

APPEALS COMMITTEE

MINUTES of a **MEETING** of the **APPEALS COMMITTEE** held in No. 1 Committee Room (Fougères Room), Civic Centre, Tannery Lane, Ashford on the **21ST JANUARY 2004**

PRESENT: Cllr. Holland (Chairman);
Cllrs. Ayres, Taylor

ALSO PRESENT: Principal Legal Assistant, Housing Operations Manager, Member Services Officer

381 ELECTION OF CHAIRMAN

Resolved:

That Councillor Holland be elected as Chairman for this meeting of the Appeals Committee.

382 MINUTES

Resolved:

That the Minutes of the meetings of this Committee held on the 28th July 2003 and 29th July 2003 be approved and confirmed as correct records.

383 EXCLUSION OF THE PUBLIC

Resolved:

That pursuant to Section 100A(4) of the Local Government Act 1972, as amended, the public be excluded from the meeting during consideration of the following item namely Review of Homelessness Decision as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present there would be disclosure of exempt information hereinafter specified by reference to paragraph 3 of Schedule 12A of the Act.

384 REVIEW OF HOMELESSNESS DECISION

The Housing Operations Manager submitted a report setting out details of the appeal.

As the Appellant had not arrived, the Committee resolved to adjourn the meeting for 30 minutes to give him every opportunity to attend, although it appeared from the papers that the Appellant challenged the legality of the Committee.

After a 30 minute adjournment the Appellant had still not arrived. In view of this, the Committee was disappointed that the Appellant was not present, however agreed to proceed with determining the appeal.

The Housing Operations Manager then presented a report to the Committee and answered Members' questions. He also tabled a letter that had been received from the East Kent NHS and Social Care Partnership Trust.

Resolved:

That (i) in the absence of the Appellant and after reviewing the documents before them and the evidence of the Housing Operations Manager, it was the unanimous

decision of the Committee to uphold the determination of the Local Housing Authority dated 1st September 2003, as there was no evidence before them that the Appellant was vulnerable as a result of other special reasons within the meaning of Section 189 (i) of the Housing Act 1996 and therefore did not have a priority need for accommodation.

- (ii) the Appellant be advised that he has the right to make a fresh application as a homeless person to the Local Housing Authority (the Council) at any time should his circumstances change.**

(DWS/AEH)

MINS:AXXX0404