

Report to the Overview and Scrutiny Committee



**Epping Forest
District Council**

Date of meeting: 16 March 2006

Portfolio: Housing/People First

Subject: Housing Appeals Panel - Title, Terms of Reference and Procedure

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Recommendations:

That the following additional changes to the terms of reference of the Housing Appeals Panel be recommended to the Council:

(a) the requirements regarding substitutes be amended to read:

"each political group represented on the Panel shall be required to nominate the equivalent number of substitutes to cover for any member of the Panel who is unavailable;

(b) the reference to meetings not being held in the absence of both the Chairman and Vice-Chairman of the Panel be removed; and

(c) the insertion of a requirement that in the absence of the Chairman and Vice-Chairman, a Chairman be appointed from the members (not substitutes) present at the meeting.

<p>Following consultation with the Chairman of the Constitutional Affairs Scrutiny Panel, these additional proposed changes are being reported direct to the Overview and Scrutiny Committee so that they can be submitted to the Council at the same time as the other changes.</p>

1. At its meeting on 7 March 2006, the Housing Appeals Panel considered further changes to their terms of reference.
2. At present the following apply:
 - (a) each political group represented on the Panel shall be required to nominate one substitute member to cover for any member of the Panel who is unavailable.....; and
 - (b)No meetings of the Panel shall be held in the absence of both the Chairman and Vice-Chairman.

3. The Panel is of the view that any political group having more than one member on the Panel should be entitled to nominate the equivalent number of substitutes. This arrangement already applies to one of the other regulatory committees of the Council, namely the Staff Appeals Panel.
4. The Housing Appeals Panel is proposing this change as the quorum for a meeting is three members and with a membership of only five members it is considered that maximum use should be made of substitutes.
5. There has been an occasion when it was necessary to defer consideration of a review because the Vice-Chairman was not present and the Chairman declared a prejudicial interest when she realised the applicant was known to her. It is also possible that there will be an occasion when both the Chairman and Vice-Chairman have to declare a prejudicial interest.
6. Members of the Panel have questioned the need for either the Chairman or the Vice-Chairman to be present at a meeting. It is considered that, if necessary, a Chairman for the meeting could be appointed from the members present and that as all members and substitutes receive training in relation to the processes this should not cause any problem provided that a reasonably experienced member is appointed Chairman.