

# EXECUTIVE BOARD MEMBER DECISIONS MEETING FOR RESOURCES

FRIDAY, 6 September 2019

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

**The following officers were in attendance:**

A Thomas, Benefits and Council Tax Manager

S. Jones, Tenancy Support Lead

E. Bryer, Democratic Services Officer

Democratic Services Committee Room, County Hall, Carmarthen, SA31 1JP - 2.00 - 3.25 pm

## 1. DECLARATIONS OF PERSONAL INTEREST

There were no declarations of personal interest.

## 2. DECISIONS RECORD 11TH JULY, 2019

**RESOLVED** that the decision record for the meeting held on the 11th July 2019 be signed as a correct record.

## 3. REPORTS NOT FOR PUBLICATION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as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007 that the following items were not for publication as the reports contained exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Act.

## 4. 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. 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 public interest in maintaining the exemption referred to above outweighed the public interest test in disclosing the contents of the report as disclosure would result in the unwarranted and disproportionate disclosure of sensitive information about the persons into the public domain.

The Executive Board Member considered a report prepared in accordance with the Council's Procedure Rules, providing the current position on former tenant debt and seeking the write-off of former tenant debts in excess of £1,500.

The Executive Board Member noted that the cases outlined in the report and considered the individual reports for each of the former tenants detailing the reasons why write-off was being sought which included personal circumstances.

**RESOLVED** that the former tenant debt arrears detailed within the report be written-off as irrecoverable.

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

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute 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 and maintaining the exemption under paragraph 14 of Schedule 12A of the 1972 Act outweighed the public interest in disclosing the information contained in this report as disclosure would unjustifiably reveal confidential personal information about other individuals.

The Executive Board Member considered a report detailing applications 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:**

- 5.1 to award a 25% reduction in the arrears balance (full balance stated as £724.63) relating to application 60354709-3**
- 5.2 to award a 10% reduction in the balance for 2019/20 (full balance stated as £898.03 relating to application 60330818.**
- 5.3 that the outstanding balance of £352.19 for the financial year 2015/16 relating to application reference 40057930 be written off.**

## **6. COUNCIL TAX - IRRECOVERABLE ACCOUNTS**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute 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 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 which contained a detailed schedule of Council Tax 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 those accounts.

**RESOLVED** that the Council Tax arrears detailed within the report be written-off as irrecoverable.

## **7. HOUSING BENEFIT OVERPAYMENTS - IRRECOVERABLE ACCOUNTS**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute 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 about individuals' indebtedness and/or personal information and the public interest in maintaining the exemption under paragraph 14 of Schedule 12A of the 1972 Act outweighed the public interest in disclosing the information contained in the report as disclosure would unjustifiably reveal confidential personal information about other individuals.

The Executive Board Member considered a report detailing housing benefit overpayment 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 those accounts.

**RESOLVED** that the accounts detailed within the report be written-off as irrecoverable.

## **8. NON-DOMESTIC RATES - IRRECOVERABLE ACCOUNTS**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute 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 about the individual ratepayer's 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. Accordingly, the public interest in disclosure was outweighed by the public interest in maintaining confidentiality.

The Executive Board Member considered a report which contained a detailed schedule of Non-Domestic Rates 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 those accounts.

**RESOLVED** that the Non-domestic Rates arrear detailed within the report be written-off as irrecoverable.

## **9. SUNDRY DEBT - IRRECOVERABLE ACCOUNTS**

Following the application of the public interest test it was **RESOLVED** pursuant to the Act referred to in minute 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 about the individual ratepayer's 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. Accordingly, the public interest in disclosure was outweighed by the public interest in maintaining confidentiality.

The Executive Board Member considered a report which contained a detailed schedule of Sundry Debtors 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 those accounts.

**RESOLVED** that the irrecoverable arrears detailed within the report be written-off as irrecoverable.

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**EXECUTIVE BOARD MEMBER**

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**DATE**