



GREAT YARMOUTH
BOROUGH COUNCIL

AGENDA

for the

HOUSING APPEALS COMMITTEE

30 April 2008

at 10.00 am

**LARGER PRINT COPY AVAILABLE
PLEASE TELEPHONE: 01493 846325**

HOUSING APPEALS COMMITTEE

To be held in the Council Chamber, Town Hall, Great Yarmouth
on Wednesday, 30 April 2008 at 10.00 am

A G E N D A

DECLARATIONS OF INTEREST

You have a **PERSONAL INTEREST** in a matter being discussed at a meeting IF

- It relates to something on your Register of Interests form; or
- A decision on it would affect you, your family or friends more than other people in your Ward.

You have a **PREJUDICIAL INTEREST** in a matter being discussed at a meeting IF

- It affects your financial position or that of your family or friends more than other people in your Ward; or
- It concerns a planning or licensing application you or they have submitted
- **AND IN EITHER CASE** a reasonable member of the public would consider it to be so significant that you could not reach an unbiased decision.

If your interest is only **PERSONAL**, you must declare it but can still speak and vote. If your interest is **PREJUDICIAL**, you must leave the room. However, you have the same rights as a member of the public to address the meeting before leaving.

1. MINUTES

To confirm the minutes of the meeting held on 26 March 2008 (pages 1 - 2).

2. EXCLUSION OF PUBLIC

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"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 it involves the likely disclosure of exempt information as defined in paragraph 3 Part I of Schedule 12(A) of the said Act."

***3. APPEAL AGAINST REFUSAL OF DISCRETIONARY HOUSING PAYMENT**

... The Appeals and Policy Team Manager's report and associated documentation is attached (pages 3-10, green paper).

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HOUSING APPEALS COMMITTEE

26 March 2008 – 10.00 am

PRESENT:

Councillor Cook (in the Chair); Councillors Blyth, M Coleman, Cunniffe, M Taylor and D Thompson.

Councillor Pettit attended as a substitute for Councillor Holmes.

Mr A Thompson (Appeals and Policy Team Manager) and Mrs C Webb (Member Services Officer).

Apologies for absence were received from Councillors Burroughs, Field and Holmes.

1. MINUTES

The minutes of the meeting held on 16 January 2008 were confirmed.

2. EXCLUSION OF 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 (f) 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 DISCRETIONARY HOUSING PAYMENT

The Committee received the Appeals and Policy Team Manager's report and associated documentation, relating to an appeal against the refusal of Discretionary Housing Payment (DHP).

At the Housing Appeals Committee meeting held on 16 January 2008, Members considered this application for Discretionary Housing Payment. However, the Appeals and Policy Team Manager had since discovered that the Council's medical representative did not examine individuals who were referred by the Council but gave an opinion based on medical records for specific cases in relation to housing applications. Therefore, after consultation with the Chairman, it was decided to refer the application back to Members.

The Appeals and Policy Team Manager has since found a Doctor who would be willing to carry out an examination. However, he suggested that it might be more appropriate to ask

the appellant's doctor to carry out an examination and submit a report as they would have detailed knowledge of his condition.

If Members wished for the appellant's doctor or another medical representative to examine him and submit a report, then Members needed to specify exactly what it was that they wished to be investigated.

Following a lengthy discussion, it was felt that it would be more appropriate if a physical examination was undertaken by an independent doctor.

A proposal was made that the appellant must agree to undertake a physical examination by a medical practitioner of the Council's choosing and grant full access to his medical files. When the medical practitioner's report had been received and circulated, the Members would be furnished with the information to give further consideration to the appellant's case.

RESOLVED:

- (i) That the appellant undertook a physical examination by a medical practitioner of the Council's choosing and granted full access to his medical records.
- (ii) That subject to the report by the Council's medical practitioner, the application would be re-assessed by the Committee in order for Members to make a fully informed decision.
- (iii) That this was also subject to the condition that the appellant actively sought and accepted (if offered) a suitable Council property.