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Agenda

Housing Appeals and Benefits Committee

Friday
6 February 2009
at 10.00 am

The Marion Attwood Room
Council Offices
Canterbury

Membership of the Housing Appeals and Benefits Committee

Councillors

Councillor MacCaul (Co-Chair)
Councillor Harrison
Councillor Linfield
Councillor McCabe
Councillor Sonnex
Councillor Vickery-Jones

Quorum: 3

Also circulated to Councillors Mrs Law and Alex Perkins.

NOTES

1 Neither the Council nor its Executive has authorised the recording of their meetings or those of any committee, sub-committee, working group or similar body by members of the public or the media by any mechanical or electronic device or similar means. Recordings will not be permitted at any such meetings to which the press and public are admitted unless the council decides otherwise.

2 The Committee shall conduct its business by way of Panels of not less than six Members drawn from the membership of the Committee having regard to the Political balance.

3 The information contained within this agenda is available in other formats, including Braille, large print, audio cassettes and other languages.

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A G E N D A

Page (s)

1 APOLOGIES FOR ABSENCE

2 SUBSTITUTE MEMBERS

The Chief Executive to report on any notifications received prior to this meeting regarding the attendance of substitutes for the named Members of this Committee. Any substitute will have received the necessary training.

3 MEMBERS' INTERESTS

If any Members have any interests in any item on the Agenda, they are invited to declare the nature thereof, ie personal or prejudicial, when the relevant item is considered by the Committee.

4 MINUTES 5 - 6

TO CONFIRM as a true record the minutes of the meeting held on 23 January 2009.

5 EXCLUSION OF THE PRESS AND PUBLIC

TO RESOLVE – That under Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act or the Freedom of Information Act or both.

6 CASE 1- REVIEW OF A DISCRETIONARY HOUSING PAYMENT 7 - 66

7 CASE 2 - REPORT OF THE HEAD OF HOUSING 67 - 72

8 CASE 3 - REPORT OF THE HEAD OF HOUSING 73 - 84

9 CASE 4 - REPORT OF THE HEAD OF HOUSING 85 - 96

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CANTERBURY CITY COUNCIL

HOUSING APPEALS AND BENEFITS COMMITTEE

Minutes of a meeting held on Friday, 23rd January, 2009 at 10.00 am in the Marion Attwood Room, Council Offices

Present: Councillor Davis (Chairman)
Councillor Anderson
Councillor Bissett
Councillor Calvert-Mindell
Councillor Eden-Green
Councillor Hando

Officers: Pauline Goldsack Senior Solicitor

632 **MEMBERS' INTERESTS**

There were no declarations for the meeting.

633 **MINUTES**

The minutes of the meeting of the Committee held on 9 January 2009 were agreed as a true record and signed by the Chairman.

634 **EXCLUSION OF THE PRESS AND PUBLIC**

RESOLVED – That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting during consideration of the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part 1 of Schedule 12A of the Act or the Freedom of Information Act or both.

635 **CASE 1- APPEAL AGAINST THE DECISION REGARDING THE SUITABILITY OF ACCOMMODATION**
(Exempt information)

Members of the Committee had been asked to consider an appeal by Ms S against the suitability of accommodation provided for them as a discharge of the Council's homelessness duty under Section 193 of the Housing Act.

Ms S was present at the meeting and was accompanied by a friend for support.

The Housing Officer reported upon the details of the case.

Members asked questions of the Officer presenting the case.

The tenant and her friend made representations in support of the appeal.

Members asked questions of the tenant and her friend.

The tenant, her friend and the Officer presenting the case withdrew from the meeting whilst the Committee discussed the options available and reached a decision based on the information presented at the meeting.

RESOLVED – That, having considered all the issues, the property that was offered to Ms S. was not a discharge of the Council's homelessness duty and the appeal was allowed.

636 **CASE 2 - ACCOUNT NO. H22221054000/005W - ARREARS**
(Exempt Information)

The Committee considered the above case of arrears that had been referred to the Committee as the Tenant had failed to comply with the terms of the Court Order.

The tenant was present at the meeting.

The Head of Housing reported upon the details of the case.

Members asked questions of the Officer presenting the case.

The tenant made representations in support of her case.

Members asked questions of the tenant.

The tenant and the Officer presenting the case withdrew from the meeting whilst the Committee discussed the options available and reached a decision based on the information presented at the meeting.

RESOLVED – That the tenant be given one final opportunity to pay the current plus £2.85 per week off the arrears, but on the first default the Head of Housing and the Head of Legal and Democratic Services be authorised to apply to the Court for a Warrant for Eviction.

637 **CASE 3 - ACCOUNT NO. H57773075000004M - ARREARS**
(Exempt information)

The Committee noted that the Court had granted a 28 day Possession Order on 7 January 2009 in this case.

638 **CASE 4 - ACCOUNT NO. H21204061000007M - ARREARS**
(Exempt Information)

The Committee noted that the Court had granted a 28 day Possession Order on 17 December 2008 in this case.

There being no other business the meeting closed at 11.30 am

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

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