

# **CABINET MEMBER DECISIONS MEETING FOR RESOURCES**

**18 NOVEMBER 2021**

**PRESENT: Councillor:** D.M. Jenkins (Cabinet Member).

**The following officers were in attendance:**

A Thomas, Benefits and Council Tax Manager;

S. Jones, Tenancy Support Lead;

J. Owen, Democratic Services Officer.

**Virtual Meeting: 10:00am - 11:00am**

## **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 22<sup>ND</sup> OCTOBER 2021**

**RESOLVED** that the decision record for the meeting held on the 22<sup>nd</sup> October 2021 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 REPORTS NOT FOR PUBLICATION**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as amended by the Local Government (Access to Information) (Variation)(Wales) Order 2007 that the following items were not for publication as the reports contained exempt information as defined in Paragraph 12 of Part 4 of Schedule 12A to the Act.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 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 Tenancy Support Lead highlighted to the Cabinet Member that the cases detailed within the report were **current** tenants and not former tenants as referred to in the title of the report.

The Cabinet 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 Cabinet Member noted 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.

In response to the Cabinet Member's query regarding the trend of tenant debts within the Council Housing stock, the Tenancy Support Lead explained whilst it was difficult to predict future scenarios, there had been a noticeable increase in tenant debts over the last year and it was predicted that there may be an increasing trend in the number of tenant debts in excess of £1,500 in the near future. The Benefits and Council Tax Manager further explained that there were Government schemes available for tenants who find themselves in debt difficulties and that the team were working closely with Citizens Advice Bureau and Shelter.

**RESOLVED that the current 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 result in unwarranted and excessive intrusions into the private and family life of the individual concerned.**

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:**

- 5.1 to award a discretionary discount to the council tax outstanding to application reference 60357742-4 in respect of 2018/19, 2019/20, 2020/21 and 2021/22. In the case of the accounts being reduced by any further statutory awards of discounts or exemptions then the discretionary award should be subsequently reduced.**
- 5.2 to award application reference 110339 with a discretionary award of Council Tax charged equivalent to the amount of discount originally awarded for the periods 1/7/2019 to 31/3/2020 and 1/4/2020 to 30/3/2021.**

## **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. 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 detailing 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.

## **8. 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 Cabinet 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.

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**CABINET MEMBER**

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**DATE**