

**WEDNESDAY, 31 AUGUST 2022**

**TO: THE CABINET MEMBER FOR RESOURCES**

I HEREBY SUMMON YOU TO ATTEND A MEETING OF THE **CABINET MEMBER FOR RESOURCES DECISIONS MEETING** WHICH WILL BE HELD IN THE **CABINET MEMBER OFFICE - COUNTY HALL, CARMARTHEN. SA31 1JP AND REMOTELY.**, AT **10.00 AM, ON TUESDAY, 6TH SEPTEMBER, 2022** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Julie Owens</b>
<b>Telephone (direct line):</b>	<b>01267 224088</b>
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Wendy Walters Prif Weithredwr, *Chief Executive*,  
 Neuadd y Sir, Caerfyrddin. SA31 1JP  
 County Hall, Carmarthen. SA31 1JP

# A G E N D A

1. **DECLARATIONS OF PERSONAL INTEREST**
2. **TO SIGN AS A CORRECT RECORD THE DECISION RECORD OF THE MEETING HELD ON THE 14TH JULY 2022** 3 - 6
3. **REPORTS NOT FOR PUBLICATION**  
FOLLOWING CONSIDERATION OF ALL THE CIRCUMSTANCES OF THE CASE AND FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST THE CABINET MEMBER MAY CONSIDER THAT THE FOLLOWING ITEMS ARE NOT FOR PUBLICATION AS THEY CONTAIN EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 14 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) (WALES) ORDER 2007.
4. **COUNCIL TAX - DISCRETIONARY DISCOUNTS** 7 - 16
5. **FORMER TENANT DEBT WRITE-OFF** 17 - 32
6. **DANYRHEOL FARM, ST. CLEARS, CARMARTHENSHIRE, SA33 4NF** 33 - 40

*Note:- The press and public are not entitled to attend the meeting. The decision record will be published normally within 3 working days.*

THURSDAY, 14 JULY 2022

**PRESENT:**

**Councillors (In Person):**

A. Lenny

**Also Present (In Person):**

A Thomas, Benefits and Council Tax Manager

S. Jones, Tenancy Support Lead

J. Owens, Democratic Services Officer

**Cabinet Member Office - County Hall, Carmarthen. SA31 1JP. - 10.00 - 10.30 am**

**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 THE 15th MARCH 2022**

**RESOLVED** that the decision record for the meeting held on the 15<sup>th</sup> March 2022 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 REPORTS NOT FOR PUBLICATION**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as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007 that the following items were not for publication as the reports contained exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Act.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. 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 the report as disclosure would have the potential to have a disproportionate effect upon the individuals concerned and was not necessary for any of the purposes specified in Schedule 2 of the Data Protection Act 2018.

The Cabinet 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:**

- 4.1 That outstanding Council Tax to the sum of £5,527.08 to be written off in respect of application reference 60120372-X.
- 4.2 That outstanding Council Tax to the sum of £543.14 be written off in respect of application reference 60384689-7.

**5. IRRECOVERABLE ACCOUNTS - HOUSING BENEFIT OVERPAYMENTS**

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 in maintaining the exemption referred to above outweighs the public interest in disclosing the contents of this report as disclosure would result in the unwarranted and disproportionate disclosure of sensitive information about the persons concerned into the public domain.

The Cabinet Member considered a report which contained a schedule of housing benefit over-payment 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 against the Authority's prudent bad debt provision for Housing Benefit overpayments.

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

**6. NON-DOMESTIC RATES - HARDSHIP RELIEF**

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 the report contained information about the individual ratepayer's recent financial

history and/or personal information 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 information about the businesses in question putting them at a competitive disadvantage.

The Cabinet Member considered applications for Hardship Relief under the provisions of Section 49 of the Local Government Finance Act 1988 as amended.

**RESOLVED**

**5.1 That the application reference 80024124 be refused.**

**5.2 That the application reference 80026531 be granted.**

**7. FORMER TENANT DEBT WRITE-OFF**

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 rents is unwarranted and would prejudice the rights and freedoms of the relevant data subjects. Accordingly, the public interest test in disclosure is outweighed by the public interest in maintaining confidentiality.

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

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

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

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**CHAIR**

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**DATE**

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# Agenda Item 4

By virtue of paragraph(s) 14 of Part 4 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

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# Agenda Item 5

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# Agenda Item 6

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