



CABINET (POLICY AND RESOURCES) SUB COMMITTEE

***IMMEDIATELY FOLLOWING CABINET SCRUTINY COMMITTEE
TUESDAY, 9 JANUARY 2023***

***MULTI-LOCATION MEETING – COUNCIL CHAMBER PORT TALBOT
AND MICROSOFT TEAMS***

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DURATION OF THE MEETING**

Webcasting/Hybrid Meetings:

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Part 1

1. Appointment of Chairperson
2. Chairpersons Announcement/s
3. Declarations of Interest
4. Minutes of Previous Meeting (*Pages 3 - 6*)
5. Forward Work Programme 2023-24 (*Pages 7 - 8*)
6. Public Question Time
Questions must be submitted in writing to Democratic Services – democratic.services@npt.gov.uk – no later than two working days prior to the meeting. Questions must relate to items on the agenda. Questions will be dealt with in a 10 minute period.

7. Council Tax and Business Rates – Representatives at Magistrate Court Proceedings (*Pages 9 - 16*)
8. Miscellaneous Grant Fund Application (*Pages 17 - 22*)
9. Amendment to the Authorisation Limits for Write Offs (*Pages 23 - 28*)
10. Urgent Items
Any urgent items (whether public or exempt) at the discretion of the Chairperson pursuant to Regulation 5(4)(b) of Statutory Instrument 2001 No. 2290 (as amended).
11. Access to Meetings - Exclusion of the Public (*Pages 29 - 34*)
To resolve to exclude the public for the following items pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No. 2290 and the relevant exempt paragraphs of Part 4 of Schedule 12A to the Local Government Act 1972.

Part 2

12. Write Offs of Debt (Exempt under Paragraph 14) (*Pages 35 - 44*)
13. Application for Hardship Relief (Exempt under Paragraph 14) (*Pages 45 - 52*)

K.Jones
Chief Executive

Civic Centre
Port Talbot

3 January 2023

Cabinet (Policy and Resources) Sub Committee Members:

Councillors. S.K.Hunt, S.A.Knoyle and A.Llewelyn

EXECUTIVE DECISION RECORD

17 OCTOBER 2023

CABINET (POLICY AND RESOURCES) SUB COMMITTEE

Cabinet Members:

Councillors: S.K.Hunt (Chairperson), S.A.Knoyle and A.Llewelyn

Officers in Attendance:

H.Jones, A.Thomas and T.Davies

1. **APPOINTMENT OF CHAIRPERSON**

Agreed that Councillor S.K.Hunt be appointed Chairperson for the meeting.

2. **CHAIRPERSONS ANNOUNCEMENT/S**

The Chair welcomed all to the meeting.

3. **DECLARATIONS OF INTEREST**

No declarations of interest were received.

4. **MINUTES OF PREVIOUS MEETING**

The minutes of the previous meeting held on 5 September 2023, were agreed as an accurate record.

5. **PUBLIC QUESTION TIME**

No public questions were received.

6. **WELSH CHURCH ACT FUND APPLICATION**

Decision:

That St. Anne's Church, Tonna, be granted £4000 in match funding, in relation to costs of repair works to the Church spire at St. Anne's Church.

Reason for Decision:

To agree the amount of financial support in respect of the grant application received.

Implementation of Decision:

The decision will be implemented after the three day call in period.

7. **ACCESS TO MEETINGS - EXCLUSION OF THE PUBLIC**

RESOLVED: That pursuant to Regulation 4 (3) and (5) of Statutory Instrument 2001 No. 2290, the public be excluded for the following items of business which involved the likely disclosure of exempt information as defined in Paragraph 14 of Part 4 of Schedule 12A of the Local Government Act 1972.

8. **DEBTOR WRITE OFFS**

Decision:

That approval be granted to write off the amounts of Housing benefit overpayments and Parking enforcement debt, as detailed in the private circulated report.

Reason for Decision:

To enable the Council to write off irrecoverable accounts.

Implementation of Decision:

The decision will be implemented after the three day call in period.

CHAIRPERSON

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Meeting Date 2024	Agenda Item and Type	Contact Officer
20 th February	Miscellaneous Grant Fund Application	Huw Jones
	Write Off of Debts	Huw Jones/Nicole Blackmore

Meeting Date 2024	Agenda Item and Type	Contact Officer
9 th April	Miscellaneous Grant Fund Application	Huw Jones
	Write Off of Debts	Huw Jones/Nicole Blackmore
	Cyber Security Strategy 2024 Update	Chris Owen
	Digital Strategy and Delivery Plan Update	Chris Owen

Meeting Date 2024	Agenda Item and Type	Contact Officer
14 th May	Miscellaneous Grant Fund Application	Huw Jones
	Write Off of Debts	Huw Jones/Nicole Blackmore

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NEATH PORT TALBOT COUNTY BOROUGH COUNCIL CABINET (POLICY AND RESOURCES) SUB COMMITTEE

9th JANUARY 2024

REPORT OF THE CHIEF FINANCE OFFICER – HUW JONES

Matter for Decision:

Council Tax and Business Rates – Representatives at Magistrate Court Proceedings

Wards Affected: All

Purpose of report

To update the list of staff who are authorised to represent the Authority at Magistrates Court proceedings.

Background

Following changes in the Council Tax and Business Rates section there is a need to update the list of staff who are authorised to represent the Council at Magistrates Court proceedings for the recovery of Council Tax and Business Rates.

Proposal

In pursuant to section 223 of the Local Government Finance Act 1972, the following be authorised to represent the Authority in proceedings before a Magistrate Court for the purpose of the recovery of Business Rates and Council Tax. Any previous officers not listed below be removed from the authorised list.

- *Mrs Ann Hinder – Principal Officer
- *Miss Lesley Spencer – Senior Council Tax Officer
- *Mrs Angela Greenway – Senior Council Tax Officer
- Mr Christopher Watkins – Team Leader
- Mr Matthew Tucker – Team Leader
- Mrs Alice Hendry – Team Leader

Mrs Lisa Morgan – Senior Business Rates Officer
Mrs Emma Harris – Team Leader

*These Officers are also authorised to represent the Authority for the purpose of prosecutions for non-provision of information following receipt of a liability order for unpaid Council Tax.

Financial Impact

No impact

Integrated Impact Assessment

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment, attached at Appendix 1, has indicated that a more in-depth assessment is not required.

Valleys Community Impacts

No impact

Workforce impacts

No impact

Legal impact

No impact

Risk management

No impact.

Consultation

There is no requirement under the Constitution for external consultation on this item.

Recommendation

It is recommended that Members approve the revised list of people to represent the Authority in proceedings before a Magistrate Court for the purpose of the recovery of Council Tax and Business Rates.

Reason for proposed decision

To confirm officers authorised to represent the Authority at Magistrate Court proceedings.

Implementation of decision

The decision is proposed for implementation after the three day call in period.

Appendices

Appendix 1 – Stage 1 Integrated Impact Assessment

List of background papers

Local Government Finance Act 1972.

Officer contact

Mr Huw Jones – Chief Finance Officer
Email: h.jones@npt.gov.uk

Ms Ann Hinder - Principal Council Tax Officer
Tel. No. 01639 763908
E-mail: a.hinder@npt.gov.uk

Impact Assessment – First Stage

1. Details of the initiative

Initiative description and summary: Council Tax and Business Rates – Representatives at Magistrate Court Proceedings
Service Area: Finance
Directorate: Strategy & Corporate Services

2. Does the initiative affect:

	Yes	No
Service users		✓
Staff	✓	
Wider community		✓
Internal administrative process only	✓	

3. Does the initiative impact on people because of their:

	Yes	No	None/ Negligible	Don't Know	Impact H/M/L	Reasons for your decision (including evidence)/How might it impact?
Age		✓				
Disability		✓				
Gender Reassignment		✓				
Marriage/Civil Partnership		✓				
Pregnancy/Maternity		✓				

Impact Assessment – First Stage

Race		✓				
Religion/Belief		✓				
Sex		✓				
Sexual orientation		✓				

4. Does the initiative impact on:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence used) / How might it impact?
People's opportunities to use the Welsh language		✓				
Treating the Welsh language no less favourably than English		✓				

5. Does the initiative impact on biodiversity:

	Yes	No	None/ Negligible	Don't know	Impact H/M/L	Reasons for your decision (including evidence) / How might it impact?
To maintain and enhance biodiversity		✓				
To promote the resilience of ecosystems, i.e. supporting protection of the wider environment,		✓				

Impact Assessment – First Stage

such as air quality, flood alleviation, etc.						
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6. Does the initiative embrace the sustainable development principle (5 ways of working):

	Yes	No	Details
Long term - how the initiative supports the long term well-being of people		✓	
Integration - how the initiative impacts upon our wellbeing objectives		✓	
Involvement - how people have been involved in developing the initiative		✓	
Collaboration - how we have worked with other services/organisations to find shared sustainable solutions		✓	
Prevention - how the initiative will prevent problems occurring or getting worse		✓	

Impact Assessment – First Stage

7. Declaration - based on above assessment (tick as appropriate):

A full impact assessment (second stage) is not required	✓
Reasons for this conclusion	
This is an administrative process only.	

A full impact assessment (second stage) is required	x
Reasons for this conclusion	

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	Name	Position	Date
Completed by	Ann Hinder	Principal Council Tax Officer	21.12.2023
Signed off by	Huw Jones	Chief Finance Officer	21.12.2023

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

**NEATH PORT TALBOT COUNTY BOROUGH COUNCIL
CABINET (POLICY AND RESOURCES) SUB COMMITTEE**

9 JANUARY 2024

**REPORT OF THE CHIEF FINANCE OFFICER
– HUW JONES**

Matters for Decision

Wards Affected – Margam and Taibach

Report Title – Miscellaneous Grant Fund Application

Purpose of the Report:

1. To seek Member approval in relation to grant application received at Appendix 1 attached.

Background and Financial Impacts

2. The Council has a Miscellaneous Grants Scheme to support individual applications for grants in line with the criteria set out below:-

Existing Policy Statement

- a) Each application will be considered on its merits.
- b) The Committee will only approve applications for financial assistance from voluntary or charitable organisations which are manifestly committed to voluntary endeavours of a local

nature. This will not preclude the consideration of applications where the disposal of funds is outside the area but still provides significant benefits for the people from the Neath Port Talbot area.

- c) No applications will be considered from religious bodies except relating to church halls and other premises where there is significant community use of the property for non-religious activities.
- d) No applications will be considered from other public funded bodies such as community councils, hospital trusts, etc. or where the benefit may be in lieu of their contributions such as appeals for hospital equipment.
- e) Applications from individuals may be considered where both the person and the community derive a benefit.
- f) No grants will be made to any individual or organisation whose prime purpose is to distribute their funds to other charitable bodies.

Integrated Impact Assessment

- 3. There are no impacts in respect of the obligations to the Council under the Equality Act 2010, the Welsh Language Standards (No 1) Regulations 2015, the Environment (Wales) Act 2016 and support via this grant provides generally a positive impact in respect of the Wellbeing and Future Generations (Wales) Act 2015.

Valleys Communities Impacts

- 4. Applications for grant are available to voluntary and charitable organisations across the county borough.

Workforce Impacts

5. There are no workforce impacts.

Legal Impacts

6. Grants are provided in line with the approved scheme criteria.

Risk Management Impacts

7. All grant applications are considered on their own merit and in line with the approved scheme criteria.

Consultation

8. There is no requirement for external consultation on this item.

Recommendation

9. It is recommended that Members approve the application set out in Appendix 1 to this report.

Reason for Proposed Decision

10. To decide on the amount of financial support in respect of the grant application received.

Implementation of Decision

11. The decision is proposed for implementation after the three day call in period

Appendices

12. Appendix 1 – Schedule of grant application(s)

List of Background Papers

13. Grant Application

Officer Contact

Mr. Huw Jones – Chief Finance Officer

Email: h.jones@npt.gov.uk

SCHEDULE OF GRANT APPLICATIONS

Applicant	Purpose	Amount Request/Cost of "Project"	Previous Support	Comments
Taibach Community Library	The Trustees of Taibach Community Library have applied for grant assistance in relation to the lease of Taibach Community Library	Grant towards the cost of rent of £1,575 pa which is increasing from £1,430 pa	Original tenancy 20/10/2014 to 31/3/2016 P&R via Urgency Action dated 22/5/14 approved a 100% grant (£1,300). This grant was for a term of 5 years to cover up to 29/10/19. 10mth lease commenced 30/05/2016 on same terms and conditions as previous lease.	Proposed that a grant of £1,495 per annum be offered which is the equivalent of c95% of the new rent.

Applicant	Purpose	Amount Request/Cost of "Project"	Previous Support	Comments
			<p>Due to the Covid Pandemic extended the existing lease and original payment/grant amount until 31st March 2021 and proposed to review the amount of grant and increase rent the 1st April 2021</p> <p>Cabinet (Finance) Sub Committee 24/02/2021 - the Trustees of Taibach Community Library receive £1,330 pa, subject to review in line with rent reviews wef from 1 st April 2021 towards the rent of £1,430 pa</p>	



Neath Port Talbot County Borough Council

Cabinet (Policy and Resources) Sub Committee

9th January 2024

Report of the Chief Finance Officer – Huw Jones

Matter for Decision:

Amendment to the authorisation limits for write offs in the Council's Financial Procedure Rules

Wards Affected: All

Purpose of report

1. To seek Council approval for an amendment to the authorisation limits for write offs in the Council's Financial Procedure Rules in respect of Council Tax, Business Rates, Housing Benefit Overpayments, parking enforcement and Sundry Debt.

Background

2. All debts owed to the Council are rigorously pursued for collection however there will inevitably be accounts where, despite the efforts of the department, recovery of the full amount is impossible and it will be necessary to write off the amount owed. Various bad debt provisions are in place for this process.
3. The Financial Procedure Rules of the Council's Constitution sets out the authorisation limits for the writing off of debts including Council Tax, Business Rates, Housing Benefit Overpayments, parking enforcement and Sundry Debt. The write off authorisation limits have not been reviewed for a number of years and are no longer fit for

purpose. The level of charges have increased over the years but the levels of write off authorisation have remained static.

4. Appendix 1 provides a summary of the levels of write off authorisation for a number of other Welsh authorities for your information and comparison.

Current Position

5. The current limits are set out in Part 4 paragraph 4.10.5 of the Financial Procedure Rules. These are replicated below-

Responsibilities of the Chief Finance Officer

- *To agree arrangements for the collection of all income due to the Authority and to approve the procedures, systems and documentation for its collection.*
- *To agree the write-off of bad debts or seek approval from the Executive:*
 - (a) where the irrecoverable debt is £1,000 or less by the Chief Finance Officer;*
 - (b) where the irrecoverable debit is over £1,000 by the Executive after considering a report of the Chief Finance Officer*

Proposed Amendment

6. It is recommended that the write off authorisation limits be amended as follows to reduce the number of reports that are submitted to members for relatively small sums in comparison to the debts charged.
 - (a) where the irrecoverable debt is £5,000 or less by the Chief Finance Officer;
 - (b) where the irrecoverable debit is over £5,000 by the Executive after considering a report of the Chief Finance Officer

Financial Impact

7. No implications. The same process will be followed of the use of a bad debt provision

Integrated Impact Assessment

8. No requirement to undertake an IIA, matter is a procedural point for an amendment to the Financial Procedure Rules.

Valleys Community Impacts

9. No implications.

Workforce impacts

10. If the write off authorisation levels are increased there will be a saving on staff time as there will be reduction in accounts that will require reporting to members.

Legal impact

11. The Council must comply with the Financial Procedure Rules in the Constitution which will be amended if members agreed the recommendations of this report.

Risk management

12. There are no risks identified.

Consultation

13. There is no requirement under the Constitution for external consultation on this item.

Recommendation

14. It is recommended that Members approve the new levels of write off authorisation, namely debts under £5,000 to be approved by the Chief Finance Officer, debts greater than £5,000 to be authorised by the Executive after considering a report of the Chief Finance Officer and that this decision be commended to Full Council to agree the appropriate changes to the Constitution.

Reason for proposed decision

15. To enable the debts for Council Tax, Business Rates, Housing Benefit overpayments, parking enforcements and Sundry debt to be written off consistently and in line with the Council's constitution.

Implementation of decision

16. The decision is proposed for implementation after the three day call in period.

Appendices

17. Appendix 1 – Other Local Authority Write Off Authorisation Levels

List of background papers

None

Officer contact

Huw Jones – Chief Finance Officer
h.jones@npt.gov.uk

Nicole Blackmore – Chief Accountant (Financial Planning)
n.l.blackmore@npt.gov.uk

Local Authority	Summary of Write Off Authorisation
Torfaen	The Section 151 Officer is authorised to write off all value of debts
Bridgend	Under 1k Revenues Manager can authorise, over £1k the Head of Service can authorise.
Monmouth	Under 10k the Section 151 Officer can authorise, over 10k is reported for member approval.
Swansea	Under 10k the Head of Finance can authorise, over 10k is reported for member approval
Gwynedd	Under 5k the Section 151 Officer, over £5k the Section 151 Officer and portfolio holder can authorise.
Cardiff	Under 50k the Revenues Manager can authorise, 50k to 100k the Section 151 Officer can authorise Over £100k is reported to Cabinet.
Powys	Under £1k Revenues Manager can authorise, over £1k the portfolio holder can authorise.
Newport	The Section 151 Officer is authorised to write off all value of debts
Blaenau Gwent	The Section 151 Officer is authorised to write off all value of debts
Merthyr	Under £1k the Section 151 Officer can authorise, over £1k are reported to Cabinet.
Flintshire	Under £2.5k the Section 151 Officer can authorise, £2.5k to £20k the Section 151 Officer and the lead member. Over £20k are reported to cabinet.
Conwy	Under £2.5k the Director of Finance can authorise, over £2.5k are reported to members.
RCT	Under £2k the Head of Service can authorise, over £2.5k are reported to members.
Carmarthnshire	Under £1.5k the Section 151 can authorise, over £1.5k can be authorised by an executive board member.
Caerphilly	Under £1k the Revenues Manager can authorise, over £1k to 20k The Head of Service and Section 151 Officer can authorise, over £20k is reported for member approval.

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Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Report of the Head of Legal and Democratic Services

Cabinet (Policy and Resources) Sub Committee – Tuesday, 9 January 2024

ACCESS TO MEETINGS/EXCLUSION OF THE PUBLIC

Purpose:	To consider whether the Public should be excluded from the following items of business.
Item (s):	Item 12 – Write Offs of Debt Item 13 – Application for Hardship Relief
Recommendation(s):	That the public be excluded from the meeting during consideration of the following item(s) of business on the grounds that it/they involve(s) the likely disclosure of exempt information as set out in the Paragraphs listed below of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007 subject to the Public Interest Test (where appropriate) being applied.
Relevant Paragraph(s):	14

1. Purpose of Report

To enable Members to consider whether the public should be excluded from the meeting in relation to the item(s) listed above.

Section 100A (4) of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales)

Order 2007, allows a Principal Council to pass a resolution excluding the public from a meeting during an item of business.

Such a resolution is dependant on whether it is likely, in view of the nature of the business to be transacted or the nature of the proceedings that if members of the public were present during that item there would be disclosure to them of exempt information, as defined in section 100I of the Local Government Act 1972.

2. Exclusion of the Public/Public Interest Test

In order to comply with the above mentioned legislation, Members will be requested to exclude the public from the meeting during consideration of the item(s) of business identified in the recommendation(s) to the report on the grounds that it/they involve(s) the likely disclosure of exempt information as set out in the Exclusion Paragraphs of Schedule 12A of the Local Government Act 1972 as amended by the Local Government (Access to Information) (Variation) (Wales) Order 2007.

Information which falls within paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended is exempt information if and so long as in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

The specific Exclusion Paragraphs and the Public Interest Tests to be applied are listed in Appendix A.

Where paragraph 16 of the Schedule 12A applies there is no public interest test. Members are able to consider whether they wish to waive their legal privilege in the information, however, given that this may place the Council in a position of risk, it is not something that should be done as a matter of routine.

3. Financial Implications

Not applicable

4. Integrated Impact Assessment

Not applicable

5. Valleys Communities Impact

Not applicable

6. Workforce Impact

Not applicable.

7. Legal Implications

The legislative provisions are set out in the report.

Members must consider with regard to each item of business the following matters.

- (a) Whether in relation to that item of business the information is capable of being exempt information, because it falls into one of the paragraphs set out in Schedule 12A of the Local Government Act 1972 as amended and reproduced in Appendix A to this report.

and either

- (b) If the information does fall within one or more of paragraphs 12 to 15, 17 and 18 of Schedule 12A of the Local Government Act 1972 as amended, the public interest test in maintaining the

exemption outweighs the public interest in disclosing the information; or

- (c) if the information falls within the paragraph 16 of Schedule 12A of the Local Government Act 1972 in considering whether to exclude the public members are not required to apply the public interest test by must consider whether they wish to waive their privilege in relation to that item for any reason.

8. Risk Management

To allow Members to consider risk associated with exempt information.

9. Recommendation(s)

As detailed at the start of the report.

10. Reason for Proposed Decision(s):

To ensure that all items are considered in the appropriate manner.

11. Implementation of Decision(s):

The decision(s) will be implemented immediately.

12. List of Background Papers:

Schedule 12A of the Local Government Act 1972

13. Appendices:

Appendix A – List of Exemptions

Appendix A

NO	Relevant Paragraphs in Schedule 12A
12	Information relating to a particular individual
13	Information which is likely to reveal the identity of an individual
14	Information relating to the financial or business affairs of any particular person (including the authority holding that information).
15	Information relating to any consultations or negotiations, or contemplated consultations or negotiations in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority
16	Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
17	Information which reveals that the authority proposes: <ul style="list-style-type: none"> • To give under any enactment a notice under or by virtue of which requirements are imposed on a person, or • To make an order or direction under any enactment.
18	Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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By virtue of paragraph(s) 14 of Part 4 of Schedule 12A
of the Local Government Act 1972.

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of the Local Government Act 1972.

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