

# **EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR RESOURCES**

16 February 2018

**PRESENT: Councillor:** D.M. Jenkins (Executive Board Member).

**The following officers were in attendance:**

J. Gravelle, Revenue Services Manager  
L. James, Partnership and Engagement Manager  
B. Jenkins, Strategy and Implementation Manager  
A Thomas, Benefits and Council Tax Manager  
S. Murphy, Senior Solicitor  
J. Owen, Democratic Services Officer

Regeneration Meeting Room, County Hall, Carmarthen - County Hall – 10:00am - 11:05am

## **1. DECLARATIONS OF PERSONAL INTEREST**

There were no declarations of personal interest.

## **2. TO SIGN AS A CORRECT RECORD THE DECISION RECORD OF THE MEETING HELD ON 15TH JANUARY 2018**

**RESOLVED** that the decision record of the meeting held on the 15<sup>th</sup> January, 2018 be signed as a correct record.

## **3. CARMARTHEN WESTERN LINK ROAD**

The Executive Board Member considered a report seeking approval to ensure that the Carmarthen Western Link Road could be delivered to meet the requirements of the Local Development Plan and associated investment in the surrounding area including the University's employment development which includes the relocation of S4C's Headquarters to Carmarthen as part of the Yr Egin scheme.

The Executive Board at its meeting on 19<sup>th</sup> September 2016 approved a recommendation to commence the making, confirmation and implementation of the Carmarthen West Compulsory Purchase Order 2016 (CPO) to acquire land for the construction of the Carmarthen Western Link Road.

The Executive Board Member noted that a letter dated 19<sup>th</sup> December 2017 had been received from the Welsh Government outlining the Welsh Minister's consideration and decision which concluded that the Order could be confirmed and in accordance with relevant legislation the confirmation of the Order could be delegated to the Council. A copy of the letter was appended to the report in Appendix 1.

## **RESOLVED:**

**3.1 To note the letter received from the Welsh Government dated 19<sup>th</sup> December 2017 regarding the “CARMARTHENSHIRE COUNTY COUNCIL (CARMARTHEN WESTERN LINK ROAD) COMPULSORY PURCHASE ORDER 2016” (CPO),**

**3.2 To approve the confirmation of the said Order as delegated to the Council by the Welsh Government to enable acquisition of land for the construction of the Carmarthen Western Link Road.**

## **4. REPORTS NOT FOR PUBLICATION**

**RESOLVED pursuant to the Local Government Act 1972, as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007 that the following items were not for publication as the reports contained exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Act.**

## **5. FORMER TENANT DEBT WRITE-OFF**

**Following the application of the public interest test it was RESOLVED pursuant to the Act referred to in minute no. 5 above not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act).**

**The public interest test in this matter related to the fact that the report included personal data relating to former council tenants, including details of their rent arrears. The publication of individual debts was unwarranted and would prejudice the rights and freedoms of the relevant data subjects. Accordingly, the public interest in disclosure was outweighed by the public interest in maintaining confidentiality.**

The Executive Board Member considered a report prepared in accordance with the Council's Procedure Rules, seeking the write-off of former tenant debts in excess of £1,500. The report provided the current position on former tenant debt who used to occupy a property let through the Councils Social Lettings Agency

The Executive Board Member noted that the cases outlined in the report were long-standing cases and that attempts had been made to trace the former tenant and recover sum outstanding, both of which had been unsuccessful.

Following a request from the Executive Board Member to receive more detailed information in relation to the background of the cases. The Partnership and Engagement Manager suggested to defer case no's 12, 14 and 17 in order to provide the Executive Board Member with more detailed information prior to making a determination.

**RESOLVED that the former tenant debt arrears detailed within the report be written-off as irrecoverable with the exception of case no's 12, 14 and 17, which are to be deferred for further information.**

## **6. COUNCIL TAX - DISCRETIONARY DISCOUNTS**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute no. 3 above not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act).

The public interest test in this matter related to the fact that the report contained information regarding individuals that were liable to pay Council Tax. Although public disclosure of the report would promote accountability for public finances, it would release confidential financial information that was not in the public domain and would not normally be disclosed to third parties. On balance, therefore, the public interest in disclosure at this time was outweighed by the public interest in maintaining confidentiality.

The Executive Board Member considered a report detailing an application which had been received for discretionary reduction of Council Tax.

It was noted that regulations had been introduced with effect from April 2004 giving Local Authorities discretionary powers to grant locally determined Council Tax discounts or reductions, over and above existing statutory reductions.

### **RESOLVED**

- 6.1 that for application reference 60246839 the outstanding charges be waived;**
- 6.2 that application reference 60329459 be refused;**
- 6.3 that for application reference 60322826 a 50% discretionary award be allowed in respect of 2017/18.**

## **7. IRRECOVERABLE ACCOUNTS**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute no. 5 above not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act).

The public interest test in this matter related to the fact that the report contained information about individuals' indebtedness and/or personal information. Although public disclosure of the report would promote accountability for public finances, it would release confidential financial information. On balance, therefore, the public interest in disclosure at this time was outweighed by the public interest in maintaining confidentiality.

The Executive Board Member considered a report detailing those Council Tax Accounts and non-domestic rates accounts which had been identified as being irrecoverable. Recovery procedures, where appropriate, had been exhausted and there was no likelihood of payment being secured.

It was therefore considered appropriate to write off the Council Tax accounts against the bad debt provision the Authority and the Non-domestic Rates which would be offset against the Council's contribution to the Welsh Government non-domestic rating "pool" mechanism.

**RESOLVED** that the accounts detailed within the report be written-off as irrecoverable with the exception of application reference 60185957, which is to be deferred for further information.

## **8. NON-DOMESTIC RATES - HARDSHIP RELIEF**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute no. 3 above not to publicise the content of the report as it contained exempt information relating to the financial or business affairs of any particular person (including the Authority holding that information) (Paragraph 14 of Part 4 of Schedule 12A to the Act).

The public interest test in this matter related to the fact that the report contained information regarding the individual ratepayers' recent financial history and/or personal information. Although public disclosure of the report would promote accountability for public finances, it would release confidential financial information. On balance, therefore, the public interest in disclosure at this time was outweighed by the public interest in maintaining confidentiality.

The Executive Board member considered an application for hardship Relief under the provisions of Section 49 of the Local Government Finance Act 1988 as amended.

**RESOLVED** that for application reference 80022569, hardship relief be refused.

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**EXECUTIVE BOARD MEMBER**

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**DATE**