

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Housing Appeals Panel                   **Date:** Monday, 23 January 2006

**Place:** Civic Offices, High Street, Epping           **Time:** 4.00 - 4.55 pm

**Members Present:** D Stallan (Vice-Chairman), K Angold-Stephens, Mrs P K Rush and Ms S Stavrou

**Other Councillors:** (none)

**Apologies:** Mrs J Davis (Chairman)

**Officers Present:** A Hall (Head of Housing Services) and G Lunnun (Democratic Services Manager)

---

### **68. SUBSTITUTE MEMBERS**

It was noted that there were no substitute members present at this meeting.

### **69. DECLARATIONS OF INTEREST**

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

### **70. 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 items of business set out below as they would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Act indicated:

<b>Agenda Item No: Subject</b>	<b>Paragraph Number</b>	<b>Exempt Information</b>
5	Application No 24/2005	3
6	Previous Appeals and Applications - Current Position	3 and 4

### **71. APPLICATION NO. 24/2005**

The Panel was advised that this was an application for a review of a decision of the Assistant Housing Needs Manager (Homelessness) acting under delegated authority concerning the applicant's homelessness application. The applicant attended the meeting accompanied by a Support Worker from the Waltham Abbey Community Mental Health Team. Mr R Wallace (Assistant Housing Needs Manager - Homelessness) attended the meeting to present his case. Mr A Hall (Head of

Housing Services) attended the meeting to advise the Panel as required on details of the national and local housing policies relative to the appeal.

The Panel was advised that earlier in the afternoon, the Epping Citizens Advice Bureau had enquired about the possibility of consideration of this matter being deferred to enable them to assist the applicant with the presentation of her case. The Citizens Advice Bureau had stated that the applicant had only approached them earlier in the day. The Chairman sought clarification of the position from the applicant.

The applicant stated that she had not previously approached the Citizens Advice Bureau as she had been unaware that she could seek their assistance. She said that the Citizens Advice Bureau had suggested that medical advice should be obtained in order to support her case.

The Head of Housing Services advised the Panel that his letter of acknowledgement of the application form had advised the applicant to get independent help with her application from either the Citizens Advice Bureau or Shelter and that details of how to contact those organisations had been enclosed with his letter.

The applicant claimed that she had not received this letter and that this may have been due to the fact that she had moved rooms in the bed and breakfast establishment and that the letter from the Head of Housing Services had been addressed to the room she had occupied initially. However, she confirmed that she had received four letters from the Council's Democratic Services Manager which had also been addressed to the room which she had occupied initially. The Panel noted that the letters from the Democratic Services Manager had been sent after the letter from the Head of Housing Services.

The Chairman invited the Assistant Housing Needs Manager (Homelessness) to give his comments on the request. He pointed out that when the applicant had attended the meeting of the Panel held on 22 December 2005, she had been prepared to proceed with the consideration of her case with the assistance of only a Support Worker from the Waltham Abbey Community Mental Health Team. He expressed concern at the late request for a deferment.

The Chairman drew the applicant's attention to her completed application form to the Panel. He pointed out that she had indicated that she wished the matter to be determined by exchange of written statements but had also stated that she wanted a Support Worker to accompany her to the Panel. Clarification of her wishes had been sought in correspondence from the officers but she had not responded until she had attended the meeting on 22 December 2005.

The Head of Housing Services asked the applicant if she had received and kept the guidance notes regarding the Citizens Advice Bureau and Shelter which had been sent to her with the application form. The applicant stated that she had read the instructions about completing the application form but had not read the section suggesting that she should seek assistance from the Citizens Advice Bureau or Shelter.

The Chairman advised that the Panel would consider the request for deferment of this matter in the absence of both parties. The applicant, her Support Worker and the Assistant Housing Needs Manager (Homelessness) left the meeting.

The Panel took account of the fact that this had been the first request made by the applicant for a deferment. The matter had been deferred at the meeting on

22 December 2005 because the Panel had not been quorate following the declaration of a prejudicial interest by the Chairman but this had been beyond the control of the applicant. The Panel noted, however, that the applicant had been prepared to proceed on 22 December 2005 with the assistance only of a Support Worker from the Waltham Abbey Community Mental Health Team.

Members acknowledged that the applicant would be able to present a better case if assisted by the Citizens Advice Bureau and noted that medical evidence would be beneficial, as reference had been made to the applicant's history of depression but no supporting evidence had yet been produced. On balance, the Panel concluded that consideration of the matter should be deferred to enable the applicant to be represented by the Citizens Advice Bureau. The parties were recalled to the meeting and advised of the decision.

**RESOLVED:**

- (1) That consideration of Application 24/2005 be deferred; and
- (2) That arrangements be made for the application to be heard at a future meeting of the Panel and that the applicant be advised that the matter will be determined at that time and there will be no further deferment for any reason.

**72. 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 report had been prepared.

The Panel noted that in relation to Appeal 26/05, the appellant had accepted an offer of a one-bedroom ground first floor flat subject to keeping her position on the waiting list for a two-bedroom property. The Panel agreed that this case could be deleted from future schedules.

In relation to Application 22/05, the applicant had left the bed and breakfast accommodation provided by the Council and her current whereabouts were not known. It was agreed that this case could be deleted from future schedules.

The Panel agreed that Application 19/05 could be deleted from future schedules.

In relation to Application 16/05, the Panel noted that an appeal to the County Court was due to be considered on 28 February 2006.

In relation to Application 15/05, a County Court hearing was due to take place on 31 March 2006 and the solicitors for the applicant had indicated that they would be prepared to settle on the day but had not yet provided details of the proposed settlement.

**RESOLVED:**

That the progress report on previously heard cases be noted.

**CHAIRMAN**