

APPEALS PANEL NO. 3

TUESDAY 16 JUNE 2015 AT 10.00AM

PRESENT: Councillors Bell, Collier and Stothard

OFFICERS: Legal Services Manager
Democratic Services officer

1. APPOINTMENT OF CHAIRMAN

RESOLVED – That Councillor Stothard be appointed Chairman of Appeals Panel 3 for the municipal year 2015/16.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. DECLARATIONS OF INTEREST

There were no declarations of interest affecting the business to be transacted at the meeting.

4. PUBLIC AND PRESS

RESOLVED - That in accordance with Section 100A(4) of the Local Government Act 1972, the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information, as defined in Paragraph Number 1 of Part 1 of Schedule 12A of the 1972 Local Government Act.

5. MINUTES OF PREVIOUS MEETING

RESOLVED – That the minutes of the meetings held on 24 February be agreed as a correct record of the meetings and signed by the Chairman.

6. CORPORATE COMPLAINT APPEAL

Consideration was given to a corporate complaint appeal.

The appellant was not in attendance.

The Panel gave detailed consideration to Report SD.09/15 which contained a timeline of correspondence between the Council and the complainant and a copy of all the relevant correspondence.

The Panel discussed the correspondence and found that the paperwork did not elaborate on the details of the actual complaint and did not identify a specific complaint against Carlisle City Council.

The Panel considered the correspondence from Tullie Museum to the complainant to be satisfactory and had addressed the clerical error that had been made.

The Panel discussed the agreement that Carlisle City Council had with Tullie House which ensured that artefacts were cared for and transported safely. The Panel agreed that the terms of the agreement had not been breached and therefore the complaint was not a matter for Carlisle City Council.

The Panel:

RESOLVED – That, having considered all of the information and evidence presented in report SD.09/15, the Panel had decided not to uphold the complaint.

The reason for that decision was that the paperwork did not elaborate on the details of the actual complaint and did not identify a specific complaint against Carlisle City Council.

The Panel were satisfied that the Council and its Officers had fulfilled its obligations in an appropriate and reasonable manner. Tullie House was an independent Trust and the Panel found that Tullie House had admitted the clerical error and their correspondence had been reasonable.

7. CORPORATE COMPLAINT APPEAL

Consideration was given to a corporate complaint appeal.

The appellant was not in attendance.

The Panel gave detailed consideration to Report RD.12/15 which contained a timeline of events, details of the complaint and all relevant correspondence.

The Panel discussed the correspondence and understood that the complaint was that Carlisle City Council had not acted upon initial correspondence informing them of a change in circumstances with regard to the charity status. The lack of action had resulted in an overpayment of Housing Benefit.

The Panel considered the complaint and were of the opinion that the Council had not received the correspondence, however, as soon as Officers were aware of the changes they acted decisively and appropriately and did ultimately not pursue the monies owed.

The Panel:

RESOLVED – That, having considered all of the information and evidence presented in report RD.12/15, the Panel had decided not to uphold the complaint.

The Panel were satisfied that the Council had not received the correspondence and as soon as Officers were aware of the changes they acted decisively and appropriately and did ultimately not pursue the monies owed.

[The meeting ended at 10.30am]