

APPENDIX

EAST AYRSHIRE COUNCIL

APPEALS SUB-COMMITTEE OF THE HOUSING COMMITTEE

**MINUTES OF MEETING HELD ON THURSDAY 27 JUNE 1996 AT 1530 HOURS
IN THE FORMER COUNCIL CHAMBERS, CIVIC CENTRE, JOHN DICKIE
STREET, KILMARNOCK**

PRESENT: Councillors David Macrae, Drew McIntyre and John Smith.

ATTENDING: April Chalmers, Senior Solicitor and Stuart Nelson, Administrative Officer.

APOLOGIES: Councillors Douglas Reid and David Fulton.

CHAIR: Councillor David Macrae, Chair.

TERMS OF REFERENCE, DELEGATED POWERS AND PROCEDURE

1. Noted verbal report by the Administrative Officer on the Sub-Committee's Terms of Reference and Delegated Powers and on the procedures for Hearings in respect of cases to be dealt with by the Sub-Committee. (A written note detailing the procedures for Hearings had previously been circulated).

EXCLUSION OF PRESS AND PUBLIC

2. It was agreed that under Section 50(4) of the Local Government (Scotland) Act 1973, as amended, the press and 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 2 of Schedule 7A of the Act.

HOUSE LETTING: APPLICANTS WITH TWO REFUSALS

3. There were submitted reports by the Director of Housing copies of which had previously been circulated to each Member of the Sub-Committee and to the respective applicants concerned which (a) provided details of applicants for housing accommodation who had refused two offers of housing; (b) provided background information relative to each case; and (c) requested the Sub-Committee to determine how these cases should be dealt with.

Having considered the relevant report by the Director of Housing, the Sub-Committee dealt with each case, in turn, as follows, namely:-

3.1 APPLICANT NO 013699

The Sub-Committee received the applicant and then heard the comments of the Senior Depute Director of Housing (Operations) who explained the circumstances of the case and the applicant who put forward his representations. Thereafter, following questions put by the Members of the Sub-Committee to, and summing up by, both sides, the Senior Depute Director of Housing (Operations) and the applicant withdrew from the meeting, and the Sub-Committee deliberated in private.

The Senior Depute Director of Housing (Operations) and the applicant were recalled.

The Chair intimated that the Sub-Committee's decision was (i) that this application for housing be suspended for a period of twelve months, the Sub-Committee having been satisfied that the two offers of housing which had been made to, and refused by, the applicant had been reasonable and had met the applicant's specified housing needs and choices at the time; and (ii) that this application would be retained on the house waiting list and that it would be remitted to the Director of Housing to clarify with the applicant his exact housing needs and choices, and to ensure that any appropriate amendments were made to the terms of his application.

The applicant then left the meeting.

3.2 APPLICANT NO 124037

In connection with this case (i) the Administrative Officer reported that the applicant had indicated that he would not be present at the meeting and confirmed that the applicant was not present or otherwise represented; and (ii) heard the comments of the Depute Director of Housing (Operations) who explained the circumstances of this case. Thereafter, following questions put by the Members of the Sub-Committee to the Senior Depute Director of Housing (Operations), the Senior Depute Director withdrew from the meeting and the Sub-Committee deliberated in private.

The Senior Depute Director of Housing (Operations) was recalled.

The Chair intimated that the Sub-Committee's decision was that this application for housing would be suspended for a period of twelve months, the Sub-Committee having been satisfied that the two offers of housing which had been made to, and refused by, the applicant had been reasonable and had met the applicant's specified housing needs and choices at the time.

3.3 APPLICANT NO 011403

The Sub-Committee received the applicant and her daughter and then heard the comments of the Senior Depute Director of Housing (Operations) who explained the circumstances of this case and the applicant and her daughter who put forward their representations. Thereafter, following questions put by the Members of the Sub-Committee to, and summing up by, both sides, the Senior Depute Director of Housing (Operations) together with the applicant and her daughter withdrew from the meeting and the Sub-Committee deliberated in private.

The Senior Depute Director of Housing (Operations) and the applicant and her daughter were recalled.

The Chair intimated that the Sub-Committee's decision was that one further offer of housing would be made to this applicant the Sub-Committee having been satisfied that the second offer of housing which had been made to, and refused by, the applicant did not accord with her specified housing choices.

3.4 APPLICANT NO 123975

In connection with this case (i) the Administrative Officer reported that the applicant concerned had not responded to an invitation to be present at the meeting and confirmed that the applicant was not present or otherwise represented; (ii) there was submitted an undated letter from the applicant (circulated) putting forward written representations, and (iii) the Sub-Committee heard the comments of the Depute Senior Director of Housing (Operations) who explained the circumstances of the case. Thereafter, following questions put by the Members of the Sub-Committee to the Senior Depute Director of Housing (Operations), the Senior Depute Director withdrew from the meeting and the Sub-Committee deliberated in private.

The Senior Depute Director of Housing (Operations) was recalled.

The Chair intimated that the Sub-Committee's decision was (i) that this application for housing would be suspended for a period of twelve months, the Sub-Committee having been satisfied that, insofar as could be ascertained at the meeting, the two offers of housing made to, and refused by, the applicant had been reasonable and had met the applicant's specified housing needs and choices at the time.

3.5 APPLICANT NO 12619

The Sub-Committee received the applicant and then heard the comments of the Senior Depute Director of Housing (Operations) who explained the circumstances of the case and the applicant who put forward her representations. Thereafter, following questions put by the Members of the Sub-Committee to, and summing up by, both sides, the Senior Depute Director of Housing (Operations) and the applicant withdrew from the meeting and the Sub-Committee deliberated in private.

The Senior Depute Director of Housing (Operations) and the applicant were recalled.

The Chair intimated that the Sub-Committee's decision was (i) that the two most recent offers of housing which had been made to, and refused by, this applicant would be annulled, the Sub-Committee being satisfied that these offers did not accord with the applicant's specified housing choices; and (ii) that the applicant would be entitled to two further offers of housing.

The applicant left the meeting.

3.6 APPLICANT NO 124027

In connection with this case (i) the Administrative Officer reported that the applicant had not responded to an invitation to be present at the meeting and confirmed the applicant was not present or otherwise represented; and (ii) the Sub-Committee heard the comments of the Senior Depute Director of Housing (Operations) who explained the circumstances of the case. Thereafter, following questions put by the Members of the Sub-Committee to the Senior Depute Director of Housing (Operations) the Senior Depute Director withdrew from the meeting and the Sub-Committee deliberated in private.

The Senior Depute Director of Housing (Operations) was recalled.

The Chair intimated that the Sub-Committee's decision was (i) that this application for housing would be suspended for a period of twelve months, the Sub-Committee having been satisfied that the two offers of housing which had been made to, and refused by, the applicant had been reasonable and had met the applicant's specified housing needs and choices at the times; and (ii) that, it be remitted to the Director of

Housing to ascertain whether the applicant wished to remain on the Council's housing list at the present time, in view of his current housing circumstances.

3.7 APPLICANT NO 6308

In connection with this case (i) the Administrative Officer reported that the applicant concerned had indicated that she would not be present at the meeting, and confirmed that the applicant was not present or otherwise represented; (ii) there was submitted a letter dated 22 June 1996 from the applicant (circulated) putting forward written representations; and (iii) the Sub-Committee heard the comments of the Senior Depute Director of Housing (Operations) who explained the circumstances of the case. Thereafter, following questions put by the Members of the Sub-Committee to the Senior Depute Director of Housing (Operations) the Senior Depute Director withdrew from the meeting and the Sub-Committee deliberated in private.

The Senior Depute Director of Housing (Operations) was recalled.

The Chair intimated that the Sub-Committee's decision was that one further offer of housing would be made to this applicant, the Sub-Committee having been satisfied that the first offer of housing which had been made to, and refused by, the applicant did not accord with her actual housing needs at the time.

The meeting terminated at 1655 hours.