

**MINUTES OF A MEETING OF THE
ADJUDICATION & REVIEW COMMITTEE (HEARINGS)
Town Hall
22 November 2012 (6.00pm - 7.00 pm)**

Present:

COUNCILLORS

Conservative Group	Linda Trew
Residents' Group	Barbara Matthews (Chairman)
Labour Group	Denis O'Flynn

The Chairman reminded Members of the action to be taken in an emergency.

There were no declarations of pecuniary interest.

1 EXCLUSION OF THE PUBLIC

On a motion proposed by the Chairman, the Panel RESOLVED to exclude the public from the remainder of the meeting on the grounds that it was likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public were present during these items there would be disclosure to them of exempt information within the meaning of paragraph 1 of Schedule 12A to the Local Government Act 1972.

2 CONSIDERATION OF A HOUSING APPEAL CONTAINING EXEMPT INFORMATION

The appellant alleged that the Housing Service was not helping her to obtain a property suitable to her needs.

The Panel carefully considered the appellant's written submission and the response by the Head of Housing, Homes and Public Protection and was of the opinion that the evidence indicated that the Service had in fact gone beyond its statutory and service commitment obligations in trying to resolve the problems

The UNANIMOUS DECISION of the Initial Assessment Panel was to REJECT the hearing request and suggest the appellant approach the Local Government Ombudsman should she wish to pursue the matter further.

3 CONSIDERATION OF A HOUSING APPEAL CONTAINING EXEMPT INFORMATION

The appellant alleged that the Housing Service had failed to adequately justify in its dealing with him why he should pay a higher rent than his neighbours living in the same block of flats. He was also requesting a refund for the time he had lived there and paid rent to the Council for that proportion in excess of his neighbours.

The Panel carefully considered the appellant's written submission and the response by the Head of Housing, Homes and Public Protection and was of the opinion that the evidence indicated that, on the balance of probabilities, the appellant had expressed concerns which ought to be considered by a Hearings Panel as it would be able to ask the Head of Service to clarify the situation.

The UNANIMOUS DECISION of the Initial Assessment Panel was to ALLOW the request for a hearing.

4 CONSIDERATION OF A PLANNING APPEAL CONTAINING EXEMPT INFORMATION

The appellant alleged that the Planning Service had failed to follow its procedures by not considering objections to the development next to her property and that having granted planning permission was failing to enforce the conditions it placed on the development; failure to comply with impaired their quality of life and enjoyment of their property because of noise nuisance and exhaust emissions.

The Panel carefully considered the appellant's written submission and the response by the Head of Development and Building Control and was of the opinion that the evidence indicated that, on the balance of probabilities, the appellant had expressed concerns which ought to be considered by a Hearings Panel as it would be able to ask the Head of Service to clarify the situation.

The UNANIMOUS DECISION of the Initial Assessment Panel was to ALLOW the request for a hearing.

5 CONSIDERATION OF A BUILDING CONTROL APPEAL CONTAINING EXEMPT INFORMATION

The appellant alleged that the Planning Service was refusing to acknowledge that the plans submitted to further develop her property were not new plans but revised plans and that she had been put through unnecessary trouble and cost. The appellant also claimed that hand written certificates were unprofessional and demonstrated the service was poorly managed.

The Panel carefully considered the appellant's written submission and the response by the Head of Development and Building Control and was of the opinion that the evidence indicated that, on the balance of probabilities, the Service had been correct in its determination that the application was not the same as the original, nor was it a revision and therefore payment had been due.

The Panel accepted that the hand-written certificate was less than satisfactory, but noted that the Head of Service accepted that and had apologised for it.

The UNANIMOUS DECISION of the Initial Assessment Panel was to REJECT the hearing request and suggest the appellant approach the Local Government Ombudsman should she wish to pursue the matter further.

Chairman