

Decision by Portfolio Holder



Report reference: FIN-005-2017/18

Date of report: 20-March-2018

**Epping Forest
District Council**

Portfolio: Finance

Author: Janet Twinn (Ext 4215) **Democratic Services:** J Leither

Subject: Write Off of Housing Benefit overpayments

Decision: That Housing Benefit overpayments of £38,368.69 be written off as irrecoverable

ADVISORY NOTICE: <i>A Portfolio Holder may not take a decision on a matter on which he/she has declared a Pecuniary interest. A Portfolio Holder with a non-pecuniary interest must declare that interest when exercising delegated powers.</i>	
I have read and approve/ do not approve (delete as appropriate) the above decision:	
Comments/further action required:	
Signed: Cllr G Mohindra	Date: 20 th March 2018
<i>Non-pecuniary interest declared by Portfolio Holder/ conflict of non-pecuniary interest declared by any other consulted Cabinet Member:</i> None	<i>Dispensation granted by Standards Committee:</i> Yes/No or n/a N/A
Office use only: Call-in period begins: 21 st March 2018	Expiry of Call-in period: 27 th March 2018

***After completion, one copy of this pro forma should be returned to
Democratic Services IMMEDIATELY***

Reason for decision:

Full recovery procedures have been applied and the debts have proved irrecoverable.

Options considered and rejected:

Debts can remain as outstanding although in these particular circumstances they are extremely unlikely to be recovered.

Background Report:

- 1 This item is presented to seek authority to write off Housing Benefit overpayments for various periods. A schedule setting out the details of the debts and reasons for write off

**Initialed as original copy by
Portfolio Holder:**

has been placed in the Members Room should Members wish to review the details of any individual debts.

- 2 The recovery of Housing Benefit overpayments is generally successful but some Housing Benefit overpayments have proved impossible to collect in full. Of the debtors concerned, one has died and there is no money in the estate, three have Debt Relief Orders and therefore we cannot legally continue with recovery action and one is now in a care home with no income or capital to repay the debt. If any Member wishes to raise queries on the write off with reference to any particular debt, then they should address any query directly to the Chief Finance Officer.
- 3 All recommendations for write off have been agreed by the Chief Finance Officer and it is recommended in this report that debtors in excess of £2,500, amounting to £38,368.69 be written off as irrecoverable. The Portfolio Holder should note that the Chief Finance Officer has also written off £21,835.47 within delegated authority under Financial Regulations.

Resource Implications:

The Council has a bad debt provision to provide for the potential write off of these debts. There is therefore no additional budgeting requirement as a result of these write offs.

Legal and Governance Implications:

Once Debt Relief Orders/Bankruptcy Orders have been granted, outstanding debts cannot be recovered

Safer, Cleaner and Greener Implications:

None appropriate

Consultation Undertaken:

None appropriate

Background Papers:

Schedule placed in Members Room

Impact Assessments:

None appropriate

Risk Management:

None appropriate

Equality Analysis:

The Equality Act 2010 requires that the Public Sector Equality Duty is actively applied in decision-making. This means that the equality information provided to accompany this report is essential reading for all members involved in the consideration of this report. The equality information is provided at Appendix A to the report.

Key Decision Reference (Y/N): N