:** To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
6	Appeal No. 8/2006	1 and 2

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

**Confidential Items Commencement:** Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

**Background Papers:** Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

## 6. APPEAL NO. 8/2006 (Pages 7 - 50)

To consider the attached restricted report.

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Housing Appeals and Review Panel      **Date:** Thursday, 19 October 2006

**Place:** Civic Offices, High Street, Epping      **Time:** 4.00 - 5.40 pm

**Members Present:** Mrs P K Rush (Chairman), Mrs P Smith, J Wyatt, Mrs A Cooper, Mrs J Lea and K Wright

**Other Councillors:**

**Apologies:** Mrs R Gadsby and Mrs P Richardson

**Officers Present:** A Hall (Head of Housing Services), R Wallace (Housing Needs Manager), G Lunnun (Democratic Services Manager) and J Hunt (Assistant Housing Needs Manager)

### 12. SUBSTITUTE MEMBERS

It was noted that in view of the business to be conducted at this meeting, all members and substitute members had been invited to attend.

### 13. DECLARATIONS OF INTEREST

No declarations of interests were made pursuant to the Council's Code of Member Conduct.

### 14. EXCLUSION OF PUBLIC AND PRESS

#### RESOLVED:

That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

<b>Agenda Item No</b>	<b>Subject</b>	<b>Exempt Information Paragraph Nos</b>
6	Previous Appeals and Applications - Current Position	1 and 2

### 15. PREVIOUS APPEALS AND APPLICATIONS - CURRENT POSITION

The Panel received schedules giving a progress report on recent cases where the matter was still active within Housing Services. The Head of Housing Services reported on issues which had arisen since the schedules had been prepared.

The Panel noted that in relation to Application 7/06, the applicant was currently being housed in bed and breakfast accommodation pending the processing of an application to the Floating Support Scheme.

In relation to Application 6/06, the applicant was being housed in bed and breakfast accommodation pending a vacancy on the NACRO SAFE Project. Members were advised that an applicant who responded positively to the opportunities made available under this scheme would be likely to be placed fairly high on the Council's Housing Register when the accommodation provided under the SAFE Project ceased to be available.

The Panel noted that in relation to Appeal 2/06, a letter had been sent to the County Occupational Therapist Service Manager on March 2006 but no reply had yet been received.

The Panel noted the reasons why the applicants in cases 23/05, 16/05 and 15/05 had not pursued appeals which they had lodged with the County Court against the Panel's decisions.

The Panel agreed that cases 5/06, 4/06, 7/06, 3/06, 23/05, 21/05, 16/05 and 15/05 should be deleted from future schedules.

**RESOLVED:**

That the progress report on previously heard cases be noted.

**16. PUBLIC SESSION**

The Panel agreed to consider the remainder of the business in public session.

**17. HOUSING OPTIONS FOR 16-18 YEAR OLDS**

As requested at the last meeting, the Panel received a report from the Housing Needs Manager on the Council's housing duties and powers in relation to young people under the age of 18.

Members noted that under Section 179 of the Housing Act 1996 Part VII, every local authority had to ensure that advice and information about homelessness and the prevention of homelessness was available free of charge to any person in their district. At this Authority, from the outset, if a 16-18 year old was seeking assistance with housing options, a plan of action would be put in place by the Homeless Prevention Officer in order to prevent homelessness. The Housing Needs Manager reported that the Council worked with Relate who currently provided a mediation service to the Authority. If a 16-17 year old was faced with exclusion, then immediate attempts would be made to engage with Relate. Since the Council had started working with Relate during 2005, 31 cases had been referred to them for mediation and, of those, 70% had been successful in homelessness being prevented.

The Panel noted that the Council also worked in conjunction with Connexions. Connexions provided a free, confidential and impartial advice service to young people on many aspects including welfare benefits, employment and housing. Members received a leaflet explaining the role undertaken by Connexions and details of the local Connexions Centre.

The Panel was advised that if attempts to prevent homelessness failed, then arrangements would normally be made to refer the applicant to the Homelessness Section. On referral, the Homelessness Officer dealing with the application would be responsible for deciding on homelessness, eligibility, priority need and local connection. Should homelessness be unavoidable and the person was aged 17 or

under, the Council was duty bound to provide accommodation under Section 188(1) of the Housing Act 1996 Part VII as amended. At this stage, if the Council was concerned about the young person's ability to cope then a referral would be made to Social Care for a child in need assessment, in accordance with an agreed protocol between the Council and Social Care. Members received a copy of the Protocol and noted that the aims of it were to prevent homelessness where appropriate and to ensure that young people were dealt with efficiently.

The attention of the Panel was drawn to a project being developed with Brentwood Borough Council and Uttlesford District Council for the provision of accommodation for young parents. It was hoped that this would secure accommodation situated within the Epping Forest District funded by the Housing Corporation, which would meet the needs of appropriate young people in all three council areas. Currently, investigations were being made to find a suitable site for the development.

The Housing Needs Manager reported that in the event of a young person being placed into bed and breakfast accommodation, the Homelessness Officer would liaise closely with the Housing Welfare Officer for Temporary Accommodation on the placement. Members noted that an appointment had recently been made to the post of Housing Welfare Officer for Temporary Accommodation and the successful applicant would be commencing duties on 4 December 2006. The role of the Housing Welfare Officer for Temporary Accommodation was to provide a welfare service for all residents in bed and breakfast accommodation, including 16-17 years olds. The postholder would work 18 hours a week and prioritise their time between the applicants. In their welfare capacity, they would ensure that each applicant was coping and making arrangements to engage with external agencies, if necessary. Normally, it would be expected that, initially, the Housing Welfare Officer would visit residents in bed and breakfast accommodation once a week and the frequency of future visits would be dependent on the circumstances. The process was two-way and it was possible for an applicant to request a visit from the officer in order to discuss any issue. The Head of Housing Services advised that the Welfare Officers were funded through the Supporting People Scheme by the County Council. Recently, the County Council had re-examined the way in which it provided this scheme and, as a result of seeking tenders, three separate contracts had been let throughout the county which included the future employment of Welfare Officers. As a result, the Housing Welfare Officers would be transferred from the Council to In Touch (Hyde Housing) and although there were some concerns about the resources to be applied, this organisation was likely to be in a better position to provide cover for vacancies/sickness.

The Panel noted that in some cases, a referral would be made to NACRO Housing's Single Accommodation for Epping Forest (SAFE) Project. This scheme provided 39 dispersed bed scheme across the District with the primary aim of assisting single people who were homeless aged under 25. In addition to offering temporary supported housing NACRO also provided help with budgeting, finding a job, accessing college/training courses, basic skills and various other support needs, including securing permanent accommodation. The Panel received a copy of a leaflet regarding the SAFE Project in the Epping Forest District.

Further means of support to young people was available through a referral to the Floating Support Scheme. This scheme was a 12 bed scheme managed by Cygnet Housing Association which was part of Swan Housing Group. The scheme provided independent accommodation for single people who were vulnerable and, once a person had obtained sufficient skills, they would be offered the accommodation they occupied on a settled basis. The Panel received a copy of a leaflet explaining this scheme.

In response to questions, officers advised that referrals were made to Social Care having regard to the circumstances of the case. The suggestion that all cases should be referred was not possible as often an applicant would not wish to be referred. Members noted that prior notice to the Council of the discharge of patients and prisoners was not consistent and that often the first contact with the Council would be when an applicant presented themselves as homeless following discharge.

In conclusion, the officers stressed that the main consideration was to prevent homelessness wherever possible. However, if this was not possible the aim was to ensure that if a duty existed to provide accommodation all necessary steps would be taken to assist applicants.

**RESOLVED:**

- (1) That the officers be thanked for the presentation;
- (2) That the Panel receive progress reports when appropriate at future meetings on the proposed Young Parents Scheme with Brentwood Borough Council and Uttlesford District Council; and
- (3) That copies of the recently published Homelessness Strategy be sent to members of the Panel.

**CHAIRMAN**

By virtue of paragraph(s) 1, 2 of Part 1 of Schedule 12A of the Local Government Act 1972.

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