

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

---

**REPORT TO:** Finance Portfolio Holder  
**LEAD OFFICER:** Executive Director Corporate Services

---

### **Request for Authorisation to Write Off Debts in Excess of £25,000**

#### **Purpose**

1. To request the Portfolio Holder's authorisation to write off debts in excess of £25,000
2. This is a key decision because The Council's Constitution requires that any debts in excess of Level 2 (currently £25,000) must only be written off with agreement from the Finance and Staffing Portfolio Holder.

#### **Recommendations**

It is recommended that the Portfolio Holder agree to the write off the debt of the amount of £27,959.47 in respect of The Late Mr Geoffrey Lawrence.

#### **Reasons for Recommendations**

3. The overpayment was being recovered at the maximum amount allowed under the Regulations. However, the customer died on 2 August 2017. His partner is in receipt of benefit but the Regulations do not allow for the debt to be recovered from her entitlement. There was no money in the estate.

#### **Background**

4. The Council's Constitution requires that any debts in excess of Level 2 (currently £25,000) must only be written off with agreement from the Portfolio Holder.

#### **Considerations**

5. The debt of £27,959.47 for an overpayment of Housing Benefit is considered irrecoverable as there are no provisions under the Regulations to enable us to pursue this debt and it is good accounting practice to write off.
6. The amount relates to the outstanding overpayment for the period 17 December 2001 to 18 June 2017.
7. An overpayment of £2,217.98 for the period 3 March 2014 to 25 January 2015 was due to identifying a number of Private Pensions that had not been declared. Following this a fraud investigation was instigated.

8. Following the investigation benefit was reassessed and this resulted in an overpayment of £25,664.02 for the period 17 December 2001 to 14 April 2015. The customer was not subject to a sanction following conclusion of the investigation.
9. The overpayments were being recovered from on-going Housing benefit. The maximum amount that could be recovered in accordance with the Regulations £11.10 per week, this was the amount the Council set as the instalment recovery.
10. Following the death of the customer the partner claimed Housing Benefit. However, the regulations do not allow us to recover the overpayment from her entitlement.

#### **Options**

11. Due to the strict Regulations regarding the recovery of Housing benefit overpayments there are no recovery options available.

#### **Financial**

12. The Council would have received 100% subsidy on the payments made. In addition, any monies recovered would have been retained by the Council. Writing off the outstanding amount would not have any financial implications for the Council.

**Report Author:** Lynda Hayward –Assistant Benefit manager

Telephone: (01954) 7133084