

APPEALS PANEL NO. 3

WEDNESDAY 27 MARCH 2013 AT 10:00 AM

PRESENT: Councillor Collier (Chairman), Councillors Boaden and Mrs Luckley

OFFICERS: Legal Services Manager

1. APOLOGIES FOR ABSENCE

There were no apologies for absence.

2. 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.

3. APPEAL REGARDING PLANNING APPLICATION 12/0480

The hearing had been convened to give consideration to an appeal regarding Planning Application 12/0480.

The Chairman noted that the Appellant was not in attendance.

Having undertaken checks with the Civic Centre Reception; Committee Services; and the Service Support Team Members further noted that no message had been received from the Appellant (via the telephone or e-mail) to advise that he was unable to be present at the hearing today.

Bearing in mind that the Appellant had confirmed via e-mail on 25 February 2013 that he would attend, and the inclement weather conditions which may have delayed him, it was agreed that commencement of the hearing would be deferred until 10.30 am.

Members then requested legal advice on the way forward.

In response, the Legal Services Manager advised that:

- It was open to the Panel to give careful consideration to all the written evidence submitted and determine the appeal in the absence of the Appellant; or
- The Appellant could be asked to confirm (within 14 days) whether he wished to proceed with his complaint or, alternatively, to withdraw his complaint.

Following discussion, it was:

RESOLVED – (1) That the Board was concerned that the Appellant had failed to attend the hearing or to notify the Council that he was unable to be present.

(2) That the Appellant be asked to provide confirmation (within 14 days) as to whether he wished to pursue his complaint. In addition, the Appellant be asked to provide an explanation for his failure to attend the hearing on 27 March 2013.

(3) That the Appellant be made aware that, if a further Board of Arbitration is convened at his request and he fails to attend, Members may determine the matter in his absence.

[The meeting ended at 10.34 am]