

**FRIDAY, 2 DECEMBER 2022**

**TO: THE CABINET MEMBER FOR RESOURCES**

I HEREBY SUMMON YOU TO ATTEND A **VIRTUAL** MEETING OF THE **CABINET MEMBER FOR RESOURCES** WHICH WILL BE HELD IN AT **10.00 AM, ON FRIDAY, 9TH DECEMBER, 2022** FOR THE TRANSACTION OF THE BUSINESS OUTLINED ON THE ATTACHED AGENDA.

*Wendy Walters*

**CHIEF EXECUTIVE**

<b>Democratic Officer:</b>	<b>Gaynor Morgan</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 17TH NOVEMBER 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 **REPORTS NOT FOR PUBLICATION**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AND FOLLOWING THE APPLICATION OF THE PUBLIC INTEREST TEST THE CABINET MEMBER MAY CONSIDER THAT THE FOLLOWING ITEM IS NOT FOR PUBLICATION AS IT CONTAINS EXEMPT INFORMATION AS DEFINED IN PARAGRAPH 14 OF PART 4 OF SCHEDULE 12A TO THE LOCAL GOVERNMENT ACT, 1972 AS AMENDED BY THE LOCAL GOVERNMENT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. **NURTURE MAGU CIC, NURTURE CENTRE, CARMARTHEN** 7 - 14

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

**THURSDAY**, 17 November 2022

**PRESENT: Councillor:** A. Lenny (Cabinet Member).

**The following officers were in attendance:**

S. Jones, Tenancy Support Lead;  
A. Thomas, Revenue Services Manager;  
M.S. Davies, Democratic Services Officer.

**Virtual Meeting: 10.00 am - 10.20 am**

- 1. DECLARATIONS OF PERSONAL INTEREST**  
There were no declarations of personal interest.
- 2. DECISION RECORD - 6TH SEPTEMBER 2022**

**RESOLVED** that the decision record for the meeting held on the 6<sup>th</sup> September, 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 REPORTS NOT FOR PUBLICATION**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as amended by the Local Government (Access to Information)(Variation)(Wales) Order 2007 that the following items were not for publication as the reports contained exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A to the Act.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 in regard to application reference 60414199-2 to write off the sum of £535.18 in respect of Council tax for the period 1.4.22 – 24.8.22;**
- 4.2 in regard to application reference 60401076-7 that the outstanding balance of £469.43 be written off;**
- 4.3 in regard to application reference 60394806-X to write off the arrears of £29.06 for 2020/21 and to award a 50% reduction on the arrears of £525.41 for 2021/22;**
- 4.4 in regard to application reference 60394102-5 to write off the sum of £1767.91;**
- 4.5 in regard to application reference 98957 to make an award equal to the amount of Council Tax Reduction originally awarded of £2,668.94 for the period 19th August 2016 to 6th August 2019;**
- 4.6 in regard to application reference 40022424 to approve a discretionary award of £1412.47 and that officers be authorised to approve a reduction, removal or increase of the award if there is a future change in circumstances.**

## **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. 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 contains exempt information relating to the financial or business affairs of an individual (Paragraph 12 of Part 4 of Schedule 12A to the Act). Although the public interest would normally favour transparency and openness, this is outweighed by the public interest in maintaining exemption because disclosure would result in unwarranted and excessive intrusions into the private and family life of the individual concerned.

The Cabinet Member considered a report which contained details of an account 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 that account.

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

## **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 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 12 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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**CABINET MEMBER**

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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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