



To: Executive Councillor for Customer Services and Resources: Councillor Neil McGovern
Report by: John Frost, Head of Revenue & Benefit Services
Relevant scrutiny committee: Strategy & Resources Scrutiny Committee 19/03/2012
Wards affected: All Wards

BENEFIT IRRECOVERABLE DEBTS TO BE WRITTEN OFF Not a Key Decision

NOT FOR PUBLICATION: Appendix A relates to an item during which the public is likely to be excluded from the meeting by virtue of paragraphs 1, 2 and 3 of Part 1 of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) Order 2006.

1. Executive Summary

The purpose of this report is to inform the Executive Councillor and Members of the Scrutiny Committee of the accounts [listed below] where it is deemed that the amount of outstanding debt in relation to **Benefits** and is irrecoverable and to be written-off.

- **Benefits** - Refers to either Housing or Council Tax Benefit. There are occasions when the Authority has to write-off debts that relate to either Housing Benefit or Council Tax Benefit. These are debts where the likelihood of successful collection or enforcement action is deemed to be remote or non-existent.

A Local Authority may recover any Housing Benefit overpayment where Regulations allow (Social Security Act 1992, Section 75). Under the Housing Benefit Regulations 2006, Regulation 100(2) overpayments of Housing Benefit caused solely by an official error are not lawfully recoverable. Accordingly, given the circumstances of the cases shown, the Council cannot recover the overpaid Housing Benefit from the claimant or any other party.

- **DWP** - The Department for Work and Pensions is responsible for welfare and pension policy, as well as administering a range of welfare benefits. The Authority administers Housing and Council Tax Benefits on behalf of the DWP.

2. Recommendations

The Executive Councillor is recommended to agree the debt write off deemed irrecoverable as shown in the exempt Appendix 'A' to this report.

3. Background

All debt listed has been subject to normal recovery proceedings, including Court proceedings, Liability Orders, bailiff action and arrangements to pay.

4. Implications

(a) **Financial Implications**

As shown within exempt Appendix A.

(b) **Staffing Implications** (if not covered in Consultations Section)

N/A

(c) **Equal Opportunities Implications**

N/A

(d) **Environmental Implications**

N/A

(e) **Consultation**

N/A

(f) **Community Safety**

N/A

5. Background Papers

None that are to be made publicly available.

6. Appendices

Exempt Appendix 'A' - Write off listing for Benefits

7. Inspection of Papers

If you have a query on the report please contact:

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