

# Executive Committee

Various Wards

7 October 2009

## IRRECOVERABLE DEBTS

(Report of the Head of Housing and Community Services)

### 1. Summary of Proposals

The purpose of the report is to consider writing off 17 cases of irrecoverable debt amounting to £47,922.19.

No further recovery action can be taken to enforce the debts, although Officers will pursue the debts should recovery become possible in the future.

### 2. Recommendations

**The Committee is asked to RESOLVE that**

**the debts totalling £47,922.19 as detailed in the Schedule attached to the report be written off as irrecoverable.**

### 3. Financial, Legal, Policy, Risk and Sustainability Implications

#### Financial

- 3.1 Provision has been made within the Council's budget for write-offs. The current position is £52,276.35 has been written off relating to Council Tax, Non Domestic Rates, Former Tenancy Arrears, Current Rent Arrears, Sundry and Periodic Arrears in this current financial year.

#### Legal

- 3.2 Under Section 151 of the Local Government Act 1972, a local authority must make arrangements for the proper administration of its financial affairs and appoint an Officer to oversee such administration.
- 3.3 The Appendix to this report is exempt in accordance with S.100 1 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as at contains the personal details of individuals. For this reason it is felt that the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

### Policy

- 3.4 The Joint Chief Executive and Director of Housing, Leisure and Customer Services are the designated Officers for this purpose, and write-offs require their sanction. If a debt is written off, it can be retrieved and pursued if it comes to the Council's attention that the debtor now has the means to pay the debt. In the case of County Court Judgements, the Council can pursue payment for up to 6 years after the judgement is given.

### Risk

- 3.5 No risk implications have been identified in this report.

### Sustainability / Environmental

- 3.6 No sustainability, environmental or climate change implications have been identified in this report.

### Report

#### 4. Background

- 4.1 The detail of the report is contained within the attached schedule

#### 5. Key Issues

- 5.1 The key issues are detailed within the attached schedule. Details are specific to each case listed.

#### 6. Other Implications

Asset Management - None

Community Safety - None

Human Resources - None

Social Exclusion - None

#### 7. Lessons Learnt

- 7.1 None.

#### 8. Background Papers

Personal Recovery Files (not for publication)

### 9. Consultation

There has been no consultation other than with relevant Borough Council Officers.

### 10. Author of Report

The author of this report is Judy Braithwaite (Income Recovery Team Leader), who can be contacted on extension 3803 (e-mail: judy.braithwaite@redditchbc.gov.uk) for more information.

### 11. Appendices

Appendix 1 – Schedule of irrecoverable debts.

#### Key

A	=	Letter or Recovery
B	=	Visit
C	=	Bailiff
D	=	Internal Trace
E	=	External Trace
F	=	Attempted AOE (Attachment of Earnings Order)
G	=	Attempted ABO (Attachment of Benefits Order)
H	=	Committal Procedure
I	=	Collection Agency
J	=	Attempted Legal Recovery
SWL	=	Saffron Waiting List
S	=	Saffron Rents System Checked
HB	=	Housing Benefits System Checked
IS	=	Other Internal Systems Checked