



Executive Committee

Tue 7 Jun
2016
7.00 pm

Committee Room 2
Town Hall
Redditch

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Executive Committee

Tuesday, 7th June, 2016

7.00 pm

Committee Room 2 Town Hall

Agenda

Membership:

Cllrs: Bill Hartnett (Chair) Mark Shurmer
 Greg Chance (Vice- Yvonne Smith
 Chair) Debbie Taylor
 Juliet Brunner Pat Witherspoon
 Brandon Clayton
 John Fisher

<p>1. Apologies</p>	<p>To receive the apologies of any Member who is unable to attend this meeting.</p>
<p>2. Declarations of Interest</p>	<p>To invite Councillors to declare any Disclosable Pecuniary Interests or Other Disclosable Interests they may have in items on the agenda, and to confirm the nature of those interests.</p>
<p>3. Leader's Announcements</p>	<p>1. To give notice of any items for future meetings or for the Executive Committee Work Programme, including any scheduled for this meeting, but now carried forward or deleted; and</p> <p>2. any other relevant announcements.</p> <p>(Oral report)</p>
<p>4. Minutes (Pages 1 - 4) Kevin Dicks, Chief Executive</p>	<p>To confirm as a correct record the minutes of the meeting of the Executive Committee held on 19th April, 2016.</p> <p>(Minutes attached)</p>
<p>5. Overview and Scrutiny Committee (Pages 5 - 12) Kevin Dicks, Chief Executive</p>	<p>To receive the minutes of the meeting of the Overview and Scrutiny Committee held on 12th April, 2016.</p> <p>There are no recommendations to consider.</p> <p>(Minutes attached)</p>

<p>6. Reduction of Opening Hours - Customer Service Centre (Pages 13 - 16)</p>	<p>To consider the enclosed report setting out a proposal to close the customer service centre at off-peak times.</p>
<p>7. Write-Offs April 2015 - March 2016 (Pages 17 - 38)</p>	<p>To consider the enclosed report which details the level of write-offs for the last financial year and seeks approval of an updated write-offs policy.</p>
<p>8. Minutes / Referrals - Overview and Scrutiny Committee, Executive Panels etc. Kevin Dicks, Chief Executive</p>	<p>To receive and consider any outstanding minutes or referrals from the Overview and Scrutiny Committee, Executive Panels etc. since the last meeting of the Executive Committee, other than as detailed in the items above.</p>
<p>9. Advisory Panels - update report (Pages 39 - 40) Kevin Dicks, Chief Executive</p>	<p>To consider, for monitoring / management purposes, an update on the work of the Executive Committee's Advisory Panels and similar bodies, which report via the Executive Committee. (Report attached)</p>
<p>10. Exclusion of the Public</p>	<p>Should it be necessary, in the opinion of the Chief Executive, to consider excluding the public from the meeting in relation to any items of business on the grounds that exempt information is likely to be divulged, it may be necessary to move the following resolution:</p> <p>“that, under S.100 I of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, the public be excluded from the meeting for the following matter(s) on the grounds that it/they involve(s) the likely disclosure of exempt information as defined in the relevant paragraphs (to be specified) of Part 1 of Schedule 12 (A) of the said Act, as amended.”</p>
<p>11. Confidential Minutes / Referrals (if any)</p>	<p>To consider confidential matters not dealt with earlier in the evening and not separately listed below (if any).</p>



Executive Committee

Tuesday, 19 April 2016

MINUTES

Present:

Councillor Bill Hartnett (Chair), Councillor Greg Chance (Vice-Chair) and Councillors Juliet Brunner, Brandon Clayton, John Fisher, Yvonne Smith, Debbie Taylor and Pat Witherspoon

Officers:

Lyndsey Berry, Clare Flanagan, Sue Hanley and Emma Newfield

Committee Services Officer:

Debbie Parker-Jones

111. APOLOGIES

An apology for absence was received from Councillor Mark Shurmer.

112. DECLARATIONS OF INTEREST

There were no declarations of interest.

113. LEADER'S ANNOUNCEMENTS

Work Programme

It was noted that the Leisure Intervention Update report, which was due to be considered at the meeting, had been deferred to a later date.

Sallie Swan

The Leader advised of the sad news of the passing of Sallie Swan, Vice-Chairman of Redditch United Football Club, which he had learned of at the weekend. He would be writing to Chris Swan, Club Chairman, to express the Council's condolences.

.....
Chair

Queen's 90th Birthday Beacon Celebration

The Leader advised of a beacon lighting event which was taking place on Thursday 21st April at 6.15pm at the Bandstand, Church Green, as part of a national beacon lighting project in celebration of the Queen's 90th birthday. The event was due to be attended by a number of local dignitaries.

114. MINUTES**RESOLVED that**

the minutes of the meeting of the Executive Committee held on 8th March 2016 be agreed as a correct record and signed by the Chair.

115. OVERVIEW AND SCRUTINY COMMITTEE

The Committee received the minutes of the meeting of the Overview and Scrutiny Committee held on 1st March 2016.

It was noted that there were no recommendations to consider.

RESOLVED that

the minutes of the meeting of the Overview and Scrutiny Committee held on 1st March 2016 be received and noted.

116. TOWN CENTRE PUBLIC REALM

Members received a report which provided information on a proposed public realm improvement scheme for the Town Centre. An error was noted in part 2 of the report recommendation, which should have stated £275k capital expenditure and not £250k.

Members were asked to approve Phase 1 of the Town Centre Improvements Scheme for the enhancement of Alcester Street and Market Place, and to also approve capital expenditure of £275k towards the estimated total cost for this phase of the Scheme.

Members expressed concerns in relation to damage which had previously been caused to existing brickwork along Alcester Street following works carried out by the statutory undertakers, which they wished to ensure would not be repeated in the future. Officers stated that as the proposed enhancements were on highways land, they had spoken with Worcestershire County Council who had given various assurances in this regard. Members were advised that public realm improvements received special status, which included like-for-like repairs. The statutory undertakers were also

Executive Committee

Tuesday, 19 April 2016

due to complete any known works prior to the commencement of the enhancement works in mid-January 2017.

Regarding current signage by St Stephens Church, Church Green West, a request was made by Members that Officers look into the possibility of installing additional fingerpost signage to denote where the Bandstand and Train Station were located, with the Train Station in particular reported as being poorly signposted when entering the town.

RESOLVED that

- 1) **the plan as set out in Appendix 1 to the report and timescales for the enhancement of Alcester Street and Market Place be approved; and**
- 2) **Capital expenditure of £275k towards the estimated total cost for this phase of the public realm scheme be approved.**

117. ASSET OF COMMUNITY VALUE - THE SEVEN STARS INN

The Committee considered a report which sought Member support to list the Seven Stars Inn, Birchfield Road, Redditch as an Asset of Community Value.

Officers explained the listing process and the community element of this. The Rocklands Social Club (owners of the freehold for the Seven Stars Inn) and the local ward Councillors had been consulted as part of the listing process, and no objections had been received in response. Members also noted the possible financial implications to the Authority.

RESOLVED that

the Executive Committee support the listing of the Seven Stars Public House, Birchfield Road, Redditch as an Asset of Community Value.

118. MINUTES / REFERRALS - OVERVIEW AND SCRUTINY COMMITTEE, EXECUTIVE PANELS ETC.

There were no outstanding referrals to consider.

119. ADVISORY PANELS - UPDATE REPORT

It was noted that the meeting of the Planning Advisory Panel scheduled for earlier that evening had been cancelled due to lack of business.

Executive
Committee

Tuesday, 19 April 2016

RESOLVED that
the report be noted.

The Meeting commenced at 7.00 pm
and closed at 7.17 pm



Overview and Scrutiny Committee

Tuesday, 12th April, 2016

MINUTES

Present:

Councillor Jane Potter (Chair), Councillor Gay Hopkins (Vice-Chair) and Councillors Joe Baker, David Bush, Gareth Prosser, Paul Swansborough, Jennifer Wheeler and Nina Wood-Ford

Also Present:

Councillors Tom Baker-Price, Roger Bennett, Natalie Brookes, Antonia Pulsford, David Thain and D Jones (Independent Person, Audit, Governance and Standards Committee)

Officers:

Tracy Beech, Jackie Boreham, Sue Garratt, John Godwin, Sam Morgan, Jayne Pickering and Deb Poole

Democratic Services Officer:

J Bayley and A Scarce

90. APOLOGIES AND NAMED SUBSTITUTES

An apology for absence was received from Councillor Andrew Fry.

91. DECLARATIONS OF INTEREST AND OF PARTY WHIP

There were no declarations of interest nor of any party whip.

92. MINUTES

RESOLVED that

the minutes of the meeting held on 1st March 2016 be confirmed as a correct record and signed by the Chair.

93. PERFORMANCE DASHBOARD - PRESENTATION

The Chair reminded the Committee that all Members had been invited to attend the demonstration of the Corporate Dashboard which was delivered by Officers.

.....
Chair

Overview and Scrutiny Committee

Tuesday, 12th April, 2016

Officers explained that the Corporate Dashboard had been created over a number of years and was unique to Redditch and Bromsgrove Councils. The data collected focused on areas covered by the Council's strategic purposes, which had been agreed by Councillors. The aim was for the data to be fluid and for those using it to be able to use it to draw down information on a particular area which would enable the user to see a full picture of that area. Performance Indicators in the traditional format were no longer used, being replaced by measures which could be used to gain a much more holistic understanding of the Council's position in respect of service delivery at any one time.

During the demonstration Officers covered the following points in more detail:

- The aim of the measures was to help Heads of Service deliver better operational services.
- A common sense approach has been used which was geared towards the needs of the Council's customers.
- The data included various graphs and background information together with the commentary which related to any significant changes which had occurred in performance over time.
- The data had been collected from 2013 to 2015 and would be updated regularly.
- How a good measure should identify a number of further questions which would allow Members to look at the information provided "in the round".
- Members could discuss the data in order to meet with relevant officers to get further information about a particular area.
- The Dashboard was designed to be interactive and easy to use. Members were shown how they could create their own Dashboard picking out particular areas of interest.
- Councillors could access the Dashboard via the sunray units in each of the group rooms and it was hoped that access would also be available via Councillors' iPads in due course.

Following the demonstration Members discussed a number of areas in more detail:

- The flexibility of the dashboard and how the data would be used.
- How the measures had been chosen and whether these would be regularly updated.
- The lack of performance indicators and planned targets and the impact this could have in particular areas. It was explained that the key objectives would be met by measuring

Overview and Scrutiny Committee

Tuesday, 12th April, 2016

what the Council was delivering and any problems which were highlighted would be investigated in more detail.

- The upper and lower control limits and how these could be adjusted to take account of any anomalies which may occur within the data.
- Who had built the system. It was confirmed that this had been undertaken “in house” by Council staff.

Officers encouraged Members to take time to look further at the Dashboard and to contact relevant members of staff if further explanation was required.

The Chair thanked Officers for the demonstration and suggested that in future the Committee might want to receive further presentations or to set up a Task Group to look at the Corporate Dashboard in more detail and to establish how it could best help the Committee in its work.

RESOLVED that

the demonstration be noted.

94. S106 FUNDING - INFORMATION

The Chair reminded the Committee that a number of questions in respect of Section 106 monies had been raised at a meeting earlier in the year and Officers had been invited to deliver a presentation which would respond to those questions. Officers had also provided a written report which gave details of the present financial position in respect of this funding.

The presentation covered the following points:

- How much funding was available.
- The sources of Section 106 funding. Members were advised these were a form of mitigation that was used to make what would otherwise be an unacceptable development, acceptable.
- All funding needed to be necessary, related and proportionate to the particular permission.
- What criteria were applied to determine how the funds were spent. The Committee was informed that this was set out in the legal agreement and each case would therefore be different.
- Who determined how the funding was spent. This was down to the decision maker based on information related to the necessary mitigation.

Overview and Scrutiny Committee

Tuesday, 12th April, 2016

- The length of time the funding was available. Members were advised that this was specified in each individual agreement.
- How Members could influence the use of the funding. Officers explained that Members could influence the use of funding through the pre-application process and via the Planning Committee.

Following the presentation Members discussed a number of issues including:

- Whether there was a particular cut off point for the monies being spent and whether the funding had to be returned to the developer if not spent within that time scale.
- How payment was made (for example whether this was direct to the Council or the developer could pay a supplier directly).
- How Members could influence how the funding was spent and the timeline for discussions.
- How an application which was cross boundary would be dealt with and whether funding would be split or go to one particular authority.
- The impact of a development in a particular ward that could also affect other wards.
- Whether all Members were informed of a development or just the relevant Ward Member. Officers agreed to check the Council's constitution and provide Members with clarification on this point outside of the meeting.
- In order to be involved in any pre-application discussions Members needed to have received the appropriate training.
- The involvement of Worcestershire County Council in the process.

Officers also provided Members with details of the current balance of Section 106 funding allocated to the Council, explaining that £600k had been allocated to capital projects and £566k related to commuted sums and would be spent on maintaining the areas adopted by the Council as specified in the Section 106 agreements. Following further discussions Members agreed that it would be useful to receive regular updates as to the financial position in respect of this funding.

RESOLVED that

Officers provide six monthly updates in respect of the current balance of Section 106 funding.

Overview and Scrutiny Committee

Tuesday, 12th April, 2016

95. IMPROVING ACCESS FOR PEOPLE WITH DISABILITIES TO REDDITCH TAXI FLEETS SHORT, SHARP REVIEW - FINAL REPORT

Councillor Gay Hopkins, Chair of the review, delivered a presentation which provided background information as to why it had been set up. She explained that it had been a very intense piece of work over a short period of time.

The presentation provided information in respect of the number of taxis in Redditch, together with data in respect of the number of wheelchair accessible vehicles (WAVs), the types of disabilities that could affect people when travelling by taxi, and details about relevant legislation. Councillor Hopkins stressed that there were some very good drivers in the Borough who provided excellent services to those in need. However, improvements could still be made to services available to customers with disabilities. She went on to provide a summary of the supporting evidence for each of the recommendations that had been put forward by the group and provided details of the rationale behind each one.

Following the presentation Members of the review, who were present at the meeting, supported the recommendations and advised the Committee that as the Chair had stated, it had been a very informative, intense piece of work which had tackled a very difficult subject. The Chair of the review responded to a number of questions from Members and following further discussion it was

RECOMMENDED to the Licensing Committee that

The Hackney Carriage Vehicle Licensing Policy and the Private Hire Vehicle Licensing Policy should be amended:

- 1.1) to allow applications for new hackney carriages to be made for vehicles that are less than six years old, meet European M1 safety standards and have facilities for carrying a disabled person in a wheelchair within the vehicle. (*This relates to the Hackney Carriage Vehicle Licensing Policy only*);**
- 1.2) to require drivers to display stickers in their vehicles that provide information about how to report complaints;**
- 1.3) the Driver Licence Policy – Application for a Hackney Carriage and / or Private Hire Vehicle Driver’s Licence – should be amended to require that refresher training**

Overview and Scrutiny Committee

Tuesday, 12th April, 2016

should be provided on driving standards and disability awareness to taxi drivers every three years;

- 2.1) there should be a media campaign to guide disabled people and taxi drivers when travelling by taxi about their rights and responsibilities;
- 2.2) WRS should publish a list of drivers who currently operate licensed wheelchair accessible vehicles on the WRS and Redditch Borough Council websites in a similar format to Brighton and Hove City Council and Eden District Council;
- 3.1) WRS should undertake a review of the conditions attached to taxi operators' licences; and
- 3.2) the Licensing Committee should review the effectiveness of the disability awareness training provided to taxi drivers.

96. OVERVIEW AND SCRUTINY - RECOMMENDATION TRACKER REPORT

Officers provided feedback in respect of a number of recommendations which had been completed or were near completion:

- Voluntary and Community Sector Task Group – These recommendations had been completely or were in the process of being implemented and would now be removed from the tracker.
- Provision of Support Networks for the LGBT Community Task Group – Councillor Baker, the former Chair of the review, had reported that the LGBT Support Services Network had recently informed him that the LGBT leaflet had had a positive impact on attendance at cervical screenings and requests for Hepatitis B vaccinations by members of the LGBT community. However, further information had not been forthcoming from Worcestershire County Council in respect of the group's second recommendation and it was suggested that those Members who were also County Councillors might wish to take this matter up on behalf of the Committee.
- Arts and Culture Centre Task Group – The Community Safety Team had confirmed that unfortunately it was not possible to install the Creative Redditch art work on the shutter of the former Poundstretcher store.

Overview and Scrutiny Committee

Tuesday, 12th April, 2016

Members expressed disappointment that the Apprenticeship post supporting the Grants Officer had not yet been filled. Officers confirmed that this would be discussed further and a more detailed update would be provided for Members' consideration outside of the meeting.

RESOLVED that

- 1) **County Councillors Fry and Baker be asked to request a response from the relevant officers at Worcestershire County Council in respect of the outstanding recommendation from the Provision of Support Networks for the LGBT Community Task Group; and**
- 2) **Officers contact the Community Safety Team to request that they consider using the Creative Redditch art work for any future bus shelters located in the town centre, as detailed in the Arts and Culture Task Group's recommendations.**

97. EXECUTIVE COMMITTEE MINUTES AND SCRUTINY OF THE EXECUTIVE COMMITTEE'S WORK PROGRAMME

Officers confirmed that there were no updates in relation to Overview and Scrutiny within the Executive Committee minutes from 8th March 2016. In respect of the Work Programme Members were asked to consider whether there were any items which they wished to pre-scrutinise.

RESOLVED that

the Executive Committee Minutes of 8th March 2015 together with the latest addition of the Executive Committee's Work Programme be noted.

98. OVERVIEW AND SCRUTINY WORK PROGRAMME

The Chair reminded Members that a training event for Overview and Scrutiny would take place on 31st May 2016. She also thanked Members and officers for their support during the year.

RESOLVED that

subject to the inclusion of a six monthly update in respect of Section 106 monies, the Overview and Scrutiny Committee's Work Programme be noted.

Overview and Scrutiny Committee

Tuesday, 12th April, 2016

99. TASK GROUPS - PROGRESS REPORTS

Joint Worcestershire Increasing Physical Activity Task Group –
Redditch Borough Council Representative, Councillor Gareth
Prosser

Councillor Prosser informed Members that a meeting had been held on 31st March when the draft recommendations had been discussed and amended. The final report would now be submitted to the Cabinet at Worcestershire County Council, although Councillor Prosser advised that the date for this had not yet been agreed.

100. HEALTH OVERVIEW AND SCRUTINY COMMITTEE

Councillor Nina Wood-Ford, the Council's representative on the Worcestershire Health Overview and Scrutiny Committee (HOSC), had been unable to attend the most recent meeting of this Committee due to illness and did not therefore have an update for Members.

The Meeting commenced at 7.00 pm
and closed at 8.45 pm

EXECUTIVE COMMITTEE7th June 2016**REDUCTION OF OPENING HOURS – CUSTOMER SERVICE CENTRE**

Relevant Portfolio Holder	Councillor John Fisher
Portfolio Holder Consulted	Yes
Relevant Head of Service	Amanda Singleton, Head of Customer Access and Financial Support
Ward(s) Affected	All
Ward Councillor(s) Consulted	N/A
Key Decision / Non-Key Decision	Non Key Decision

1. SUMMARY OF PROPOSALS

- 1.1 This report sets out a proposal to reduce the opening hours of the Customer Service Centre at off peak times, specifically by not opening every Saturday, to enable the best use of resources at the times when customer demand is highest.

2. RECOMMENDATIONS

The Executive Committee is asked to RESOLVE that:

- 2.1 The Customer Service Centre reduce Saturday opening hours to the first Saturday of each month, with effect from September 2016 in light of the low levels of customer demand, and to enable resources to be utilised more effectively at times when demand is highest.
- 2.2 Demand be reviewed and reported after 6 months to enable the Executive to consider future opening arrangements.

3. KEY ISSUES**Financial Implications**

- 3.1 There would be a saving of approximately £7k per annum in the Customer Services budget. This is due to a reduction of 1/3rd of a full time post which would no longer be required. These hours are currently being held vacant pending a decision and therefore there would be no redundancy costs incurred.

Legal Implications

- 3.2 As Saturday opening arrangements form part of the staff contracts, formal staff consultation will be required before any changes could be implemented.

Service / Operational Implications

- 3.3 The Customer Service Centre is currently open Monday to Friday from 9am until 5pm, and on Saturday mornings from 9am until 12 noon. On Saturdays the centre is open for face to face customers only and a limited service is provided,

EXECUTIVE COMMITTEE7th June 2016

with the majority of customer making enquiries having to come back during the week to see a specialist.

- 3.4 Since first opening on Saturdays there has been considerable change both to the way that services are delivered, the number of services provided and to customer behaviour. The majority of Borough Council enquiries are dealt with by specialist officers, rather than the generic customer service team, and almost all County Council enquiries are now dealt with online or via a telephone call to the Worcestershire Hub in Worcester. Additionally there has been a 37% increase in payments being made via automated methods since 2012/13. This has resulted in a significant decrease in customers over time. There are now estimated to be half as many users of the Saturday service as there was 5 years ago.
- 3.5 Data for 2015/16 shows us the following information. This shows the customer numbers on a Saturday are very low in comparison with a normal working day.

	Enquiries	Payments
Total Saturday transactions for year	1,152	7,202
Average per Saturday	23	140
Average week day	228	1,067

- 3.6 62% of the enquires relate to Council Tax, Benefits or Housing. These enquiries require experts in these fields to properly deal with them. However, it is not cost effective to have expert staff available on a Saturday as the total transaction numbers each Saturday are so low. These customers are generally asked to return on the week in order to see a specialist member of the relevant team.
- 3.7 The majority of business on a Saturday morning is for the payments desk, but the data shows that this is 75% less than the customer volumes on an average morning in the week.
- 3.8 Our data shows that of the customers making payments on a Saturday 40% are paying by credit or debit card, or by cheque. This is a growing trend which is increasing year on year and we have seen a 90% increase in the number of card transactions since 2012/13. In April 2016 we saw 70% of customers paying by card. These customers could therefore easily make other arrangements to make their payments.

EXECUTIVE COMMITTEE7th June 2016

- 3.9 Of those paying by cash, national evidence suggests that the vast majority of these will in fact have bank accounts and it is a preference to pay cash in person.
- 3.10 Whilst there would be some inconvenience for customers who prefer to pay face to face on a Saturday morning, we do offer a very wide range of options to pay including 24 hour online and telephone payment facilities, via bank transfer, direct debits, standing orders, postal payments, payment card, or in person Monday to Friday.
- 3.11 Analysis of our data shows that our customer base on Saturdays is made up of regular customers who come in at least once a month. 40% of the payments made are by customers who visit the office multiple times in one month. 3% of the customers are coming in four or more times each month. Therefore, the number of individual customers using the service is less than the transaction numbers suggest. We estimate in the region of 600 people regularly use the service over the year.
- 3.12 The first Saturday of the month is always the busiest (with the exception of some of the bank holiday weekends). Around 40% of the total monthly customers use the service on the first Saturday of each month.
- 3.13 Customers may be disadvantaged by not being able to make payments on a Saturday but there is no evidence to suggest that they cannot make other arrangements and assistance would be provided to ensure a smooth transition to alternative payment methods.
- 3.14 Regardless of the number of customers it is necessary to have a minimum of 3 staff to cover the payments and enquiries desks on a Saturday morning. Currently staff who work on Saturdays take the commensurate time off in the week reducing the resources available at busier times, and thus reducing the level of service that can be provide when it is most needed. As the total staff group has reduced over time due to some of the changes mentioned in 3.4 and reduced funding from Worcestershire County Council it has become increasingly difficult to resource to an appropriate level at the times when demand is higher.

Customer / Equalities and Diversity Implications

- 3.15 Closing the face to face service on a Saturday may disadvantage a relatively small number of customers. However it would enable us to make better use of our resources at the times needed by the majority of our customers.
- 3.16 There is no evidence to suggest that any group of customers would be unfairly disadvantaged. Monitoring of the customers using the service suggests no specific group is more likely to use the service on a Saturday. Furthermore, we have a wide range of options available to customers to ensure that they can still do their business with us in a timely fashion, ensuing fair access to services.

EXECUTIVE COMMITTEE7th June 2016

3.17 Appropriate out of hours cover is place in the event of any emergencies.

4. RISK MANAGEMENT

4.1 In order to ensure customers have time to make other arrangements an implementation date end the end of August is proposed.

4.2 Appropriate publicity of any change would be put in place giving alternative methods of payments and contact arrangements, and regular customers would be talked through their options for making payments in future.

5. APPENDICES

None

6. BACKGROUND PAPERS

Held by Customer Services

7. KEY

N/A

AUTHOR OF REPORT

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**EXECUTIVE
COMMITTEE****7th June 2016****WRITE OFFS APRIL 2015 – MARCH 2016**

Relevant Portfolio Holder	Councillor John Fisher
Portfolio Holder Consulted	Yes
Relevant Head of Service	Amanda Singleton - Head of Customer Access & Financial Support
Wards Affected	All

1. SUMMARY OF PROPOSALS

- 1.1 The report sets out data in respect of the write off of unrecoverable debts in 2015/16.
- 1.2 The report also recommends a revised Write Off Policy which takes account of changes to best practice and streamlines the administrative procedures.

2. RECOMMENDATIONS

The Executive is requested to RESOLVE that:

The revised Write Off Policy be adopted and the contents of the report in respect of the level of write offs be noted.

3. KEY ISSUES

- 3.1 A clear Write Off Policy is required to ensure that all services are taking a consistent approach to the write off of irrecoverable debt. The proposed revised policy reflects new working practices and administrative procedures and ensures both a streamlined process as well as appropriate reporting of the write off of debt.

Financial Implications

- 3.2 Provision is made within the Council's budget to allow for bad debts to be written off. The value of write off is well within the existing provisions ^{(note}

¹⁾ The current bad debts provisions are as follows:

	£000's
Council Tax	340
NDR	495
Housing 653	
Sundry Debtors	196
Benefits	<u>823</u>
Total	<u>2,507</u> ^{note 2}

**EXECUTIVE
COMMITTEE****7th June 2016**

Note1 : the provisions are based on the 1.4.2015 figures as the accounts for 2015/16 are currently being closed. Updated figures will be available at the meeting.

Note 2: the provisions above are set aside to reflect the costs associated with RBC element of the debt. The figures as provided within the Appendices show the total debt including that funding by the precepting partner agencies

- 3.3 Details of written off debts during the period for Council Tax, Non Domestic Rates, Former Tenant Arrears and Overpaid Housing Benefit are attached at Appendix 1. A total of £452k of unrecoverable debt was written off during this financial year. This compares with £284k in 2014/15.
- 3.5 Fluctuation in the value of write offs is due to the timing of write off action being taken and does not indicate a trend. A debt is only written off when officers are confident that there is no further economical action that can be taken to recover the debt, and as such there is no timetable for the write off of debt.
- 3.6 Due to challenges presented by the introduction of a new finance system there has been no write off of sundry debts during this period. Some of the debts migrated from the outgoing system were exceedingly old and officers will be reviewing whether continuing to take recovery action is appropriate and/or cost effective in respect of these old debts.
- 3.7 It is important to note that officers write back debts where information later comes to light that enables further recovery action to be taken.

Legal Implications

- 3.8 Legal advice is sought where appropriate in respect of the recovery of outstanding debts and action taken in accordance with procedures dependent on the debt in question.

Service / Operational Implications

- 3.9 All possible recovery action is taken in respect of debts before write off of the debt is considered.
- 3.10 The vast majority of write offs are agreed by officers of the Council, at a level appropriate to the value and nature of the debt.
- 3.11 In very rare cases the Debtor's circumstances are such that it is not appropriate for council to pursue the debt further, although normal recovery action may not have been exhausted. It may be that it is not felt to be appropriate to continue with recovery action due to the debtor's mental or physical health or due to particular circumstances of the case, which indicate extreme hardship.

**EXECUTIVE
COMMITTEE****7th June 2016**

- 3.12 Current working practice is for these to be agreed for write off by the Executive. It is proposed that in future these be included as part of the annual report of write offs as presented to Executive but that the formal write off is agreed by the Director of Finance and Corporate Resources, in conjunction with the Portfolio Holder for Finance and Financial Support.
- 3.13 In some cases a debt matching agreement may be put in place. This is where an agreement is made with the debtor whereby if payments are made under an agreed payment plan the Council will write off a portion of the debt, either on receipt of each payment or where payments have been made for a specified period of time. Debt matching is only undertaken where there are no prospects of recovering the debt in full and an assessment of the debtors income indicates that any payment arrangement would extend beyond three years. Over the last few years there have been no debt matching agreements in place but this remains a valuable approach to support residents who are in debt.
- 3.14 Again current practice would be for these to be agreed by the Executive. It is proposed, in order to speed up the process in such cases, that debt matching arrangements are included within the annual report but that approval is agreed by the Director of Finance and Corporate Resources.
- 3.15 The revised policy makes these adjustments to the authorisation levels reducing the need to bring individual cases to the Executive Committee. Details of all write off's would continue to be reported as now via an annual report, with specific details in respect of any discretionary write offs agreed during the year being provided.
- 3.16 The revised policy has been simplified to make it easy for staff to use in practice. It is in line with national best practice, and audit requirements.

Customer / Equalities and Diversity Implications

- 3.17 The Council's Write Off Policy makes provision for customers to be treated fairly and equally.
- 3.18 The revised Policy allows for checking of debts across all Council systems to ensure that customers can be offered the correct level of support and to streamline the process of debt recovery.
- 3.19 Officers endeavour to provide support to help the individual to become financially independent. Where a customer is identified as being in debt officers try to work with them to provide budgeting, money management and debt advice.

**EXECUTIVE
COMMITTEE**

7th June 2016

4. RISK MANAGEMENT

- 4.1 Failure to authorise the write off debts results in unrecoverable debts remaining on our financial systems. This is not in accordance with audit requirements

5. APPENDICES

Appendix 1 – Write offs April 2015 – March 2016

Appendix 2 – Proposed revised Write Off Policy

6. BACKGROUND PAPERS

There are no background papers in relation to this report.

AUTHORS OF REPORT

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**EXECUTIVE
 COMMITTEE**

7th June 2016

Appendix 1

Write Offs of Council Tax - April 2015 – March 2016

Reason	01/04/15 - 31/03/16
Gone away	8932.42
Deceased no funds in estate	24,797.30
Bankruptcy	68,154.67
Uneconomical to pursue	10,347.06
Admin Order/IVA	199.18
Automatic w/o +1/-1p	-0.12
Balance under £5.00	995.51
Other	24,249.26
Credits - unable to refund	-4,205.88
Total	133,469.40

Write Offs of Non-Domestic Rates - April 2015 – March 2016

Reason	01/04/15 - 31/03/16
Liquidation/Winding up	180,632.59
Uneconomical to pursue	265.81
Automatic W/O +1p/-1p	0.01
Credits - unable to refund	-6,105.04
Total	174,793.37

**Write Offs of Former Tenant Arrears (HRA)
 April 2015 – March 2016**

Reason	£
Gone away	28,806.75
Uneconomical to pursue	8,812.03
Tenant deceased	29,275.00
Total	66,893.78

**EXECUTIVE
COMMITTEE****7th June 2016****Write off of Overpaid Housing Benefit – April 2015 to March
2016**

Reason	Amount £	No. of cases
Possible Write back	309	1
Deceased	6,014	4
Debt Relief Order	17,064	3
Bankruptcy	2,100	1
Not reasonable to recover	37,142	18
Uneconomic to recover	6	1
No prospect of recovery	9,835	16
Compassionate	4,574	2
Totals	77,044	46

Appendix 2

REDDITCH BOROUGH COUNCIL

Write Off Policy



Contents

1	Introduction	3
2	Aims and Objectives	4
3	Procedures for write off of debt	5
4	Authorisation of write offs	8
5	Actions to be taken prior to write off	8
6	Monitoring	8
	Appendix A	10
	Appendix B	13

1. Introduction

The purpose of this document is to set out a framework for the authorisation and reporting of debt to be written off.

The Council delivers a wide range of services that involve the recovery of debt. Implementing an effective method for reporting and authorising the write off of irrecoverable debts will ensure that the functions of the council are carried out in an effective and efficient manner.

The effectiveness of the council's debt management will be improved by revising the authority to write off debts and empowering suitably competent officers to authorise the write off of debt.

The authorisation for write off of debt will only be referred to Executive Committee in cases where the write off would have a significant and material impact on the financial standing of the authority and where the decision to write off the debt is exceptional and the debt management and write off policy does not provide guidance.

The write off policy includes a requirement for the Executive Committee to be informed on an annual basis of the present position with regard to overall debt, the value of debt written off within the financial year and the impact of these write offs on the authority's bad debt provision.

2. Aims and Objectives

Redditch Borough Council recognises that the prevention of indebtedness and the effective management of debt are crucial in maximising the resources available to the council and ensuring the well-being of the residents of the Redditch Borough.

The key aims of the policy are:

To ensure a high level of income owed is collected by the Council;

To identify the circumstances when it will be appropriate to write off debts;

To summarise the steps which need to be taken before a debt is written off;

To introduce a scheme for authorising the write off of debt that ensures the decision to write off is made by an appropriate officer of the Council;

To ensure that members are informed of the level of debt owed to the council, the position regarding debts written off and the impact on the council's financial position.

To ensure that there is a coordinated approach to the sharing of debtor information across council departments and to the management and write off of debt.

The policy will apply to the following debts and to any combination of these debts;

Council Tax

Non-Domestic Rates

Housing Benefit Overpayments

Sundry debts

Housing rents

Tenant and Former Tenant debts or arrears

3. Procedures for write off of debt

The Council will have procedures or policies in place to enable timely billing and collection of debts and to ensure that in appropriate cases recovery action is taken promptly. The relevant service's procedures and policies will identify the mechanisms provided by legislation for the recovery of debts.

As a general rule – except in cases of hardship, low value debt or cases where recovery is prevented by law - all recovery processes will be attempted before a debt is considered for write off.

The council recognises that there will be cases where it is not practical for the recovery process to continue because either the debtor has absconded or the costs of recovery are greater than the value of the debt outstanding.

The circumstances listed below are indicative of the situations in which a debt will be written off, the fact that a case falls within the criteria will not compel the council to write the debt off as there may be other factors which would indicate that recovery action is appropriate.

As part of the write off procedure a review of all debts or credits for the customer will be undertaken and relevant services advised accordingly. Where a credit write off is identified and debt exists on another account for the same customer the credit may be transferred to pay off said debt.

Circumstances where debts may be written off

Closed accounts with debt below £50.00

The costs of pursuing the debt through court action will exceed the outstanding balance. In addition the costs of pursuing a debt from an individual no longer resident in the property could further increase the costs. Letters warning of the potential for court action will be issued if this does not prompt recovery the debt may be written off.

Individual debts below £5.00

It is not cost effective to pursue recovery of cases where the debt is below £5.00 and there is no on-going liability to the Council. In these circumstances the debts will be written off.

Debtor Absconded

Trace Action will be undertaken and the debtor's details will be checked across all appropriate Council databases, with credit reference agencies and appropriate trace databases i.e. Experian and LOCTA.

If enquiries do not yield a forwarding address then the debt will be written off, if the debtor subsequently reappears the debt will be written back on and recovery action recommenced.

Live debt which is uneconomic to pursue

The costs of commencing bankruptcy action, applying for charging orders or making an application for committal to prison can be high with no guarantee that the debt will be recovered. Where an assessment of the debtor's circumstances indicates that further action would be costly and collection of the outstanding balance is unlikely the debt will be written off.

Insolvency – bankrupt individual or insolvent company

Where an individual has been made bankrupt or a company has entered liquidation no further recovery action can be taken and the debt will be written off.

If a bankrupt individual remains in receipt of Housing Benefit then recovery of Housing Benefit Overpayments can be made from any on-going benefit entitlement up until the individual's discharge from bankruptcy.

Dissolved Companies

On dissolution the company will have no legal identity and any property of the company will become bona vacantia. There will be no prospect of recovery in these cases and the debt will be written off.

Limited companies in administration

In administrations the debt will be proved in the proceedings and written off. On-going trading liabilities will be payable by the administrators and they will be advised to make payment.

Debtor deceased with no prospect of recovery from estate

It is a common misconception that when a person dies, his/her debts are automatically discharged. Debts are not discharged on death unless specific provision has been made for them to be discharged, e.g. by an insurance policy. All debts that are not provided for must be met from the assets of the deceased debtor. Where the assets are insufficient to meet all the debts, the estate is insolvent.

In these circumstances, if it is not appropriate to apply for an insolvency administration order, then the debt will be written off.

Debtor sentenced to term of imprisonment in respect of the debt

Where a term of imprisonment has been served in respect of a debt the council will be precluded from taking any further action to recover the outstanding balance and the debt will be written off.

Debt remitted by court

Magistrates have the power to remit all or part of a debt. If the magistrates have taken a decision to remit the debt no further recovery action can be taken and the debt will be written off.

Out of time for recovery action

Debts over 6 years of age where action for recovery has not been taken will be statute barred and write off will be necessary.

Where a liability order or judgement has been made in respect of the debt execution of the judgement will still be permitted. Therefore attachment of earnings order or the use of distress can still be made.

Debtor out of jurisdiction

Where a debtor is outside of the jurisdiction of England and Wales and there is unlikely to be any prospect of recovering the debt, it will be written off.

Debtor's circumstances are such that it is not appropriate for council to pursue or Debtor infirm or suffering from hardship

There will be cases where it is not felt to be appropriate to continue with recovery action due to the debtor's mental or physical health or due to particular circumstances of the case. In these cases the Service Manager will recommend that the Director of Finance and Corporate Resources, in conjunction with the Portfolio Holder for Finance and Financial Support approve write off the debt.

For Council Tax and Non-Domestic Rates debts the Financial Support Manager should first consider whether a reduction of the debt under the provisions of Section 13a of the Local Government Finance Act 1992 or Section 49 of the Local Government Finance Act 1988 is more appropriate.

Debtor enters into a debt matching agreement

Debt matching is an agreement with the debtor whereby if payments are made under an agreed payment arrangement the Council will write off a portion of the debt, either on receipt of each payment or where payments have been made for a specified period of time.

Debt matching will only be undertaken where there are no prospects of recovering the debt in full and an assessment of the debtors income indicates that any payment arrangement would extend beyond three years.

Debt matching arrangement will be reviewed periodically to ensure there has not been a change in the debtor's circumstances. If the debtor's circumstances change then the arrangement may be amended or cancelled.

Debt matching will only be undertaken on recommendation of the Service Manager and approval of the Director of Finance and Corporate Resources.

Credit balance write offs

Where accounts are closed and a credit balance is held on the account the credit will be refunded preferably by BACS where the customer's bank account details are held.

In cases where no bank account details are held we will write to the customer advising them of the credit and requesting details of the account into which the credit can be refunded. If we do not hold a forwarding address we will issue notification of the credit to the last known address of the individual.

If after a period of three months the customer has not requested a refund then the amount of the credit will be written off. Where the customer makes contact at a later date or is located at a new address within the area the amount can be written back on and repaid.

Credits held on open accounts will be rolled forward and offset against future year's charges if a request for refund is not made.

In cases where the credit balance is less than £5.00 refunds will not be made unless requested by the customer as the costs of making payment are greater than the credit held. Credit balances below £5.00 will be written off when identified.

Where mutual credits and debits exist across separate debt streams we will offer the customer the opportunity to transfer the credit to offset any debit balances before a refund is made.

4. Authorisation of write offs

The table at Appendix A details the authorisations required before a debt is written off.

5. Actions to be taken prior to write offs

The table at Appendix B summarises the action that will be taken prior to write off and the method of reporting the debt.

The Council's Section 151 Officer will approve procedures for the reporting, approval and authorisation of debts for write off.

6. Monitoring

Each section will be responsible for ensuring that the policy is applied correctly and is effective. For each debt type management information will be compiled on an on-going basis. The information will include a profile of debt by age, the value of debt written off to date (profiled by reason code), and the effect on the provision for bad debt.

Information will also be provided on debt which could become subject to write off; this would include debts where recovery is unlikely because the debtor has absconded, there is on-going insolvency or a write off is pending.

An annual report of write offs for the financial year will be presented to Executive Committee.

Appendix A – Authorisation levels for write off

Value	Recommendation	Examined /Approved	Authorised
Credit balances	Income Officer Rent & Welfare Officer Locality Officer Housing Database Officer. Revenue Officer Benefits Overpayments Officer	Appropriate Service Supervisors/ Team Leaders	Appropriate Service Managers
Debts up to £100	Income Officer Rent & Welfare Officer Locality Officer Revenue Officer Benefits Overpayments Officer	N/A	Appropriate Service Supervisors/ Team Leaders.
£101 - £2,000	Income Officer Rent & Welfare Officer Locality Officer Revenue Officer Benefits Overpayments Officers	N/A	Appropriate Service Managers

Value	Recommendation	Examined /Approved	Authorised
Debts over £2,000	Income Officer Rent & Welfare Officer Locality Officer Revenue Officer Benefits Overpayments Officers	Service Managers	Executive Director (Finance and Corporate Resources) - Section 151 Officer Financial Services Manager (Deputy Section 151 Officer). Head of Customer Access and Financial Support Head of Housing Services (HRA debt only)
Debts remitted by Magistrates or where a term of imprisonment has been served	Income Officer Rent & Welfare Officer Locality Officer Revenue Officer Benefits Overpayments Officer	N/A	Appropriate Service Managers
Insolvency proceedings Administration Order (where claim has been formally acknowledged)	Income Officer Rent & Welfare Officer Locality Officer Revenue Officer Benefits Overpayments Officer	N/A	Appropriate Service Managers

Value	Recommendation	Examined /Approved	Authorised
Debtor is deceased no prospect of dividend from estate	Income Officer Rent & Welfare Officer Locality Officer Revenue Officer Benefits Overpayments Officer	N/A	Appropriate Service Managers
Debt matching agreements	Appropriate Service Managers		Director of Finance and Corporate Resources
Cases of hardship or discretionary write offs	Appropriate Service Managers		Director of Finance and Corporate Resources in conjunction with the Portfolio Holder for Finance and Financial Support.

Appendix B – Actions to be taken prior to write off

Write off reason	Actions Prior to W/Off	Procedure for Write/off
Credit Balances < £5.00	None	Cases reported on bulk write off schedule for appropriate authorisation
Credit Balances > £5.00	Notice of credit issued to customer.	Cases reported on bulk write off schedule for appropriate authorisation
Closed accounts with debt below £50.00	Invoice/Demand issued to customer No on-going liability. Debt static for 12 months	Cases reported on bulk schedule for appropriate authorisation.
Individual debts below £5.00	Invoice/Demand issued to customer. No on-going liability. Debt static for 12 months	Cases reported on bulk schedule for appropriate authorisation.
Debtor Absconded	Check internal databases and trace database, enquiries with property agents.	Cases reported on bulk schedule for appropriate authorisation
Live debt which is uneconomic to pursue	All appropriate recovery routes attempted. Assessment of costs and likelihood of recovery to be made.	Cases reported on bulk schedule for appropriate authorisation.
Insolvency – bankrupt individual or insolvent company	Claim lodged in proceedings.	Cases reported on bulk schedule for appropriate authorisation.

Write off reason	Actions Prior to W/Off	Procedure for Write/off
Dissolved Companies	Confirmation of dissolution received	Cases reported on bulk schedule for appropriate authorisation.
Limited companies in administration.	Confirmation of administration. Debt lodged in proceedings.	Cases reported on bulk schedule for appropriate authorisation.
Debtor's circumstances are such that it is not appropriate for council to pursue recovery, or Debtor Infirm or suffering from hardship	Appropriate recovery procedures to be attempted.	Case referred to Director of Finance and Corporate Resources in conjunction with the Portfolio Holder for Finance and Financial Support
Debtor deceased with no prospect of recovery from estate in respect of the debt	Confirmation of value of the estate and outstanding liabilities obtained.	Cases reported on bulk schedule for appropriate authorisation.
Debtor sentenced to term of imprisonment in respect of debt.	No further powers of recovery	Cases reported on bulk schedule for appropriate authorisation.
Debtor out of jurisdiction	No further powers of recovery	Cases reported on bulk schedule for appropriate authorisation.
Debt remitted by court	No further powers of recovery	Cases reported on bulk schedule for appropriate authorisation.
Out of time for recovery action	No further powers of recovery	Cases reported on bulk schedule for appropriate authorisation.

Write off reason	Actions Prior to W/Off	Procedure for Write/off
Debtor enters into a debt matching agreement	Debt matching agreement approved by Director of Finance and Corporate Resources. Payments monitored – portion of debt written off at agreed intervals.	Cases to Director of Finance and Corporate Resources for appropriate authorisation.

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**

7th June 2016

ADVISORY PANELS, WORKING GROUPS, ETC - UPDATE REPORT

Relevant Portfolio Holder	Councillor John Fisher, Portfolio Holder for Corporate Management
Relevant Head of Service	Claire Felton, Head of Legal, Equalities and Democratic Services
Non-Key Decision	

1. SUMMARY OF PROPOSALS

To provide, for monitoring / management purposes, an update on the work of the Executive Committee's Advisory Panels, and similar bodies which report via the Executive Committee.

2. RECOMMENDATIONS

The Committee is asked to **RESOLVE** that

subject to Members' comments, the report be noted.

3. UPDATES**A. ADVISORY PANELS**

	<u>Meeting :</u>	<u>Lead Members / Officers :</u> (Executive Members shown <u>underlined</u>)	<u>Position :</u> (Oral updates to be provided at the meeting by Lead Members or Officers, if no written update is available.)
1.	Planning Advisory Panel	Chair: <u>Cllr Greg Chance</u> / Vice-Chair: Cllr Bill Hartnett Ruth Bamford	Meeting dates: Tuesday 7 th June 5.30pm CR3 Wednesday 22 nd June 5.30pm CR3

REDDITCH BOROUGH COUNCIL**EXECUTIVE COMMITTEE**

7th June 2016

B. OTHER MEETINGS

2.	Constitutional Review Working Party	Chair: <u>Cllr Bill Hartnett</u> / Vice-Chair: <u>Cllr John Fisher</u> Sheena Jones	Last meeting – 27 th January 2015
3.	Member Support Steering Group	Chair: <u>Cllr John Fisher</u> / Vice-Chair: <u>Cllr Bill Hartnett</u> Sheena Jones	Next meeting – 11 th July 2016.
4.	Grants Assessment Panel	Chair: Cllr Roger Bennett / Vice-Chair: <u>Cllr Greg Chance</u>	Last meeting 24 th February 2016.

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