

REDDITCH BOROUGH COUNCIL

**EXECUTIVE
COMMITTEE**

26th May 2010

IRRECOVERABLE DEBT REPORT

Relevant Portfolio Holder	Councillor Clayton, Portfolio Holder for Housing, Local Environment and Health
Relevant Head of Service	Liz Tompkin – Head of Housing
Non-Key Decision	
This report contains exempt information as defined in S.100 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it 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	

1. SUMMARY OF PROPOSALS

- 1.1 The purpose of this report is to consider writing off 15 cases of irrecoverable debt amounting to £43,175.92

It is considered by Officers that all appropriate debt recovery action has been attempted to recover the debts listed in Appendix 1 of this report and no further action can be taken to enforce payments.

NB: 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.

2. RECOMMENDATIONS

The Committee is asked to RESOLVE that the debts totalling £43,175.92 detailed in the schedule attached to this report will be written off as irrecoverable

3. BACKGROUND

The detail of the report is contained within the attached schedule.

4. KEY ISSUES

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

5. FINANCIAL IMPLICATIONS

- 5.1 Provision is made within the Council's budget for write off's

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5.2 The table below shows the current position to 31st March 2010 by debt type.

Debt Type	Debit raised	Payments	Written-off	Written off against debit raised
Council Tax	£34,409,753	£34,516,673	£44,447	0.12%
Non Domestic Rates	£33,849,368	£36,144,857	£154,489	0.45%
Sundry Debts (GF inc OAB)	£4,602,107	£5,381,683	£177,975	3.86%
Sundry Debts (HRA inc FT's)	£782,194	£796,122	£169,599	21%

6. LEGAL IMPLICATIONS

- 6.1 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.
- 6.2 The appendix of this report is exempt in accordance with S.100 of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as it 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.

7. POLICY IMPLICATIONS

The joint chief Executive and Executive Director of Planning, Regeneration, Regulatory and Housing Services are the designated Officers for this purpose, and write off's 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 payments for up to 6 years after the judgement is given.

8. COUNCIL OBJECTIVES

Recovery of debts and management of accounts links to the Well Managed Organisation Council Corporate priority.

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9. **RISK MANAGEMENT INCLUDING HEALTH & SAFETY
CONSIDERATIONS**

None identified.

10. **CUSTOMER IMPLICATIONS**

None identified.

11. **EQUALITIES AND DIVERSITY IMPLICATIONS**

None identified.

12. **VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET
MANAGEMENT**

None identified.

13. **CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY**

None identified.

14. **HUMAN RESOURCES IMPLICATIONS**

None identified.

15. **GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS**

None identified.

16. **COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF
CRIME AND DISORDER ACT 1998**

None identified.

17. **HEALTH INEQUALITIES IMPLICATIONS**

None identified.

18. **LESSONS LEARNT**

None identified.

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19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

None identified.

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	No
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	Yes
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	Yes
Head of Legal, Equalities & Democratic Services	No
Corporate Procurement Team	No

21. WARDS AFFECTED

The Wards affected by the contents of this report are detailed in the attached appendix.

22. APPENDICES

Appendix 1 – Schedule of irrecoverable debts.

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23. BACKGROUND PAPERS

Personal recovery files (not for publication).

24. 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

AUTHOR OF REPORT

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