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HOUSING APPEALS COMMITTEE

25 March 2009 – 10.00 am

PRESENT:

Councillor Cook (in the Chair); Councillors Blyth, Burroughs, M Coleman, Cunniffe and S Hacon.

Mr G Devon (Area Housing Manager) and Mrs C Webb (Senior Member Services Officer).

Apologies for absence had been received from Councillors Butcher, Field, B Taylor and Thompson.

1. MINUTES

The minutes of the meeting held on 5 November 2008 were confirmed.

2. EXCLUSION OF THE PUBLIC

RESOLVED:

That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph 3 of Part I of Schedule 12A of the said Act.

3. APPEAL AGAINST REFUSAL OF A MUTUAL EXCHANGE

The Committee received the Area Housing Manager's report and associated documentation relating to the decision to refuse the mutual exchange.

The applicant had appealed against the decision to refuse the proposed mutual exchange on the grounds that the property was substantially more extensive than was reasonably required by her under Section 3 of the Housing Act 1985. This decision was in line with current Homeselect Allocation Policy.

On 9 March 2009 the applicant submitted further information in support of her family's need to move to a three bed property. The Area Housing Manager considered the additional information to ascertain if there was an overriding medical or social need on which to reconsider the decision. The applicant had raised two main points; her partner's medical condition, which could disturb his sleep and that both the appellant's daughters who although had accommodation of their own, had care needs with which she assisted. The applicant further stated that on a regular basis she had one of her daughters or

granddaughters to stay overnight, therefore, an additional bedroom would allow her to accommodate their needs as necessary.

The Area Housing Manager was unable to review the appellant's decision on the information received because no professional medical advice had been presented to establish that the appellant's partner required his own bedroom on a permanent basis and allowing an additional bedroom for the purpose of accommodating visiting family members was not normally taken into account.

Members considered all of the information available to them and following a vote, unanimously agreed to uphold the decision by the Area Housing Manager not to approve the proposed mutual exchange on the grounds that there was no proven medical need that the appellant required a three bedroom property and, therefore, the property was more extensive than reasonably required.

RESOLVED:

That the Area Housing Manager's decision not to approve the mutual exchange be upheld.

4. CLOSURE OF MEETING

The meeting ended at 10.05 am.