

**MINUTES OF A MEETING OF THE
ADJUDICATION & REVIEW COMMITTEE (HEARINGS)
Town Hall
Romford
19 February 2013 (6.30 - 7.45 pm)**

Present:

COUNCILLORS

Conservative Group Ted Eden (Chairman) and Eric Munday

**Independent Residents
Group** Michael Deon Burton

Independent Person Mr Iain Burns

**The Complainant
A supporter of the Complainant**

Sue Witherspoon **Head of Housing & Public Protection**

Grant Söderberg **Clerk to the Panel**
Alex Cumming **Legal Advisor to the Panel**

The Chairman reminded Members of the action to be taken in an emergency. There were no declarations of pecuniary interest. The Chairman then opened the meeting by outlining the process of the Hearing.

1 EXCLUSION OF THE PUBLIC

RESOLVED:

That the public be excluded from the remainder of the meeting on the grounds that it was likely that, in view of the nature of the proceedings, if members of the public were present there would be disclosure to them of exempt information within the meaning of paragraphs 4 (details of a recipient of services) and 7 (details of a person's financial or business affairs) of Schedule 12A to the Local Government Act 1972.

2 **CONSIDERATION OF A COMPLAINT AGAINST HOUSING SERVICES CONTAINING EXEMPT INFORMATION**

Following careful consideration of the representations made by the appellant and the responses of the Service, the Panel determined that:

1. In principle it could not accept that individual rents were open to comparison, or that such comparison could be made. It therefore **rejected** the basis of the complaint that the complainant's rent was unfairly high. It was due to specific changes in the complainant's specific property over time and what was charged for any other property was irrelevant.
2. The complainant's argument that this could only apply to him was also **rejected** as clearly if the Panel accepted his argument as presented then the Council would have to extend the principle across the borough and the corollary of that argument would be the Council having to oblige those tenants paying less than a "median" rent to pay extra. It was recognised that different rents were being charged to similar properties currently, but this was being addressed through the present policy, leading to a target rent that (it was envisioned) would be met by 2016.
3. The Service was criticised because it had a responsibility to attempt to resolve issues if at all possible and part of that included officers taking the trouble to engage with complainants face to face and there was no evidence to show that this happened in this instance. It was moot whether such a meeting would have changed the situation, but it should have been attempted as the Panel would have seen that the Service had at least tried to address the complaint at a personal level. It recommended that the Head of Service consider this approach in future as panels would be likely to consider the lack of such engagement as weakening the service's position.

Observation:

The differing rents had been due to the previous rental policy (points), and this was being addressed by virtue of the current policy. As stated in the hearing: any change to the current policy would need to be made by the policy maker, or challenged by way of Judicial Review.

The full details of the complaint are attached in the appendix (containing exempt information and not available to the press or public).

Chairman