

Stroud District Council Write Off Policy for Revenues and Benefits

General

This policy contributes to the implementation of Stroud District Council's corporate aims of working with others to make the district a better place to live and work, which incorporates the objective of helping those in particular need.

It is Stroud District Council's aim to collect all taxes and outstanding charges from debtors wherever possible, provided that it is cost effective. However this may not be possible due to the circumstances of some cases, these are listed below.

Purpose of this Policy

To describe the circumstances and authorisations when debts are considered as non-recoverable.

Types of Debts covered by the Policy:

- Council Tax
- Non Domestic Rates
- Housing Benefit Sundry Debts
- Benefit Overpayments

Circumstances where the debt may be non recoverable:

- debtor has absconded
- debtor/company is insolvent i.e. Bankruptcy, Liquidation and Administrative Receivership cases.
- debtor has served a custodial sentence in respect of the Council Tax or Business Rate debt
- debtor deceased and there is no estate.
- debts where all or part has been remitted by the Magistrates Courts due to hardship
- the physical and mental condition of the debtor
- small debts under £40.00 and other small non-recurring debts
- debts which are uneconomical to collect
- debts where a company has ceased to trade leaving no assets.
- debts which cannot be legally enforced

In some cases further action may be required before the amount is written off, such as referring the debt to a Tracing Agency.

Write Off and Reporting

- Where any of the above criteria are satisfied then the balance outstanding will be considered for write off.
- A write-off list will be submitted and reconciled every 3 months
- The Head Of Revenues and Benefits has delegated power to write off individual debts of up to £2k following consultation with the Director of Corporate Services (para. 17.6 Constitution, Scheme of Delegation para 17.6)
- Financial Regulations para. 11.9 states that: 'Any individual irrecoverable sums in excess of £10k written off shall be reported to the Cabinet Member for Finance and Corporate Services'
- Should a debtor be traced then the debt will be re-instated to enable recovery action to continue

Commitment

All of our customers will be treated in a fair and equitable manner having particular regard to the Human Rights Act, Race Relations Act and any other legislation or Policies, which may have an impact.