

# Public Document Pack

## Officer Decisions

Friday, 1st November, 2024  
10.00 am

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### AGENDA

1. **Food Waste Collection Vehicles Purchase**  
**Food Waste Collection Vehicles Purchase** 2 - 11  
**Appendix 1 for Food Waste Collection Vehicles Purchase**
  
2. **Write Off of Irrecoverable Debts Under £50,000**  
**Write Off of Irrecoverable Debts Under £50,000** 12 - 17  
**Appendix 1 for Write Off of Irrecoverable Debts Under £50,000**

Date Published: 1<sup>st</sup> November 2024  
Denise Park, Chief Executive

Agenda Item 1

**RECORD OF DECISION TAKEN UNDER  
DELEGATED AUTHORITY FROM  
EXECUTIVE/COUNCIL/COMMITTEE   
DELEGATED POWERS OUTLINED IN  
THE CONSTITUTION**



<b>DELEGATED OFFICER DECISION TAKEN BY:</b>	Strategic Director of Environment & Communities
<b>DELEGATED BY:</b>	Choose an item. Executive (11 July 2024)
<b>IN CONSULTATION WITH:</b>	Executive Member
<b>PORTFOLIO AREA:</b>	Environment

**SUBJECT: Food Waste Collection Vehicles Purchase**

**1. DECISION**

Approve the purchase of 8 x Food Waste Collection Vehicles via Direct Award to Terberg Matec UK through the TPPL HGV & Specialist Vehicles Framework.

**2. REASON FOR DECISION**

The Council require 8 x food waste collection vehicles to be added to their fleet in order to comply with the Environment Act 2021, which has mandated that Councils in England commence weekly food waste collections from April 2026.

A direct award was chosen as the most appropriate route to market due to the short timescales the Council is working towards to ensure a pilot food waste collection service is operational by April 2025. A direct award was also favoured due to the unique nature of the Council's requirement which restricted the market to just two capable suppliers. After conducting market research, it was discovered that the second capable supplier was significantly more expensive than Terberg Matec UK which made a direct award the most sensible option.

TPPL operate a supplier ranking system for direct awards on their HGV & Specialist Vehicle Framework, meaning customers can only direct award to the highest ranked supplier for their requirement. Terberg Matec UK were the highest ranked supplier on the Framework for our requirement.

Each 5.5 tonne food waste collection vehicle will cost £120,355.00 and each 7.5 tonne food waste vehicle will cost £123,325.00 bringing the total for 8 vehicles to £980,660.00.

### **3. BACKGROUND**

At the Executive Board meeting on Thursday, 11<sup>th</sup> July 2024, members delegated authority to the Strategic Director of Environment and Communities in consultation with the Executive Member for Environment and Operations, to procure the necessary equipment, items and vehicles to carry out a weekly food waste collection service.

The procurement of food waste collection vehicles is a completely new requirement to the Council due to the introduction of the Environment Act 2021, which has mandated that Councils in England commence weekly food waste collections from April 2026.

The Council decided to go out to procurement well in advance of April 2026 to ensure two of the vehicles could be delivered in time to conduct a pilot food waste collection service in April 2025.

The 8 food waste collection vehicles are broken down into 2 x 5.5 tonne vehicles and 6 x 7.5 tonne vehicles. Only 1 x 5.5 tonne and 1 x 7.5 tonne are required for the pilot scheme in April 2025. The other 6 vehicles will be delivered before April 2026 for the start of the full food waste collection service.

Terberg Matec UK have also confirmed that if required, the vehicles can be manufactured and held in storage until called off by the Council at no additional charge.

### **4. KEY ISSUES AND RISKS**

Direct Award - Using a direct award to purchase the vehicles means no competitive tender exercise has been conducted. However, due to the Council's specific requirements and the short timescales the Council is working towards, this particular route to market is deemed the most cost and time effective.

Lead-time - Terberg Matec UK have stated that the current lead-time for new vehicles is currently 24 weeks from receipt of order. In order for the vehicles to be delivered for the start of April 2025, an order must be placed in early November 2024.

### **5. FINANCIAL IMPLICATIONS**

No major financial implications - The cost of the vehicles will be met from Government capital New Burdens funding and approved capital budget. However, the cost of procuring the vehicles along with the cost of procuring the bins and caddies may exceed the amount provided in the capital funding received by the Council earlier this year.

The July Executive Board report stated there is a high risk that the New Burdens funding provided would not cover all of the revenue or capital costs associated with the service, and this may exceed the £3m included in the Council's Medium Term Financial Analysis from 2025/26.

Equally, this report does not consider the revenue implications arising from acquisition and use of these vehicles. This will be the subject of further reports to the Executive Board once there is a clearer understanding of the cost and funding associated with the scheme.

### **6. LEGAL IMPLICATIONS**

No legal implications, the procurement process has been carried out in accordance with the Council's Contract and Procurement Procedure rules and the Public Procurement Regulations.

**7. RESOURCE IMPLICATIONS**

No major resource implications.

**8. OPTIONS CONSIDERED AND REJECTED**

Further competition through the TPPL HGV & Specialist Vehicles Framework - This was rejected due to the extra time it would have taken to conduct a further competition and evaluate the responses. This extra time would increase the risk that the food waste collection vehicles are not delivered before April 2025 for the start of the pilot scheme.

**9. CONSULTATIONS**

Following evaluation of the bids, the outcome has been discussed with the Executive Member Environment, the Strategic Director Environment and Communities and the Head of Environment. The Executive Member Environment is in agreement with the procurement of the vehicles as detailed within this report.

**10. DECLARATION OF INTEREST**

All Declarations of Interest of the officer with delegation and any Member who has been consulted, and note of any dispensation granted should be recorded below:

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	<b>James Gunning</b>
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<b>DATE:</b>	01/10/2024
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<b>BACKGROUND DOCUMENTS:</b>	Executive Board report: Food Waste Collection Service and Executive Board Decision dated 11 July 2024
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# EXECUTIVE BOARD DECISION

<b>REPORT OF:</b>	Executive Member for Environment & Communities
<b>LEAD OFFICERS:</b>	Strategic Director of Environment & Operations
<b>DATE:</b>	11 April 2024

<b>PORTFOLIO/S AFFECTED:</b>	Environment & Operations
<b>WARD/S AFFECTED:</b>	(All Wards);
<b>KEY DECISION:</b>	Y

**SUBJECT: Food Waste**

## 1. EXECUTIVE SUMMARY

The Government, via the Environment Act 2021, has mandated that Councils in England commence weekly food waste collections in 2026.

Under the new legislation, Waste Collection Authorities (WDAs) in England must arrange a weekly collection of food waste for recycling or composting from households. All non-household municipal premises in England must arrange for the separate collection of food waste and to present their waste in accordance with these arrangements, but they are not required to have weekly collections.

Government's preference is for food waste to be collected for treatment by anaerobic digestion (AD), which presents the best environmental outcome for the treatment of unavoidable food waste, due to the generation of biofuel and digestate. This digestate can be spread to land, ensuring nutrients are recycled, creating a more circular economy.

## 2. RECOMMENDATIONS

It is recommended that the Executive Board: -

1. Notes the requirements to introduce food waste collection from 2026.
2. Delegate the Executive Member for Environment and Operations, together with the Strategic Director of Environment and Operations to procure the necessary items, vehicles and processing of food waste necessary to facilitate the introduction for June 2026

## 3. BACKGROUND

The duty of local authorities to collect and dispose of household waste is set out in Section 45 of the Environmental Protection Act 1990.

The Environment Act was enacted into UK Law in November 2021. This made a number of changes to the Environmental Protection Act 1990 and mandates that all local authorities in England provide a separate, weekly food waste recycling service to all households.

The scope of the food waste to be collected under the Environment Act 2021 includes 'all household food material that has become a waste, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be consumed by humans and including any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment. This includes food scraps, tea bags, and coffee grounds.'

The date by which local authorities must comply with the regulations and implement a separate, weekly food waste recycling service has been confirmed by Government as 31st March 2026, however, Blackburn with Darwen BC has an approved delay to see the weekly food waste collection service introduced for June 2026, to coincide with the cessation of the existing residual waste disposal contract.

Currently, all households in Blackburn with Darwen are provided with separate bin collections for non-recyclable waste (burgundy bin), and for the recycling of paper and card (blue bin) and glass, cans and plastic bottles (grey bin). Households can choose to recycle garden waste using the chargeable green bin service (brown bin).

The introduction of a food waste collection service would mean households receive an additional outside bin for the separation of food waste.

As a new statutory service, New Burdens Funding will be made available by Government to local authorities to contribute to the implementation and running costs of the service. However, New Burdens Funding will not be provided for any costs incurred due to the impact the introduction of separate food waste collections has on existing residual energy from waste collection contracts, which is why Blackburn with Darwen BC has an approved ministerial delay for implementation, which is termed a Transitional Arrangement.

The specific Transitional Arrangement for a particular authority will be stipulated in the commencement regulations and the date, being the end of this Transitional Arrangement will be the date by which separate, weekly food waste collections need to be in place. However, as the Government position is that collecting food waste for treatment by anaerobic digestion (AD) remains the preferred outcome, Government will contact local authorities with a Transitional Arrangement on an annual basis to discuss whether food waste collections can be introduced sooner than contract expiry dates.

Blackburn with Darwen residents create over 14,000 tonnes of food waste each year. Food waste amounts to over 40% of the contents of the burgundy bin (most other councils are around 25%), with half of that food waste still either in date and also edible. This information is from the 2 yearly waste analyses the Council has undertaken for the past 6 years, with the food waste percentage remaining constant, despite communications campaigns around food waste by the council. However, evidence from councils that have introduced food waste collection services across their borough already, show that the capture rate of the total food waste generated by households in their boroughs is around 33%, so we are expecting an annual food tonnage of approximately 4,600 tonnes.

Globally, food production is responsible for 30% of total greenhouse gas (GHG) emissions, half of this coming from land conversion to agriculture and the rest from production itself. Though there is uncertainty about the precise figures, around one third of all food is wasted. The UN Food and Agriculture Organization<sup>4</sup> reports that if global food waste was a country, it would be the third largest GHG emitting country in the world.

According to WRAP, the UK's avoidable food waste in 2011 gave rise to at least 20 million tonnes of carbon dioxide equivalents per year (an amount of GHGs with a similar warming potential to carbon dioxide, commonly written as CO<sub>2</sub>e)<sup>5</sup>, out of a UK total of around 500 million tonnes. Approximately three quarters of these emissions arise in the UK and the remainder from overseas. Unavoidable

food waste is responsible for at least a further 0.25 million tonnes of CO<sub>2</sub>e. These figures do not take into account the food that is wasted on the farm where we do not currently have reliable data.

To highlight the impact on the environment, by taking food waste to an AD plant rather than to landfill, there's a huge carbon saving to be made. For every tonne of food waste that is sent to an AD plant, we are creating less than ten kilogrammes of CO<sub>2</sub> equivalent. With that tonne of food waste, if it sent to landfill, it creates 650 kilos of CO<sub>2</sub>. That means it's 65 times worse to take food waste to landfill.

For every tonne of waste sent to energy from waste, each tonne of municipal solid waste incinerated typically releases between 0.7 and 1.7 tonnes of CO<sub>2</sub>. This includes emissions of both fossil CO<sub>2</sub> (e.g. from burning plastics) and biogenic CO<sub>2</sub> (e.g. from burning wood, paper and food), as the waste sent to energy from waste facilities is invariably pre-mixed prior to incineration.

Simply put, food waste recycling will help the council towards its net zero strategy.

#### **4. KEY ISSUES & RISKS**

The introduction of a new separate food waste collection service would require new diesel or electric refuse collection vehicles, additional staffing, infrastructure development and the need to secure sufficient food waste treatment capacity.

Households would receive a small kitchen caddy and an outside food waste bin. As a new statutory service, New Burdens Funding would be made available by Government to contribute to the implementation and running costs of the service.

DEFRA have stated that subject to Ministerial and Cabinet Collective Agreement, local authorities will receive New Burdens Funding to cover: -

- Capital costs for the procurement of new vehicles and containers.
- Ongoing funding to cover the ongoing costs incurred by local authorities to run services, subject to future spending reviews.

DEFRA have confirmed that £295m has been allocated across all local authorities to cover one-off capital funding for vehicles and containers, to be distributed via a funding formula, with payments confirmed to Councils in January 2024.

This funding is provided through Section 31 grants. Letters have been sent to local authorities in January 2024 to confirm their allocated funding on a non-ring-fenced basis. The funding has been calculated in collaboration with the Waste Resources Action Programme (WRAP). It has been modelled using a bottom-up modelling approach that has involved creating modules for common service areas, typically operated within each council area. The key modules are kerbside, flatted/communal and remote rural properties. The modules each contain standard groupings to account for contextual and service variation within each council area to reflect the different cost profiles for each housing stock type.

The cost values are scaled by the numbers of properties reported in each council area to provide a unique cost allocation for each council. The model accounts for a number of variables including rurality, levels of deprivation, number of kerbside and flatted properties, configuration of flatted properties, food waste yields, vehicle and container unit costs, and average collection round sizes. Blackburn with Darwen has been allocated capital funding of £1,157,421, which covers and is comprised of the following breakdown: -

£132,930 for Kitchen caddies (5 or 7 litre small bins to be kept in the kitchen)

£293,181 for Food waste bins (generally 25 litre bins – the standard burgundy bin is a 140-litre bin)

£15,210 for large communal containers for blocks of flats

£716,100 for food waste collection vehicles.

Some practical consideration is also required on how a separate food waste collection service could be implemented. In an attempt to reduce capital costs (as well as carbon footprint), discussion has commenced with the 12 district councils in Lancashire and Blackpool BC, as part of the Lancashire Wastes Partnership, to consider a joint procurement exercise to enable economies of scale to be an opportunity for financial savings. Work on this is ongoing for summer 2024.

Transitional revenue funding will be provided from the 2024/25 financial year also, with the amount expected to be confirmed late 2024. This money will be provided to waste collection authorities that either need to implement a weekly food waste collection service partially or fully. Additionally, it has been stated by Government that ongoing resource/revenue costs will be provided from 1 April 2026 and will be provided to all waste collection authorities, including those that have already fully implemented a food waste collection service.

The Council would benefit from all available Government New Burdens funding to assist in the implementation and ongoing costs associated with providing the service.

The introduction of separate, weekly food waste collections would provide Blackburn with Darwen residents with additional recycling opportunities. Residents would be able to recycle food waste from their home, in addition to the services already provided for paper, card, glass, cans, plastic bottles and garden waste.

Modelling was carried out using the Waste and Resources Assessment Tool for the Environment (WRATE) and demonstrated that separate food waste collections should increase Blackburn with Darwen's annual recycling performance by 6%.

As part of the Lancashire Waste Partnership, a letter, jointly signed by the Council leaders of the district and unitary councils in Lancashire, has been sent to Defra to advise that capital funding provided does not meet the costs to the councils for the procurement of the capital funded items needed to introduce a weekly food waste collection service. A response has not yet been provided by Defra.

The operation of the service from the perspective of the majority of residents within the borough, will see them have the small kitchen caddy in their kitchen ideally, with an empty plastic bag liner provided on a roll that is replaced when the resident places a bag round the handle of their food waste bin. The kitchen caddy bags would be tied by the resident and placed in the larger food waste bin by the residents. The food waste bin would likely be stored outside the property by the residents. The food waste bin has a self-locking lid, to stop ingress from animals and would be placed at the front of the property on collection day by the residents. The in-house collection teams will take the food waste bin to the collection vehicle and the contents of the food waste bin tipped into the vehicle, with the bin then returned to where it was collected from.

Currently, an assisted collection service is available to anyone who needs additional help with their collections, either on a temporary or permanent basis. When implemented, waste food collections will be added to this existing service if required, although food waste collections are expected to take place from the front of properties, with the food waste bins only 25 litres in size.

The collection vehicle when full, would transfer the food waste load to a suitable site for either transfer onward or processing. This will need to be tendered.

A full communications plan will be needed for the introduction of the food waste collection service, with funding from the Transitional revenue funding from Government expected to cover this. Liaison with the Councils' PR and Communications team will be undertaken to identify the best available strategy for the implementation of the scheme, based on the funding available.



The risks of the introduction of food waste collections can be summarised from the following: -

- Recruitment delays as 24 staff would be needed at the same time for the boroughwide commencement of the service.
- Delays from producers in providing kitchen caddies, food waste bins, delivery of these items and collection vehicles, as all councils in England will require the same or similar items at the same time, thus seeing long lead times for delivery to the Council, as well as potentially inflated costs – a sellers' market. Procurement of these items will be necessary.
- The lack of suitable AD plants locally available. Suez has Planning permission for an AD plant at their Goosehouse Lane site, but it is unlikely to be operational for 2026. A tendering exercise will be needed for a suitable service supplier to be available from June 2026.
- The capital funding made available by Defra is not sufficient for the costs of the service, with the kitchen caddies, kitchen bins and vehicles likely to cost some 25% higher than the available funding received by the Council. This figure may change as and when all English councils require the items of equipment and vehicles.
- We do not yet know what level of Transitional revenue funding will be made available to the council for the delivery of the service.

## **5. POLICY IMPLICATIONS**

Food waste collections will augment the existing recycling of household waste. It will allow households to reduce their food waste ideally, by showing explicitly how much food waste households are generating, thereby contributing towards the Councils Climate Emergency action plan, as well as hopefully enabling residents to consider the impact of the average household throwing over £70 per month of food waste in their bin. It is noted by WRAP that separate food waste collection schemes are significantly associated with lower total food waste arisings amongst householders.

It supports the strategic priorities of the corporate strategy: -

- Supporting a strong, resilient local economy by ensuring the environment of the Borough is supported, improved, and protected.
- Acting on the Climate Emergency and protecting the environment.
- Improving the health and wellbeing of our residents and communities.

## **6. FINANCIAL IMPLICATIONS**

The introduction of food waste collections will require significant resources to ensure food waste collections are integrated with an efficient and effective, harmonised waste and recycling service.

The lack of clarity from Government as to the amount of New Burdens funding to be made available is a concern, particularly as the Government has not fully funded the capital allocation needed for the procurement of the equipment and vehicles needed to introduce a weekly food waste collection service, currently estimated at 25% short of the required amount, estimated at a £290,000 shortfall that the Council will need to provide.

There is a high risk that the New Burdens funding provided would not cover all of the revenue or capital costs associated with the service, and this may exceed the £3m included in the Council's Medium Term Financial Analysis from 2025/26.

## 7. LEGAL IMPLICATIONS

Blackburn with Darwen BC as a Unitary Authority has a duty under the Environmental Protection Act 1990 to arrange for both the collection and disposal of household waste, as it is both a Waste Collection Authorities (WCA), and also a Waste Disposal Authority (WDA).

The Environment Act was enacted into UK law in 2021, and amends section 45A of the Environmental Protection Act 1990 to include the separate collection of food waste for recycling, at least once a week. With section 45A of the Environmental Act 1990 in force, the Council has a duty to collect food waste for recycling at least once a week.

The council will be required to find an outlet for the food waste collected, as part of its obligations as Waste Disposal Authority.

## 8. RESOURCE IMPLICATIONS

Additional resources have been made available for the procurement of the equipment and vehicles, although as stated above, this is likely to be insufficient. The procurement of the items would be managed within existing resources.

The resources needed for the revenue support for the delivery of the service are not yet known, with more detail expected from Government later in 2024, however, there is a need for additional staff to be recruited to operate and supervise the service.

## 9. EQUALITY AND HEALTH IMPLICATIONS

**Please select one of the options below. Where appropriate please include the hyperlink to the EIA.**

Option 1  Equality Impact Assessment (EIA) not required – the EIA checklist has been completed.

Option 2  In determining this matter the Executive Member needs to consider the EIA associated with this item in advance of making the decision. (*insert EIA link here*)

Option 3  In determining this matter the Executive Board Members need to consider the EIA associated with this item in advance of making the decision. (*insert EIA attachment*)

## 10. CONSULTATIONS

Government has consulted a number of times on the environment Act and has determined that there be a mandatory food waste collection service operated by councils across England from 2026, unless Ministerial approval is given to delay the commencement, which can only be based on contractual implications for existing waste disposal contracts.

## 11. STATEMENT OF COMPLIANCE

The recommendations are made further to advice from the Monitoring Officer and the Section 151 Officer has confirmed that they do not incur unlawful expenditure. They are also compliant with equality legislation and an equality analysis and impact assessment has been considered. The recommendations reflect the core principles of good governance set out in the Council's Code of Corporate Governance.

**12. DECLARATION OF INTEREST**

All Declarations of Interest of any Executive Member consulted and note of any dispensation granted by the Chief Executive will be recorded in the Summary of Decisions published on the day following the meeting.

<b>VERSION:</b>	<b>2</b>
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<b>CONTACT OFFICER:</b>	<b>Joanne Byrne</b>
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<b>DATE:</b>	05-04-24
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<b>BACKGROUND PAPER:</b>	
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Agenda Item 2

**RECORD OF DECISION TAKEN UNDER  
DELEGATED AUTHORITY FROM  
EXECUTIVE/COUNCIL/COMMITTEE ☒  
DELEGATED POWERS OUTLINED IN  
THE CONSTITUTION ☒**



<b>DELEGATED OFFICER DECISION TAKEN BY:</b>	Strategic Director of Finance and Resources
<b>DELEGATED BY:</b>	Council (July 2024)
<b>IN CONSULTATION WITH:</b>	Executive Member
<b>PORTFOLIO AREA:</b>	Finance and Governance

**SUBJECT: Write Off of Irrecoverable Debts Under £50,000**

**1. DECISION**

That the debts are authorised for write off under delegated powers.

**2. REASON FOR DECISION**

This report details the debts that have been deemed irrecoverable. In accordance with the Financial Procedures Rules they are presented to the Strategic Director Finance and Resources for consideration for write off under delegated powers.

**3. BACKGROUND**

The Council is responsible for collecting income from a range of sources.

These include Council Tax, Business Rates, Housing Benefit Overpayments and Sundry Debtors which, taken together, forms around £145m of income to the Council annually. Taking Council Tax as an example, which was introduced in 1992, the annual Council Tax income is currently c£70m and so over the period since Council Tax was introduced, upwards of £2bn of Council Tax has been collectable.

In the case of both Council Tax and Business Rates, collecting this income is crucial to sustaining the delivery of the wide range of vital services provided by the Council. The position with Sundry Debtors is similar but these are more often related to specific services provided by the Council (Trade Waste Collection, Adult Social Care charges etc).

The Council has a good record of collecting this income, which is comparable with like Local Authorities. The collection rate for Council Tax is around 96% annually, Business Rates around 97% and Sundry Debtors around 97%. The collection rate for Housing Benefit Overpayments,

which are largely a consequence of changes in Benefit Claimants circumstances and for which the Council continues to receive subsidy, is lower primarily because the Council is restricted in statute by the amount of overpayments that can be recovered from a Claimant's Benefit entitlement.

Despite this performance in collecting debts, there are some instances (for example, where a debtor has passed away with no estate or has become declared bankrupt) where it is not possible to collect an outstanding debt. Equally, there are some debts in each year which remain unpaid and which the Council must take action to recover. The action undertaken to recover debts is in accordance with the Council's Collection and Enforcement Policies.

With the exception of those debts relating to, for example, bankrupt, insolvent and deceased persons, these unpaid debts can date back several years as the recovery action taken can be prolonged. However, once the recovery process is exhausted and all actions taken to recover debts have been completed, following appropriate accounting guidance, it is good practice to write them off.

The Council's Standing Orders and Financial Regulations stipulate that the Strategic Director Finance and Resources may authorise the write off of any individual debt up to the value of £10,000. For those debts above £10,000 and below £50,000, the Strategic Director Finance and Resources, in consultation with the Executive Member for Finance and Governance, can authorise the write offs.

In arriving at a decision to write off a debt, Officers must pursue a rigorous process to establish whether funds can be recovered before concluding, as a last resort, that the debt is deemed to be irrecoverable. The debts identified in this report have been pursued as appropriate using all available recovery and enforcement methods. However, it has not been possible to recover the money owed, and the only option available is to write off the debts.

The debts in this report cover a number of financial years ranging from 1995 to 2023 with the oldest debts being written off at this time dating back to the 1995/96 financial year.

Whilst writing off debts is a last resort, prudent accounting practice requires that provision be made for bad and doubtful debts. To that end, writing off the debts outlined in this report will not result in any additional cost to the Council as the cost is fully covered by the relevant bad debts provisions (see Financial Implications below).

That said, where additional information comes to the Council's attention that would indicate a debt is recoverable, any debts written-off are reinstated and recovery action will take place. Details of where this has happened are provided in the report.

#### **4. KEY ISSUES AND RISKS**

After extensive enquiries, all of the debts listed below have been deemed irrecoverable and do require write off from the appropriate system.

A summary of the write offs amounts is listed below. Included in the summary is the service area totals and the reasons for the write.

##### **4.1 Council Tax**

###### ***Under £10,000***

<b>Number of cases</b>	<b>Total amount</b>	<b>Reason for Write off</b>
1632	£606,161.10	Irrecoverable

649	£423,809.90	Absconded / gone away
86	£53,255.46	Deceased
493	£1,214.46	De-minimus
124	£144,262.28	Bankrupt
2	£689.06	Local Authority Error
1	£0.01	Council Tax Benefit adjustment
<b>2987</b>	<b>£1,229,392.27</b>	

#### **Over £10,000**

<b>Number of cases</b>	<b>Total amount</b>	<b>Reason for Write off</b>
1	£10,730.44	Insolvency
1	£12,870.78	Deceased
1	£10,620.97	Irrecoverable
<b>3</b>	<b>£34,222.19</b>	

All accounts have been actively pursued with all recovery options being considered and exhausted. In the case of debts from deceased persons, it has been confirmed that the estate has no funds available to discharge the debt. The bankrupt cases have been verified with the Insolvency Service / Practitioners with claims made for the outstanding debts if applicable. All absconded accounts have also been subject to the various tracing methods including Experian checks and review on social media.

It is also possible for circumstances to change and the Council to write debts on. During this period a total of £46,083.93 of Council Tax debt was written back on to be pursued and recovered.

#### **4.2 Business Rates**

##### **Under £10,000**

<b>Number of cases</b>	<b>Total amount</b>	<b>Reason for Write off</b>
53	£134,239.62	Insolvency

##### **Over £10,000**

<b>Number of cases</b>	<b>Total amount</b>	<b>Reason for Write off</b>
19	£322,577.37	Insolvency

It is also possible for circumstances to change and the Council to write debts on. During this period a total of £2,169.05 of Business Rate debt was written back on to be pursued and recovered.

#### **4.3 Sundry Debtors**

##### **Under £10,000**

<b>Number of cases</b>	<b>Total amount</b>	<b>Reason for Write off</b>
39	£67,976.04	Deceased
3	£2,496.84	Gone Away / Absconded
9	£3,954.81	Bankrupt
105	£200,819.16	Irrecoverable
1033	£249,382.35	Out of time / Statute barred
<b>1155</b>	<b>£524,629.20</b>	

##### **Over £10,000**

Number of cases	Total amount	Reason for Write off
2	£41,359.61	Deceased
12	£224,194.56	Irrecoverable
2	£34,637.19	Out of time / statute barred
<b>16</b>	<b>£300,191.36</b>	

#### 4.4 Housing Benefit Overpayments

##### *Under £10,000*

Number of cases	Total amount	Reason for Write off
20	£23,138.49	Local Authority error
1	£4,770.00	Bankruptcy
4	£1,498.20	Exceptional
2	£3,119.71	Deceased
4	£260.51	Recovery options exhausted
2	£4,210.64	Gone Away
<b>33</b>	<b>£36,977.55</b>	

##### *Over £10,000*

Number of cases	Total amount	Reason for Write off
1	£15,160.07	Local authority error

It is also possible for circumstances to change and the Council to write debts on. During this period a total of £2,985.80 of Housing Benefit Overpayment debt was written back on to be pursued and recovered.

All accounts have been actively pursued with all recovery options being considered and exhausted. In the case of debts from deceased persons, it has been confirmed that the estate has no funds available to discharge the debt. The bankrupt cases have been verified with the Insolvency Service / Practitioners with claims made for the outstanding debts if applicable.

#### 5. FINANCIAL IMPLICATIONS

The Council maintains provision for potential bad debt write off. The adequacy of this provision is reviewed each year and is subject to audit review. The provision is sufficient to meet the cost of writing off these debts.

The amount for write off detailed in this report is £2,597,409. The total amount of write off is provided for under the Council's bad debt provision.

Number of cases	Provision at 1 <sup>st</sup> April	Write Offs	Balance of Provision
Council Tax	12,447,746	(1,263,614)	11,184,132
Business Rates	1,566,530	(456,817)	1,109,713
Benefit Overpayments	2,424,741	(52,158)	2,372,583
Sundry Debtors	6,197,933	(824,821)	5,373,112

#### 6. LEGAL IMPLICATIONS

The Council has a duty to pursue and recover outstanding monies due, however, it is inevitable that some debts cannot be recovered for a number of reasons. All the debts outlined in this report

are deemed irrecoverable for the reasons listed above.

**7. RESOURCE IMPLICATIONS**

There are no resource implications associated with this decision.

**8. OPTIONS CONSIDERED AND REJECTED**

None.

**9. CONSULTATIONS**

None.

**10. DECLARATION OF INTEREST**

All Declarations of Interest of the officer with delegation and any Member who has been consulted, and note of any dispensation granted should be recorded below:

<b>VERSION:</b>	<b>1</b>
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<b>CONTACT OFFICER:</b>	Andy Ormerod
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<b>DATE:</b>	24 <sup>th</sup> October 2024
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<b>BACKGROUND DOCUMENTS:</b>	
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## EQUALITY IMPACT ASSESSMENT CHECKLIST

***This checklist is to be used when you are uncertain if your activity requires an EIA or not.***

An Equality Impact Assessment (EIA) is a tool for identifying the potential impact of the organisation's policies, services and functions on its residents and staff. EIAs should be actively looking for negative or adverse impacts of policies, services and functions on any of the nine protected characteristics.

The checklist below contains a number of questions/prompts to assist officers and service managers to assess whether or not the activity proposed requires an EIA. Supporting literature and useful questions are supplied within the [EIA Guidance](#) to assist managers and team leaders to complete all EIAs.

<b>Service area &amp; dept.</b>	Revenues and Benefits, Finance and Governance	<b>Date the activity will be implemented</b>	24/10/2024
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<b>Brief description of activity</b>	Write off of Irrecoverable Debts Under £50,000
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<b>Answers favouring doing an EIA</b>	<b>Checklist question</b>	<b>Answers favouring not doing an EIA</b>
<input type="checkbox"/> Yes	Does this activity involve any of the following: - Commissioning / decommissioning a service - Budget changes - Change to existing Council policy/strategy	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes	Does the activity impact negatively on any of the protected characteristics as stated within the Equality Act (2010)?	<input checked="" type="checkbox"/> No
<input type="checkbox"/> No <input type="checkbox"/> Not sure	Is there a sufficient information / intelligence with regards to service uptake and customer profiles to understand the activity's implications?	<input checked="" type="checkbox"/> Yes
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	<b>Does this activity:</b> Contribute towards unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act <i>(i.e. the activity creates or increases disadvantages suffered by people due to their protected characteristic)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Reduce equality of opportunity between those who share a protected characteristic and those who do not <i>(i.e. the activity fail to meet the needs of people from protected groups where these are different from the needs of other people)</i>	<input checked="" type="checkbox"/> No
<input type="checkbox"/> Yes <input type="checkbox"/> Not sure	Foster poor relations between people who share a protected characteristic and those who do not <i>(i.e. the function prevents people from protected groups to participate in public life or in other activities where their participation is disproportionately low)</i>	<input checked="" type="checkbox"/> No
<b>FOR = 0</b>	<b>TOTAL</b>	<b>AGAINST = 6</b>

**Will you now be completing an EIA?**

Yes

No

The EIA toolkit can be found [here](#)

<b>Assessment Lead Signature</b>	
<b>E&amp;D Lead Signature</b>	Gwen Kinloch
<b>Date</b>	24/10/2024