

30 June 2015

Policy, Finance & Resources Committee

Write Offs

Report of: *Rick Steels (Revenues & Benefits Manager)*

Wards Affected: *N/A*

This report is: *Public*

1. Executive Summary

1.1 As outlined within the Council's constitution, all outstanding debts over £5,000 cannot be written off without Member approval.

1.2 This report requests the authorisation of the Committee to write off the Housing Benefit overpayment and Sundry debt listed within Appendices A and B to this report.

2. Recommendation(s)

2.1 To approve the write off of all debts listed within Appendices A and B (both exempt) to this report.

3. Introduction and Background

3.1 Housing Benefit Overpayments

3.2 An overpayment of Housing Benefit can occur when too much benefit has been awarded, following a change in a claimant's circumstances which were not immediately notified to the Council. In these instances, the resulting overpayment may be recovered from the claimant, provided the claimant could reasonably have known they were being overpaid.

3.3 The Council receives a subsidy payment equal to 40% of the overpayment value from the Department for Work & Pensions (DWP) for each overpayment identified. If the Council decides to pursue recovery of an overpayment, any monies recovered are also retained by the Council.

3.4 In accordance with the Council's Housing Benefit Overpayment Policy, where there is no on-going benefit to recover from, an invoice for the overpayment value is issued and the debt is pursued through the normal debt recovery procedures.

3.5 Unfortunately during the recovery process, the debtor (Appendix A) passed away with no funds within his estate.

3.6 Unpaid Sundry Debts

3.7 Invoices are raised for a number of Council services and if the fee remains unpaid it is passed to the Corporate Debt team and payment of the debt is pursued through the normal debt recovery procedures.

3.8 This resident was provided with a replacement staircase but unfortunately during the recovery process the debtor was established as being severely mentally impaired and therefore the debt (Appendix B) can no longer be pursued.

4. Issue, Options and Analysis of Options

4.1 Before requesting a write off, officers must satisfy themselves that all reasonable steps have been taken to collect the monies outstanding and that no further recovery action is practicable.

5. Reasons for Recommendation

5.1 Not applicable

6. Consultation

6.1 None

7. References to Corporate Plan

7.1 None

8. Implications

Financial Implications

Name & Title: Chris Leslie, Finance Director

Tel & Email: 01277 312 542 christopher.leslie@brentwood.gov.uk

8.1 Debts are fully pursued in accordance with the Council's policies. A provision is maintained to fund the write off.

Legal Implications

Name & Title: Chris Potter, Monitoring Officer

Tel & Email: 01277 312 860 christopher.potter@brentwood.gov.uk

8.2 None

9.0 Background Papers (include their location and identify whether any are exempt or protected by copyright)

9.1 Background papers are held by the Revenues & Benefits service.

Appendices

Appendix A – exempt

Appendix B - exempt

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