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2 March 2026

Dear Councillor,

Responsible Council Scrutiny Committee
6:00pm, Tuesday 10 March 2026
Esperance Room, Civic Centre, Cannock

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda.

Yours sincerely,

T. Clegg
Chief Executive

To: Councillors:

Aston, J. (Chair)
Hughes, G. (Vice-Chair)
Bishop, L. Johnson, J.
Bullock, L. Muckley, A.
Dunnett, M. Sutherland, M.
Gaye, D. *x1 vacant*
Hill, J.O.

Agenda

Part 1

1. Apologies

2. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members

- (i) To declare any interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.
- (ii) To receive any Party Whip declarations.

3. Minutes

To approve the Minutes of the meetings held on 10 December 2025 and 28 January 2026 (enclosed).

4. Quarter 3 Performance Report 2025-26

Report of the Head of Business Support and Assurance (Item 4.1 - 4.10).

The documents included are as considered by Cabinet on 5 March 2026.

5. Vacancies and Capacity Update as at 31 December 2025

Update of the Head of Business Support and Assurance (Item 5.1 - 5.4).

6. Revenues and Benefits Debt Collection Process Review Task & Finish Group

Report of the Deputy Chief Executive-Resources (Item 6.1 – 6.20).

7. Local Government Reorganisation - Progress Update

Verbal update from the Head of Business Support and Assurance.

8. Responsible Council Scrutiny Committee Work Programme 2025-26 Update

Verbal update from the Head of Business Support and Assurance.

Cannock Chase Council
Minutes of the Meeting of the
Responsible Council Scrutiny Committee
Held on Wednesday 10 December 2025 at 6:00pm
In the Esperance Room, Civic Centre, Cannock
Part 1

Present:

Councillors

Aston, J. (Chair)

Dunnett, M.	Johnson, J.
Fisher, P. (Substitute)	Lyons, O. (Substitute)
Gaye, D.	Muckley, A.
Hill, J.O.	Sutherland, M.

Also in Attendance:

- Councillor J. Prestwood, Resources and Transformation Portfolio Leader.

15. Apologies

Apologies for absence had been received from Councillors G. Hughes (Vice-Chair), L. Bishop, L. Bullock, and T. Johnson.

Councillor O. Lyons was in attendance as substitute for Councillor Hughes and Councillor Fisher was in attendance as substitute for Councillor Bullock.

Apologies were also noted for Councillor S. Thornley, Leader of the Council, and Councillor J. Preece, Environment and Climate Change Portfolio Leader.

16. Declarations of Interest of Members in Contracts and Other Matters and Restrictions on Voting by Members and Party Whip Declarations

No declarations of interests or party whip declarations were received.

17. Minutes

Members raised the following queries / comments in respect of the minutes of the previous meeting held on 8 September 2025:

- **Page 21, Minute Number 12.**

Councillor Muckley clarified that she left the previous meeting owing to the issues she raised but was not resigning from the Committee.

Resolved:

That the Minutes of the meeting held on 8 September 2025 be approved.

18. Quarter 2 Performance Report 2025-26

Consideration was given to the report of the Head of Transformation and Assurance (Item 4.1 - 4.10).

The Head of Transformation and Assurance advised the following in respect of the report:

- Generally, performance was positive, with only one action having slipped behind schedule (installation of new IT switches). A revised schedule for this had been produced and it was hoped for the work to be completed by year end.
- For key performance indicators, performance was also largely positive, with only one indicator being slightly behind target (percentage of national non-domestic rates collected). This was due to retail, leisure and hospitality businesses experiencing significantly increased bills owing to Government relief being reduced. The S151 Officer was looking into the impact of this change.

Members then raised the following queries / comments in respect of the report:

- **Item Number 4.6 / 4.7 - Climate Change Actions**

Could consideration be given to forming a members' climate change working group, being mindful that an officer group was already in place alongside the Climate Change Board?

The Head of Regulatory Services clarified that in respect of the Climate Change Board, this included the relevant Cabinet members from both this Council and Stafford Borough Council as it was a shared board, with the plan being for the Cabinet members to report back to Cabinet on relevant matters, but happy to support whatever reviews or groups Members may want to set up.

- **Item Number 4.10 - Corporate Assets Key Performance Indicators**

Were the Prince of Wales Theatre and Museum of Cannock Chase classed as corporate assets, and if so, were they included as part of the indicators listed?

The Head of Transformation and Assurance advised that whilst the buildings were part of the Council's corporate assets, the Head of Housing and Corporate Assets would need to clarify if they were included as part of these indicators, whether they applied to closed buildings and what checks were still being made on the buildings, if any.

- **Item Number 4.6 - Replacement of IT Switches**

Why had the work to replace these switches slipped?

The Head of Transformation and Assurance advised that the infrastructure team was only comprised of 3 members of staff who were doing this work alongside other things, including having to do priority work if issues arose that prevented staff from being able to work. The work had been completed at Stafford Borough and would now be rolled out here over the next few months.

Resolved:

That the quarter 2 2025/26 performance update be noted.

19. Vacancies and Capacity Issues - Position at 31 October 2025

Consideration was given to the report of the Head of Transformation and Assurance (Item 5.1 - 5.15).

The Head of Transformation and Assurance advised that:

- The correct number of vacancies was 45, rather than 47 (as referred to in report paragraph 3.1).
- The report aimed to set out for the Committee what heads of service and managers had tried to do in recruiting to vacant posts and the associated challenges of those posts remaining unfilled.
- Issues were particularly faced in key professional areas owing to market salary rates, higher pay from private sector bodies, retirement of individuals in skilled senior posts and a lack of sector wide training opportunities.
- The Council advertised posts in a wide number of areas to try and catch people wanting to change jobs. For services that were struggling to employ people through normal recruitment processes, they could look at employing agency staff, outsourcing specific pieces of work and offering market supplements. There was also an increased use of recruitment agencies to find suitable candidates for hard to fill vacancies.
- Whilst agency staff provided a quicker option, the cost implications of doing so were acknowledged. Outsourcing did not work for everyone and usually meant the whole of a vacant role was not covered. Market supplements were used sparingly as the impact on existing posts had to be considered. Recruitment agencies tended to be used for more senior posts but were now also being called upon for more middle-level professional posts.
- Capacity issues were not just down to vacancies within the organisation - phased reductions in staffing over the past 15 years had occurred due to austerity etc. and increased demand was being seen by services such as the homelessness team.
- Several high-profile complex projects were happening at the same time, which was taking up officers' capacity, not just in the immediate services involved, but the supporting services such as finance, legal, HR and insurance. This was creating a cumulative impact on the workloads of the teams affected.
- The capacity issues were reflected as a key risk in the Council's strategic risk register, which also included local government reorganisation and the impact that work was having on capacity etc.

Members then raised the following queries / comments in respect of the report:

1. The use of agency staff was expensive, but the Council was stuck as the work could not get done without those staff being in place owing to the recruitment difficulties.

The Head of Transformation and Assurance advised that staff were also upskilled where possible and promoted into senior roles, but this then meant their previous roles had to be filled.

3 vacancies (1 in Regulatory Services and 2 in Corporate Assets) had recently been appointed to, one of which was the Corporate Assets Manager post which had been advertised previously several times without success.

2. It was known by Members that the Council was working hard to advertise and recruit to the vacant posts, but interest was not forthcoming and it was stuck with only being able offer salary levels not comparable with elsewhere.
3. Money was important, but there was worry that with some vacancies having been outstanding for several years, those posts were now defunct.
4. Staff morale must be affected by having these vacant posts owing to being constantly under pressure, and when was the next staff survey due to be done?

The Head of Transformation and Assurance advised that for any hard to fill posts, the relevant service manager would look at what could be done instead. If a restructure could not be afforded, then the post would be held. The other alternative was to stop service delivery, but the Council would always try to avoid doing this unless it created a budget issue.

Staff morale was an issue for work cover etc. and local government was not considered to be the standard of employer it once was, although did still offer some flexibilities. Staff surveys had been stopped some years ago as a cost saving but were sometimes done for specific matters.

5. Did the Council pay for the qualifications and associated training needs of the trainee finance posts?

The Deputy Chief Executive-Resources confirmed this was the case and done so through the levy, but it was often the case that once qualified, those staff would leave the organisation.

The Head of Transformation and Assurance further advised that taking on apprentices was a huge investment, so it was a big decision for individual service areas if they wanted to do so.

6. There was genuine concern if staff were leaving after they had been trained. Working in the public sector should be a fantastic job for people, so why were they leaving? Given this, perhaps a staff survey should be done as it was a concern that the Council may not be a welcoming organisation and was not able to keep staff.
7. Perhaps there was a need to think about reshaping 'defunct' posts so they included aspects that people wanted to do to encourage them to get on board.

The Head of Transformation and Assurance advised that managers would always look to see if restructure was a viable option to change job roles, but it was not always that easy. Staff retention was partly impacted by people being attracted to salaries elsewhere, but staff leaving were often replaced by people who had left other councils.

8. Owing to agency staff costs and the need to get bums on seats, could the Council not offer a higher salary for existing posts given the rates paid to agency staff?

The Head of Transformation and Assurance advised that the Council could not just inflate salary rates, and it would be down to the relevant manager to undertake research and ask for a market supplement to be applied. Furthermore, the Council did not have the salary budgets in place and had to work within the nationally agreed pay scales. Offering higher scales would also be unfair on those staff working in skilled, specialist roles on those scales.

9. Fully understand the scenario of staff leaving once they were fully trained and qualified, so could anything be written into their contracts requiring them to stay with the Council for a certain amount of time once trained?

The Head of Transformation and Assurance advised that anyone going through professional training had to sign to say they will stay for a set period of time, but if they left earlier they would need to pay back the training costs.

10. How far down the road was the Council in looking at the use of artificial intelligence to carry out the work of posts that could not be filled?

The Deputy Chief Executive-Resources advised that with the advent of local government reorganisation, the Council would not look to do a project of that size at this time and nor would it want to commit the new authority to do so before it had got everything in place. There was also likely to be a direction from central government late next year that money could not be spent on certain things.

11. Applying for those roles still left could be a stepping stone for people in the next 18 months to 2 years ready for the new authorities coming into being.

The Head of Transformation and Assurance advised that having spoken to West Midlands Employers recently, they were not seeing issues yet of the impact of local government reorganisation, but people were using the small window between now and 2028 to change careers.

12. At the Economic Prosperity Scrutiny Committee held last night, it was noted that building control staff were required to complete an exam and this may be putting people off from applying for those roles. There could also be an impact of older experienced staff walking away from their roles as they did not want to do the exams.

13. Report paragraph 5.12 referenced that some of the funding for the Cannock town centre regeneration scheme was being used to fund additional capacity to support the Economic Development team. How much had been spent in this regard and could the money definitely be used for this purpose?

The Deputy Chief Executive-Resources advised that the Council could use some of the funding for this purpose but did not know what the current spend was.

14. How come some of the vacancies listed had gaps where the 'vacant from' date should be?

The Head of Transformation and Assurance advised that there was no particular reason for this. The information included in the appendix had been compiled by relevant service managers so it would depend on what information they had access to. It could be that some were long-term vacancies, so they did not have to hand what the start date was.

15. For the Senior Housing Officer (Adaptations and Assistance) role, it had to be assumed the previous post holder left with notice, so there was concern about the gap in information on the cause of the capacity issue and how it was being managed.

The Head of Transformation and Assurance advised that it would depend on individual service circumstances as some managers would look to go out to advert quite quickly, whereas in other circumstances they might want to change their service structure or review the job description.

It might also come down to the manager not having capacity to review the job description or write a new advert etc. The time of year could also impact whether or when a post was advertised.

16. This all went back to the earlier point raised about additional pressure being placed on existing officers.

The Head of Transformation and Assurance advised that the situation could be a vicious circle as it put pressure on the manager to get work done whilst dealing with other issues and managing the vacancy. The situation was certainly not perfect, and the purpose of the report was to show what challenges and issues were being faced by services on a daily basis.

17. The capacity issues and impact of local government reorganisation work were noted and so it was good that three posts had recently been recruited to. Could the committee receive a further update on the next meeting.

The Head of Transformation and Assurance advised it would not be possible to produce a report with the same level of detail for the next meeting, but a basic update could be provided on whether the posts listed had been filled or not.

18. With respect to the Tree Officers posts, as councillors were the public face of the Council, residents often raised queries so it was helpful for councillors to be able to explain what was happening in such circumstances.

The Head of Transformation and Assurance advised that the Head of Operations was doing a substantial restructure of the team, which included the posts referenced. Recruitment could not be progressed however until the job descriptions etc. had been signed off.

19. It would be good to keep this item on the agenda so that the committee could receive regular updates on what vacancies were or were not being filled. Even just a one-page update would help to put Members minds at ease given the concerns raised during this discussion on staff morale etc.

The Deputy Chief Executive-Resources advised that this could be looked to do, but it would not necessarily be up to date as work on local government reorganisation meant relevant officers would be extraordinarily busy over the next 12 to 18 months.

20. The comments were appreciated, but whilst looking ahead to reorganisation, it could not be forgotten that there were still services to deliver in the meantime and the District's residents to be served before then.

21. At the next meeting, just provide an update on how many vacancies had been filled and how many were still in place.

22. This kind of conversation had been going on for years, with the previous Chief Executive saying that vacancies were regularly discussed with heads of service during their annual reviews.

The Head of Transformation and Assurance advised that they had not been specifically discussed in that regard, but for heads of service to and managers to raise within their own service areas. Capacity issues were never far from senior managers' minds but were managed differently between each service.

The current Chief Executive was not routinely provided with a list of currently vacancies but kept updated on what was happening in terms of service delivery and where particular issues arose.

23. Were the headaches being faced here also being experienced at Stafford Borough Council?

The Head of Transformation and Assurance advised that this was the case as both Councils had a shared leadership team although some of the challenges were slightly different for each authority.

24. Could further detail be provided on the cause of capacity issues for the Corporate Asset Manager post and the wider team?

The Head of Transformation and Assurance advised that regeneration schemes also affected services such as the Corporate Assets team as the purchase of vacant shop units for example meant the team took on responsibility for the management of those units. The caretaking and cleaning functions used to sit under the Support Services Team Leader but were transferred when that postholder left at the end of 2024. The Head of Housing and Corporate Assets was looking at this aspect as part of a wider review of the service.

25. Did the Council have a specific position on apprenticeships and what was the guidance from senior management about them?

The Head of Transformation and Assurance advised that there was no specific mandate or policy in place as it was down to relevant heads of service and their managers to decide what was appropriate for their own areas. Some teams were so small that it would be difficult for them to support apprentices and trainees. The use of these roles was encouraged however as they paid into the apprenticeship levy. If the Council had longer and was not faced with reorganisation then this is something that may have been looked at. It did however provide an opportunity for the new authority to look at this as they would have the scale and capacity to do so.

26. In respect of staffing morale, when the Corporate Peer Review was undertaken by the LGA this was raised as an issue at the time and the LGA said they would be happy to support the delivery of a staff survey so is this something that could be explored with them?

The Head of Transformation and Assurance advised that this could be looked into, but by the time it was completed the Council may be quite far down the line with local government reorganisation. A workforce stream was part of that process, looking at how to support staff through it and how to equip managers and staff through the period of change. Unsure as to whether a staff survey would directly affect that work, but there was a very tricky time coming ahead as it was known that different staff had different feelings about what was coming.

27. Whilst it was appreciated that the local government reorganisation timescales were outside of the Council's control, there was concern that the timescales were too ambitious and meant the Council was stuck in limbo/stagnation.

The Deputy Chief Executive-Resources agreed with the concerns and advised this view had been fed back to the relevant bodies. The response received back was that the timescales would happen and reorganisation had to be delivered. If the Council was not seen to be participating fully then additional intervention may come from the Government.

The Head of Transformation and Assurance further advised that the Council did not have the capacity to have a 'plan b' for everything but did want to look at how to recruit and retain people better over the next two years and be very flexible about what work could be done. Once the two principal HR officers were in post then more focus could be given on strategic development and reorganisation.

The Head of Transformation and Assurance then clarified that the Council did not follow the civil service pay scales, but nationally agreed local government pay scales which were quite different.

28. Was there a named officer in the Council that provided a focus on mental health support etc. for staff?

The Head of Transformation and Assurance advised that there was no specific post in place, but the HR team could signpost staff to a range of tools available such as the listening service, counselling service and online tools. Arrangements were in place to support staff with concerns.

29. What was the position with National Insurance costs on posts?

The Head of Transformation and Assurance advised that the Council no longer had the staff in place who could do reconciliation on the financial costs of staffing posts and what was on the HR establishment/payroll system. There was no shared system in this regard, but officers were looking at what could be done, although it would not be a quick and easy fix.

30. At my work there are mental health first aiders, is this something the Council has considered adopting?

The Head of Transformation and Assurance advised that this approach had been used in the past, but a different approach was being tried now. It could be looked at again when the HR team was fully staffed.

Resolved:

That:

- (A) The vacancies and capacity provided in report appendix 1 be noted.
- (B) A further update on the vacancies position be provided at the March 2026 committee meeting.

20. Climate Change Action Plan - Progress Update

The Head of Regulatory Services delivered a presentation on the above topic, which covered:

- Climate change strategy.
- The 5 Pillars - corporate assets, transport, community engagement, business engagement and sustainability education.
- Climate action plan.
- Climate action activities.
- Climate action initiatives.

Members then raised the following queries / comments in respect of the presentation:

1. Were the Climate Change and Climate Action Officers' posts just for this Council?

The Head of Regulatory Services advised that they also covered Stafford Borough but would undertake work across both authorities and on shared initiatives.

2. For those actions with a 1-to-3-year timeframe, in the context of local government reorganisation, what would happen to them if the new authority took a different approach to climate change work and was this a worry?

The Head of Regulatory Services advised that the worry could only be for things that officers could control and reorganisation was not one of those things. The aim was to deliver actions now and focus on what could be delivered to make improvements for the District. As part of the Staffordshire Sustainability Board work was taking place countywide to achieve a lot of common themes and seek to work in the same way whilst being conscious of how things can change politically.

3. Would any financial penalties be imposed on the Council if it did not do this work?

The Head of Regulatory Services advised she was not aware of this being the case, but as well as the climate change element of the work, there was also the aspect of helping businesses to reduce costs, improvement building safety and help them to make their businesses more effective.

4. Would the posts be focused on residents or businesses?

The Head of Regulatory Services advised that a mixed approach would be taken. The Climate Action officer post was coming from an economic development background so would be able to hit the ground running as they already had the business relationships in place.

5. It was good to see a lot of partnership working coming out of this. When the Council first started on this journey it was very much focused on the Council and not very outward looking, so it was good to see the new approach being taken.

Resolved:

That the update be noted.

21. Local Government Reorganisation - Progress Update

Verbal update from the Head of Transformation and Assurance.

The Head of Transformation and Assurance reported the following:

- The Council's preferred option of a two-unitary authority model for Staffordshire (North Staffordshire and Southern & Mid-Staffordshire) was submitted to the Government on 27 November 2025. Five different proposals in total had been submitted for local government reorganisation in Staffordshire.
- It was expected that public consultation would be carried out by the Government in early 2026. Details on what the consultation would look like had not been confirmed as yet. Once the consultation period had finished, a final decision from the Government on its preferred model was expected in Summer 2026.
- Before then, the Council was being asked to do preparatory work on data collection across the county with workshops being planned to understand what was needed and how to approach this work with the capacity available.

In response to a query from a Member as to whether any tentative date was known on when the Government would start feeding back, the Head of Transformation and Assurance advised that no such dates had been given.

Resolved:

That the update be noted.

22. Responsible Council Scrutiny Committee Work Programme 2025/26 Update

Verbal update from the Head of Transformation & Assurance

The Head of Transformation & Assurance reported that as per the agreed work programme, the updates on vacancies/capacity issues and climate change work had been given at tonight's meeting, and the work of the review of the revenues and benefits debt collection processes task & finish group was ongoing, with a final report expected in March 2026.

In respect of the climate change group raised earlier in the meeting, Councillors Aston, Dunnett, J.O. Hill, J. Johnson and Muckley put themselves forward to be members of it. The Head of Regulatory Services advised she was happy for the group to be in place as there was value in Members understanding what was being discussed and what was going on, and it was also good for officers to know that Members had an interest in this work.

A Member raised that clarity was needed on what work was being done across the authority, what the outcomes were and what could Members add to the discussions.

Another Member sought clarity on whether the membership of the group should be just from this committee or offer to wider Members of the Council. As the climate strategy and action plan were in place, Members needed to know to help and futureproof that work.

The Head of Regulatory Services advised that although the first meeting of the Climate Change Board had taken place, there had not been the opportunity to provide feedback to the Cabinet as yet. Therefore, it may be sensible to wait until the start of the next financial year to see what information was coming forward and if Members were not happy then the committee could still be updated next year. There was also a need to be realistic about what could be delivered given financial constraints.

In response to a Member as to whether the same presentation would be delivered to the Health, Wellbeing and the Community Scrutiny Committee, the Head of Transformation and Assurance advised that climate change was a cross-cutting issue for this scrutiny committee, but elements of deliverables could sit with other committees, so it may not be relevant for them to receive the whole presentation. The Head of Regulatory Services further advised that she would speak with the Head of Operations for clarification.

Resolved:

That the update be noted.

The meeting closed at 7:30pm.

Chair

Cannock Chase Council
Minutes of the Meeting of the
Responsible Council Scrutiny Committee
Held on Wednesday 28 January 2026 at 6:00pm
In the Esperance Room, Civic Centre, Cannock

Part 1

Present:

Councillors

Aston, J. (Chair)

Dunnett, M.	Johnson, J.
Fisher, P. (Substitute)	Lyons, O. (Substitute)
Gaye, D.	Sutherland, M.
Hill, J.O.	

Also in Attendance:

- Councillor S. Thornley, Leader of the Council.
- Councillor J. Prestwood, Resources and Transformation Portfolio Leader.

23. Apologies

Apologies for absence were noted for Councillors G. Hughes (Vice-Chair), L. Bullock and T. Johnson.

Councillor Fisher was in attendance as substitute for Councillor Bullock and Councillor O. Lyons as substitute for Councillor Hughes.

Apologies were also noted for Councillor S.J. Thornley, Housing and Corporate Assets Portfolio Leader.

24. Declarations of Interest of Members in Contracts and Other Matters and Restrictions on Voting by Members and Party Whip Declarations

No declarations of interests or party whip declarations were received.

25. General Fund Revenue Budget and Capital Programme 2025-2029

Consideration was given to the report of the Deputy Chief Executive-Resources & S151 Officer (Item 3.1 - 3.63).

The Deputy Chief Executive-Resources & S151 Officer advised the following in respect of the report:

- The proposed budget recommendations were set out in report paragraph 2.1, which included two new recommendations this year at (h) and (i).
- The main key issue related to local government reorganisation (LGR). At this stage it was unknown what resource would be needed to take this forward, but this would be worked out over the next six months.

- The proposed budget was based on the provisional local government finance settlement, which was published by the Government before Christmas, so more information was still coming through.
- As well as LGR, the Council was also impacted by the outcome of the Government's fairer funding review and Business Rates reset. The fairer funding review had led to shire districts seeing a significantly smaller increase in core spending power than all other local authority types.
- Report table 1 set out the proposed finance settlement for 2026/27, compared to 2025/26. Individual grants that had been received in 2025/26 had been rolled into the Revenue Support Grant. The Council had not received any transitional protection grant for 2026/27 but was likely to for 2027/28 and 2028/29 based on the provisional settlements for those years.
- Table 4 set out the proposed 2026/27 budget to be recommended to full Council, along with indicative budgets for 2027/28 and 2028/29.
- In respect of Business Rates income, the figures included were based on what the Government expected the Council to receive over the three-year period, but growth had not been included at this stage as the future position was unknown.
- Council Tax increases were assumed to be set at 2.99% for each year, with the Council expected to be in a stable position each year funded from reserves.
- Major changes to the portfolio budgets for 2026/27 (recurring in future years) were detailed in report paragraph 5.25.
- Details of the retendering of the leisure contract were set out in report paragraphs 5.27 and 5.28. Projected income to the Council for the lifetime of the contract was projected to be £6.8 million. The new contract would provide a significant enhancement to the existing services and facilities.
- The 2025-26 forecast outturn was a £452,000 surplus against the profiled portfolio budgets. Investment income was forecast to be £718,000 above budget for the year, and with other adjustments included, the projected overall outturn position was a surplus of £526,000.
- The Business Rates Pool was due to finish at the end of March 2026 due to the reset and there being no growth in the system at this time. All councils involved in the pooling arrangements had agreed this approach.
- Investment in the Council's vehicles/fleet represented a significant change as it had not been possible to adopt this approach in recent years.
- The changes in 2026-27 budget assumptions as set out in table 5 were mostly driven by the outcome of the fairer funding settlement.
- Table 6 set out proposed usage of the working balances over the three-year budget period. It was a great achievement by the Council to get a balanced budget position given that the Government's settlement was not as generous as would have liked it to be.
- The proposed changes to the capital programmes were set out in report paragraphs 5.44 to 5.48 and appendix 2.
- The Council's Tax Base was projected to decrease in 2026-27 which was an unusual position for a local authority to be in. Whilst this could not be directly influenced, officers were looking at what could be done to address this.

- Report paragraph 5.56 set out an overview of the risks and future challenges to be faced by the Council, with the main ones being local government reorganisation and ongoing recruitment/vacancy issues. The associated risk implications were detailed in report appendix 6.

Members raised the following queries / comments in respect of the report:

1. Was the Government's funding formula set in stone or could it still be changed?

The Deputy Chief Executive-Resources advised that the formula was being consulted on, but no changes were expected.

2. Where might future Business Rates growth come from?

The Deputy Chief Executive-Resources advised it could come from warehouses and other such streams, but it was unknown at this stage.

The Deputy S151 Officer further advised that additional Business Rates income from the designer outlet had not been factored in due to not knowing when phase 2 would come on stream.

The proposed position gave a chance to look at what was coming forward in-year and then decide on what provision to include for the 2027/28 budget.

3. Why was the recovery grant set at £395,000 for each year of the proposed and indicative budgets?

The Deputy Chief Executive-Resources advised that this was based on information provided by the Government.

4. Whilst the new leisure contract provided a much better situation for the Council in future years, there was no guarantee of payback from it.

The Deputy Chief Executive-Resources advised that the payments were built into the contract, so were as guaranteed as they could be.

5. Given the safety and risk factors involved in the new leisure contract, would the new provider take out insurance to cover themselves on this?

The Deputy Chief Executive-Resources advised that the contract was with the parent company, so the Council was pretty comfortable with the arrangement in place.

6. What were the 'technical financing adjustments' (as referenced in table 4)?

The Deputy Chief Executive-Resources advised that these related to items such as interest on balances, external interest payable, movements to reserves and minimum revenue provision policy charges.

7. In relation to the significant revenue costs for the planned food waste collections, had the Government provided any support to do this work?

The Deputy Chief Executive-Resources advised that a capital grant had been provided to fund the purchase of the food waste bins.

The Deputy S151 Officer further advised that all other funding elements for this work were included in the revenue support grant.

8. It was noted that some of the street cleansing etc. vehicles that operated within Stafford displayed the shared services branding. Would the costs to replace these vehicles be shared with Stafford Borough Council?

The Deputy Chief Executive-Resources confirmed that the costs applied to this Council only.

The Chief Executive further advised that vehicles were shared across both areas where appropriate to do so, but Council Tax paid by CCDC residents paid for CCDC services only.

9. Although it was not doubted new vehicles were needed, it seemed a lot of money to spend given the Council was no longer likely to exist in two years' time.

The Deputy Chief Executive-Resources advised that the Council still had services to deliver within that two-year period.

The Head of Business Support and Assurance further advised that the vehicles would transfer to the new authority once established.

10. Why was the Council's Tax Base projected to decrease for 2026/27?

The Deputy Chief Executive-Resources advised that this was due to a combination of more people being eligible for Local Council Tax Reduction and there being a lack of sufficient new house building in the District.

Resolved:

That the report be noted.

26. Housing Revenue Account Budgets 2025-2029

Consideration was given to the joint report of the Deputy Chief Executive-Resources & S151 Officer and the Head of Housing & Corporate Assets (Item 4.1 - 4.8).

The Deputy Chief Executive-Resources & S151 Officer advised the following in respect of the report:

- The budget was built around a proposed rent increase in 2026-27 of 4.8%.
- Table 1 set out the proposed budget summary from 2026-2029.
- The proposed level of minimum working balances was set at 10% of the net operating expenditure for the Housing Revenue Account.
- Key assumptions for the proposed budget of the pay award, rent increases and anticipated Right-to-Buys were set out in table 2.
- The forecast reflected the latest housing stock numbers and average rents for both social and affordable properties, with changes made to dwellings rent, garage rents and repairs budgets.
- Estimated income for 2026-27 was forecast to be £25.603 million and income of £25.647 million with a forecast transfer to working balances of £.044 million.
- Table 3 set out major changes to the budgets for the period 2025 to 2028, with a significant reduction in repairs backlog spending being anticipated for 2026/27.
- Appendix 1 set out the full proposed Housing Revenue Account (HRA) Budgets for 2025-2029 and appendix 2 the financial risks to the HRA.

Resolved:

That the report be noted.

27. Housing Revenue Account Capital Programmes 2025-2029

Consideration was given to the joint report of the Deputy Chief Executive-Resources & S151 Officer and the Head of Housing & Corporate Assets (Item 5.1 - 5.5).

The Deputy Chief Executive-Resources & S151 Officer advised the following in respect of the report:

- The current capital programme was based on the previously approved 30-year Business Plan, with a new plan in the process of being developed.
- Appendix 1 set out the estimated available of HRA capital resources for 2025-2029, with the carried forward figure representing a significant level of investment in the housing stock for each year.
- Appendix 2 set out the actual items in the programme money would be spent on, which were fully funded by the amount of available resources in the HRA at this current time.

Resolved:

That the report be noted.

The meeting closed at 6:42pm.

Chair

Quarter 3 Performance Report 2025/26

Committee:	Cabinet
Date of Meeting:	5 March 2026
Report of:	Head of Business Support and Assurance
Portfolio:	Resources and Transformation

1 Purpose of Report

- 1.1 To advise Members on the progress of the Priority Delivery Plans and the performance at the end of the third quarter of 2025-26.

2 Recommendations

- 2.1 To note the progress at the end of the third quarter relating to the delivery of the Council's priorities and the corrective action as detailed at Appendices 1a-1d and the performance information set out at Appendix 2.

Reasons for Recommendations

- 2.2 The performance information allows Cabinet to monitor progress in delivery of the Council's corporate priorities and operational services.

3 Key Issues

- 3.1 The Corporate Plan 2022-26 sets out the Council's priorities and strategic objectives. The plan is supported by Priority Delivery Plans (PDPs) which set out the key projects and actions for delivery each year. The PDPs were revised last year to reflect changes at an operational level and limitations on capacity.
- 3.2 Overall, 74% of the projects have been delivered or are on schedule to be completed. Progress in delivering the PDPs is summarised in section 5 of the report and set out in detail in Appendices 1a to 1d.
- 3.3 With regard to the operational performance of the key services of the Council, 74% of targets have been met or exceeded. Further details can be found in section 5 and in Appendix 2.

4 Relationship to Corporate Priorities

- 4.1 The Annual Delivery Plans set out key strategic and operational projects which support the delivery of the Council's priorities.

5 Report Detail

Background

- 5.1 The Corporate Plan 2022-26 sets out the Council's priorities and strategic objectives. There are four overarching priorities:

1. To reinvigorate the economy and create a District that thrives.
 2. To encourage and support residents to lead healthy and independent lives.
 3. To ensure Cannock Chase is a place that residents are proud to call home.
 4. To be a modern, forward thinking and responsible Council.
- 5.2 The priorities are supported by a number of objectives that set out what the Council is aiming to achieve, how we will deliver these and how we will measure our performance.

Priority Delivery Plans

- 5.3 The Priority Delivery Plans (PDPs) set out in Appendices 1A to 1D to this report are the annual documents that set out how the Council will achieve progress against its strategic objectives; these plans establish the actions and timetable for delivery that are the basis of the Council’s performance reporting framework. The PDPs were revised last year to reflect changes at an operational level and limitations on capacity.
- 5.4 A commentary on performance and a rating for each of the projects/actions set out in the PDPs is given in Appendices 1a-1d. A summary of progress, by rating, is given in the table below.

Table 1: Summary of progress in delivery of key projects/actions for Quarter 3 2025-26

Performance Rating	Action completed	Work on Target	Work < 3 months behind schedule	Work > 3 months behind schedule	Actions due to end of Quarter 3	Actions not yet due	Total Number of Actions
Corporate Plan Priority						N/A	
Economic Prosperity	6	1	2	1		7	17
Health and Wellbeing	4		1			1	6
Community	8	1	2			5	16
Responsible Council	5	2	2	2		6	17
Total	23	4	7	3		19	56

- 5.5 At the end of quarter 3, of the 37 actions planned for delivery in this period:
- 27 (73%) have been completed or are on target;
 - 10 (27%) are behind target.

Progress has slipped by 14% compared to quarter 2, and this is largely due to capacity issues.

Key Performance Indicators (KPIs)

5.6 In addition to the Delivery Plans, performance is also reported against the delivery of key operational services. Key Performance Indicators (KPIs) for these services are set out in Appendix 2 and are summarised in Table 2:

Table 2 - Summary of key performance indicators for Quarter 3 2025-26

Corporate Plan Priority					N/A	Total Number of KPIs
	Performance exceeds target	Performance on target	Performance < 5% below target	Performance > 5% below target	Not Applicable / Annual	
Economy Prosperity	7					7
Health & Wellbeing					1	1
Community	2	1	4	2	3	12
Responsible Council	5	2			6	13
Total	14	3	4	2	10	33

5.7 Of the 23 indicators due to be reported on in quarter 3:

- 17 (74%) indicators show performance on or above target; and
- 6 (26%) indicators show performance below target.

Performance has improved by 5% compared to quarter 2.

5.8 It should be noted that the actions and performance relating to the Housing Service have been removed from this report and are now being reported separately as part of the arrangements to support the work of the new Housing Board.

6 Implications

6.1 Financial

There are no direct financial implications arising from the report. The financial management of the PDPs is standard in accordance with Financial Regulations and any measure to address a performance shortfall as reflected in a PDP report will require compensatory savings to be identified in the current year and be referred to the budget process for additional resources in future years.

6.2 Legal

None.

6.3 Human Resources

None.

6.4 Risk Management

The Council's Strategic Risk Register sets out the risks the Council faces in delivering its priorities.

6.5 Equalities and Diversity

Equality and diversity matters are addressed in individual services areas and by undertaking equality impact assessments for projects and programmes of work where this is necessary and appropriate.

6.6 Health

None.

6.7 Climate Change

None.

7 Appendices

~~Appendix 1a: Economic Prosperity PDP~~

~~Appendix 1b: Health and Wellbeing PDP~~

~~Appendix 1c: The Community PDP~~

Appendix 1d: Responsible Council PDP

Appendix 2: Key Performance Indicators (*Responsible Council priority only*)

8 Previous Consideration

None.

9 Background Papers

Corporate Plan 2022-26 - Council 27 April 2022.

4-Year Delivery Plans 2022-26 - Cabinet 15 September 2022.

Contact Officer:	Judith Aupers
Telephone Number:	01543 464 411
Ward Interest:	All Wards
Report Track:	Cabinet: 05/03/26
Key Decision:	No

Priority Delivery Plan for 2025/26

Priority 4 - Responsible Council

Summary of Progress as at end of Quarter 3

				N/A	Total Number of Projects
Action completed	Work on target	Work < 3 months behind schedule	Work > 3 months behind schedule	Action not yet due	
5	2	2	2	6	17

Summary of Successes as at Quarter 3

The first Climate Change Board meeting took place in November 2025

Summary of Slippage as at Quarter 3

As reported previously, work on the installation of the switches has slipped and has been rescheduled for completion by the end of quarter 4. Work on the new shared intranet is progressing but is slightly behind schedule; this will now be completed in quarter 4. Climate change data is being collated but will now start to be reported to the Board from quarter 4 onwards.

Priority 4 - Responsible Council

Project	Actions and Milestones	Q1	Q2	Q3	Q4	Progress Update	Symbol
Closure of the Accounts	Audit of the Accounts for 2023/24			X		Work has commenced on a phased approach to catching up on the backlog of unaudited accounts	
	VFM review 23/24			X		Work on the VFM review for 23/24 has been completed and work on the 24/25 review is nearing completion	
Transformation Strategy & Plan	Report to Cabinet setting out impact of LGR on Shared Services /Transformation work and agree proposed approach		X			The report was approved by Cabinet in November 2025.	
Digital Strategy (inc replacement of IT Systems)	Installation of new switches	X	X			Work on the replacement of the core switches has been completed. The ESXi hosts have been replaced and work continues on the edge switches. The remainder of the work will be completed by the end of Q4.	
	SharePoint File Migration - development of business case and work plan		X			Approximately 50% of the migration has been completed to date and we are aiming to complete the majority of the remaining files by the end of Q2 2026/27.	
	Development of new Shared Services Intranet		X			Platform has been developed. Work programme to populate it and migrate information from existing intranet sites has been agreed and work will be completed in Q4.	

Project	Actions and Milestones	Q1	Q2	Q3	Q4	Progress Update	Symbol
Climate Change Strategy	Climate Change Strategy to be adopted	X				Council adopted the Strategy	★
	Climate Action Board in place			X		The first Board meeting took place on 6 th November 2025 and are scheduled for every quarter	★
	Data gathered for reporting to Climate Action Board		X			Q1 and Q2 data gathered from all service areas. Action plan progress reported to Climate Action Board November 25.	★
	Climate Action Board reports to Cabinet			X		The first report will be produced following the February Board meeting	▲
Strategic asset management including the review of key assets	Building Condition Surveys - Budget to be allocated to undertake essential remedial works				X		
	Statutory Compliance for all Council owned buildings: • Complete Insurance Reinstatement Valuations for outstanding buildings				X		
	Complete Lease & Asset Reviews:						
	• Appoint Agency Estates Surveyor		X			Interim Estates Surveyor Appointed	★
	• Compliance of Leased Buildings				X		
	• Lease Reviews Lease Negotiations				X		
	• Asset Reviews				X		
	Implement TIO to record Compliance Data across all buildings				X		

KPIs for Priority 4 - Responsible Council

Symbol	Description	Qtr 1	Qtr 2	Qtr 3	Qtr 4	End of Year
★	Performance exceeds target	4	4	5		
✓	Performance on target	1	2	2		
▲	Performance < 5% below target	1	1			
✘	Performance > 5% below target	1				
N/A	Reported Annually / Not Applicable	6	6	6		
	TOTAL	13	13	13		

Indicator	Year End 24/25	Target 25/26	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Year End 25/26	Rating Symbol	Comments
Local Taxation and Benefits									
Days taken to process new HB/CT Claims	17.4	20 days	18	19.7	14.2			★	
Days taken to process new HB/CT change of circumstances	4.3	9 days	2.2	2.1	2.6			★	
% of Council Tax collected annually	97%	98% by year end	28%	54.7%	81.6%			✓	
% National non-domestic rates (NNDR) collected	98.3%	98% by year end	26.1%	53.8%	80.8%			✓	
Transformation & Assurance									
% of calls answered	94.5%	95%	96.2%	96.7%	97.1%			★	
Average call wait time	90 secs	90 secs	44 secs	32 secs	33 secs			★	
Number of calls answered	86,466	N/A	20,602	17,404	17,089			N/A	
Law & Governance									
FOI requests within time i.e. 20 working days	84.6%	85%	74%	91.2%	92.3%			★	

Indicator	Year End 24/25	Target 25/26	Qtr 1	Qtr 2	Qtr 3	Qtr 4	Year End 25/26	Rating Symbol	Comments
Corporate Assets									
% of buildings with a valid annual landlord Gas Safety Record	100%	100%						N/A	Annual Target
% of buildings with a valid Electrical Certificate (within 5 years)	100%	100%						N/A	Annual Target
% of passenger lifts that have a valid 6 monthly thorough examination record	100%	100%						N/A	Annual Target
% of buildings that have a current Legionella risk assessment	100%	100%						N/A	Annual Target
% of buildings that have a current Fire risk assessment	100%	100%						N/A	Annual Target

Cannock Chase Council
Summary of Vacancies (including Starters and Leavers) at 31 December 2025

Service	Number of Vacancies at 31 October 2025	Starters in Q3 October - December 25	Leavers in Q3 October - December 25	Number of Vacancies at 31 December 2025	Notes
Economic Development & Planning	4	0	0	4	
Health & Wellbeing	2	1	0	1	
Corporate Assets	2	1	0	1	
Operations	8	2	2	10	2 starters were not included as vacancies in the October report
Regulatory Services	11	3	0	9	1 starter was not included as a vacancy in the October report
Resources	8	4	0	8	4 starters were not included as vacancies in the October report
Law & Governance	5	0	0	5	
Business Support & Assurance	6	3	0	5	2 starters were not included as a vacancy in the October report
TOTAL	46*	14	2	43	

*The actual figure at 31 October should be 55 – difference is due to a number of starters in Q3 not being identified as vacancies in Q2 – largely due to imminent start dates

Vacancies, Starters and Leavers at 31 December 2025

Post Title	Hours/week	Vacant from	Interim arrangements	Notes
ECONOMIC DEVELOPMENT & PLANNING				
CCDC Development & Policy				
Planning Policy Manager	37	July 23	Agency Planner	There is a national shortage of Planning Officers
Senior Planner	37	Sept 23	None	
Technical Assistant	37		Interim support as needed	
Customer Service Assistant	37		Casual role	
TOTAL VACANT POSTS	4			No starters or leavers in Q3 October - December 2025
HEALTH & WELLBEING				
Housing Assistance, Health & Leisure				
Senior Housing Officer (Adaptations and Assistance)	37	Jun-25	None	
Strategic Housing & Homelessness				
Lead Officer Housing Options	37	Mar-23	STARTER	
TOTAL VACANT POSTS	1			1 Starter in Q3
CORPORATE ASSETS				
Corporate Asset Manager (shared)	37	Jun 24 and Nov 24	Shared Interim Manager Appointed (13.05.2025).	
Principal Estates Surveyor	37	Dec 25	STARTER	
TOTAL VACANT POSTS	1			1 Starter in Q3
OPERATIONS				
Streetscene				
Cleansing Operative	37	Mar-25	Role covered by agency / other colleagues	Pending recruitment process
Channel Sweeper Driver	37	Mar-22	Area cleansing operative covering	Pending recruitment process
Cleansing Team Leader	37	Mar-25	Role covered by agency / other colleagues	Awaiting restructure
Principal Parks and Open Spaces Officer	37	Jan-21	Work distributed around existing Parks and Open Spaces Team	Awaiting restructure
Waste & Commercial Services				
Waste & Recycling Officer	37	Feb-25	Part-time casual appointment / work distributed to other officers	Pending recruitment process
Vehicle Mechanic	37		Agency cover	Pending recruitment process
Natural Environment				
Tree Officer - Community Trees and Tree Team	37	May-24	Currently covered by consultant tree officers – two to three days per week	Skilled employee market / availability. Awaiting restructure
Tree Officer - Community Trees and TPO's	37	Nov 25	Work being covered by consultant tree officers. TPO's applications only.	Skilled employee market / availability. Pending recruitment process
Tree & Landscape Protection Officer	37	Nov 25	LEAVER	
Parks & Open Spaces Admin Officer	37	Nov 25	LEAVER	
Cemetery Maintenance Operative / Driver		Nov 25	STARTER	(not included in the October report as a vacancy)
Countryside Estate Worker		Nov 25	STARTER	(not included in the October report as a vacancy)
TOTAL VACANT POSTS	10			2 Starters and 2 Leavers

Post Title	Hours/week	Vacant from	Interim arrangements	Notes
REGULATORY SERVICES				
Building Control				
Principal Building Control Surveyor (PBCS)	37	Apr 24	Team plus a consultant	Recruitment and retention is challenging for Building Control nationally. Have tried market supplement and using an agency to assist with recruitment but zero candidates
Senior Building Control Surveyor	37	May 25	Team covering	
Principal Climate Action Officer	37	New post	Covered by HoS- with support from others	Recruitment successful new post holder in post from Jan 2026
Climate Action Officer	37	New post Nov 25	STARTER - replaces a temporary post	(not included in the October report as a vacancy)
Land Charges & Street Naming Team Leader	22.5	Revised post to replace Support Services Team Leader	External Consultant plus manager	
Environmental Health				
Environmental Health Officer (Housing)	37	May 25	Currently team is being supported with consultant cover since November 2025	
Environmental Protection Officer	37	Oct 25	Being covered by the Team	Appointed made – starts in Q4
Apprentice EHO	37	Sep 25	None	Lack of senior/Principal EHOs in post to support development
Senior EHO / Housing Officer	37	July 25	None – pending restructure	
Licensing Officer	37	Oct 24	Agency support	
Senior EHO (Env. Protection)	37		Post deleted as part of restructure to create new Principal Officer post	
Senior EHO (Food & Safety)	37		Post deleted as part of restructure to create new Principal Officer post	
Principal Licensing Officer	37	Dec 25	STARTER - New post	Relates to team restructure
Principal Officer - Housing Standards			STARTER - New post	Relates to team restructure
TOTAL VACANT POSTS	9			3 Starters
RESOURCES				
Finance				
Senior Finance Business Partner x 2 posts	37	Vacant for 12+ months	Covered by Deputy s151 Officer plus support has been brought in to assist with the closure of the accounts and other specific pieces of work	Roles advertised September 2024. 2 applications received. All candidates unsuitable for interview. Market suggests that salary of post is insufficient to attract calibre of candidate required
Finance Business Partner - Capital, Projects & Assets	37		New posts - part of agreed investment in Finance team to support capacity issues within service	Have recruited to 2 management accountants at this level. Once these post holders are settled in post, will look at recruitment for this 3rd role at the H grade
AAT Trainee x 2 posts	37			No capacity to support the appointment and development of trainees until the Senior Finance Business Partner posts have been filled.
Revenues & Benefits				
Benefits Visiting Officer	37		None	
Benefits Officer	37		None	
Benefits Officer	37	Dec 24	None	
Benefits Assessor	37	Dec 25	STARTER	(not included in the October report as a vacancy)
Senior Benefits Officer	37	Dec 25	STARTER	(not included in the October report as a vacancy)
Benefits Assessor	37	Dec 25	STARTER	(not included in the October report as a vacancy)
Revenues Development Officer	37	Nov 25	STARTER	(not included in the October report as a vacancy)
TOTAL VACANT POSTS	8			4 Starters

Post Title	Hours/week	Vacant from	Interim arrangements	Notes
LAW & GOVERNANCE				
Legal Services				
Principal Solicitor (Planning)	37	Aug 22	Part time locum in place	Role advertised unsuccessfully on multiple occasions
Planning Lawyer	37	Nov 19	Part time locum in place	Role advertised unsuccessfully on multiple occasions
Paralegal	37	Sept 22	N/A	Recruitment to junior posts suspended until sufficient senior posts filled and budget freed up from locum spend
Senior Legal Officer	37	Jun 23	N/A	Recruitment to junior posts suspended until sufficient senior posts filled and budget freed up from locum spend
Democratic Services				
Electoral Services Assistant	22.5		Interim senior support brought in for elections	
TOTAL VACANT POSTS	5			No starters or leavers in Q3 October - December 2025
BUSINESS SUPPORT & ASSURANCE				
Corporate Business Support Officer	37	Apr-23	Held vacant pending restructure. Key work covered by HOS. Post to be advertised in Q4	
Human Resources				
HR Services Manager	37	Aug-23	Covered by manager and agency staff Team Restructured – post deleted	Cover provided internally between interim HR & Payroll Manager and one of two Senior HR Advisers
Principal HR Advisor – Employee Relations	37	Nov 25	STARTER	New post - replaces HR Manager post above
HR Services Manager	29.6	Aug-23	Covered by manager and agency staff Team Restructured – post deleted	Post has been recruited to – starting Q4
Senior HR Adviser	37	Sep-24	Interim agency cover	
Internal Audit & Risk				
Senior Auditor	37	July 25	Some work contracted out	
Safety & Assurance Assistant	20	Dec 25	STARTER	(not included in the October report as a vacancy)
Technology				
Technician	37	Nov 25		Post has been recruited to – starting Q4
Customer Services				
Customer Services Advisor	27	Nov 25	STARTER	Temporary post made permanent – not included in the October report as a vacancy
TOTAL VACANT POSTS	5			3 Starters

Key to Colour Shading

	Head of Service / Department Level
	Service Level / Team
	Changes in Quarter – Starters and Leavers
	Posts deleted through restructure – will be removed from future reports

Review of the Revenues & Benefits Service Debt Collection Process

Committee:	Responsible Council Scrutiny Committee
Date of Meeting:	10 March 2026
Report of:	Deputy Chief Executive (Resources)
Portfolio:	Resources and Transformation

1 Purpose of Report

- 1.1 To receive the report of the Task and Finish Group which reviewed the policies and processes involved in the Collection and Recovery of Council Tax and Business Rates.
- 1.2 To forward the recommendations of that group to Cabinet at its meeting on 16 April 2026.

2 Recommendations

That:

- 2.1 The report be noted and accepted
- 2.2 The results of the review be reported to Cabinet on 16 April (with updated arrears figures being included for the end of March performance).
- 2.3 No significant change be made to the Billing, Collection and Recovery Policy at this time.
- 2.4 Any statutory changes to the Council Tax and Business Rate collection process be included in an updated policy, and reported Cabinet, as necessary.
- 2.5 Officers continue to identify those debts which are irrecoverable and when necessary, process them for write-off in accordance with the Council's Constitution.
- 2.6 The project to review older debts be continued into the 2026-27 financial year and that the effectiveness of continued action be reviewed on a 6-monthly basis by the Section 151 Officer.

Reasons for Recommendations

- 2.7 The group was convened with the following remit:
 - To ensure that debt collection arrangements are effective and proportionate in approach.
 - To ensure that the Council's policies to support residents who are unable to pay are adequate.
 - To review the results of the increased resource, dedicated to collection of prior year arrears.

- 2.8 The Council must balance the need to use its recovery powers, which are considerable and sometimes unpopular, with the need to keep the write offs as low as they can be.
- 2.9 Having received extensive information about the process undertaken and the challenges facing the service, members of the group feel that that they now much better understand the issues and are satisfied that the Council is using its resource and its powers appropriately.
- 2.10 The creation of the group coincided with Cabinet approval of £175K of additional resource to the Revenues Team to be used specifically to review old debts with a view to identifying what is recoverable and what is not. Members received regular updates of the progress of this work and are satisfied with the progress that has been made.
- 2.11 The Council's share of the revenue recovered has exceeded the cost of the project and members feel that a continuation of the project is appropriate.

3 Key Issues

- 3.1 Traditionally the Council's performance on the collection of Council Tax and Business Rates is good with around 98% of what is due being collected within the year that it relates to. Action continues after the financial year has ended with much of the remaining 2% also being recovered.
- 3.2 The value of Council Tax and Business Rates collectable is very high (£70m and £40m per year respectively) and so even the small proportion of uncollected amounts becomes significant.
- 3.3 The Council has traditionally been reluctant to write off arrears' balances and so the indebtedness of defaulters has increased incrementally over a period of many years. The balance between keeping write offs low and accepting that some balances are irrecoverable needed to be reviewed.

4 Relationship to Corporate Priorities

- 4.1 Priority 4 – 'Responsible Council' is served by our attempts to maximise our income and to ensure that those defaulting on their liabilities are not a burden on the majority of customers that pay on time.

5 Report Detail

- 5.1 The Task and Finish Group met 4 times between 25th September 2025, and 2nd March 2026 with meeting content as follows:
- **Meeting 1** considered the problems facing the Revenues Team and their frustrations relating to weaknesses in legislation and loopholes that are being exploited. The Council's response to a Government consultation paper was also discussed.
 - **Meeting 2** examined the Billing, Collection and Recovery Policy in detail (see 5.2 below and Appendix 1). It also discussed plans to increase the degree to which traditional 'paper' communications can be moved onto electronic

platforms to achieve quicker responses to the customer and save money for the Council (5.6 below).

- **Meeting 3** looked at certain scenarios whereby debts should be recognised as irrecoverable and therefore be written off (5.3 below).
- **Meeting 4** agreed the content of the final report.

5.2 Billing, Collection and Recovery Policy

5.2.1 The policy, which is attached at Appendix 1 was last updated in 2023. No process changes are needed at this time, though the group recognised that some changes to national legislation were alluded to in the Government consultation process. The consultation sought views on whether councils ought to issue more reminders, than is currently the case, before taking court action and whether a minimum time limit ought to be prescribed before court action can be taken.

5.2.2 Should any changes be enacted in legislation, officers will revise our practices immediately and bring a revised policy to Cabinet.

5.3 Write Off Process

5.3.1 The Council's Constitution requires that any irrecoverable debts of £10,000 or more are considered for write off by Cabinet. Authority is delegated to the Section 151 Officer to write off debts below this amount. No change is proposed to this policy, which enables members to review the most significant debts with more operational matters being dealt with by officers.

5.3.2 The circumstances in which debts are traditionally written off include

- The debtor has died and insufficient estate exists
- The debt is subject to bankruptcy or winding up orders and cannot be recovered.
- The debt is subject to the debt relief instruments such as Debt Relief Orders or Individuals Voluntary arrangements.
- The debtor has absconded and cannot be traced.

5.3.3 The group discussed the Council's traditional reluctance to write off debts, in other circumstances and the consequences of that.

5.3.4 A significant piece of work is ongoing to try to recover outstanding arrears, and this has established some categories of cases whereby we do not expect to achieve payment and so write off will be expedited. The types of case are summarised below.

- Deceased Estates owing under £1,000
- Petty balances under £10
- Small balances – under £100 and over 2 years old
- Statute barred debts, 6 years old not having progressed to court.
- Debts over 10 years old for which all reasonable recovery action has been taken, without success.
- Debts under £500 for which all reasonable recovery action has been taken, without success

5.4 Arrears Summary

5.4.1 During the period from 1 April 2025 to 28 February 2026.

- Council Tax arrears have been reduced by over £1.8m, of which £1.4m was payment, of which over £152K is retained by Cannock Chase Council
- Business Rate balances have reduced by over £858K. £766k in payments have been collected against arrears balances. Our share of the payments received equates to around £222K.

5.4.2 The £175K invested in staffing resource, would therefore appear to be justified.

5.5 Continuing Project.

5.5.1 The results summarised above are pleasing and justify the investment, but more work is needed. The £175k investment, which was matched by Stafford Borough Council paid for 6fte agency staff, to support the share Revenues team.

- **4fte** had been identified as needed to support the processing of day-to-day billing and recovery work, which had developed a significant and increasing backlog. That work is now up to date and progressing as it should. The assessment of resource needed appears to be accurate.
- **2fte** was committed to reviewing prior year debts. This is going well but progressing slower than hoped in some areas. The work to review the arrears will not be completed by the end of the financial year and repayment of the debts which we put into recovery will happen over a period of several years.

5.5.2 Efficiencies across the Revenues and Benefit Service, resulting from improved processing, automation and system usage have enabled us to generate vacant posts via natural wastage and so the 4fte required to deal with day-to-day Revenues work, of the shared service, can be accommodated by the re-designation of these vacant posts. Recruitment to these posts will begin shortly and we would expect that the new recruits will be recruited and trained by October 2026.

5.5.3 Whilst recruitment and training is ongoing, it is proposed that the 6fte agency staff that are currently engaged, by the shared service, be extended until 30 September. Sufficient reserves remain to fund this and a decision can be made at that time as to whether continued agency support is needed to deal with the arrears project. It is proposed that the ongoing business case for continuation be reviewed by the Section 151 Officer on a 6-monthly basis.

5.6 Electronic Communications.

5.6.1 During the consideration of the strengths and weaknesses of the Revenues Service, particular discussion took place about the relatively low numbers of Council Tax and Business Rates payers who have chosen to receive their bill by email. This facility has existed for several years with only 18% take up by Council Tax payers and 26% of Business Rate payers receiving e-bills at the time of meeting 2 on 4 November.

5.6.2 E-billing take up as at end of February was:

- 20% on Council Tax
- 47% on Business Rates

5.6.3 With postal charges increasing and Royal Mail's delivery times increasingly being the subject of complaints to our service, we will proactively seek to increase our electronic communications across the whole of our service. This process has begun with an active e-billing campaign beginning in January and recipients of paper bills being encouraged to go digital by an enclosure with the 2026 annual bills.

5.6.4 Technology exists to use SMS/text messaging to prompt contact from residents for whom we hold mobile telephone numbers. Officers are testing this technology with a view to implement it in the most appropriate way, in the coming year. We anticipate this reducing the number of formal reminders that need to be issued and again reducing our costs.

6 Implications

6.1 Financial

The review itself has no financial implications. If implemented, the recommendations will involve initial financial outlay in the region of £88,000 for each council which is expected to be greatly exceeded by increased receipts. The continuing project will be subject to regular review of its cost effectiveness.

6.2 Legal

As a Billing Authority, for Council Tax and a Charging Authority, for business rates, the council has a duty to collect as much of the local taxes due to it as it reasonably can. The legal powers to do so are contained in the Local Government Finance acts of 1992 and 1988 respectively.

6.3 Human Resources

The redesignation of vacant posts to increase the Revenues Team is included in the report.

6.4 Risk Management

None.

6.5 Equalities and Diversity

None.

6.6 Health

None.

6.7 Climate Change

None.

7 Appendices

Appendix 1 – Billing, Collection and Recovery Policy

8 Previous Consideration

None.

9 Background Papers

None.

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Report Track: Responsible Council Scrutiny Committee: 10/03/26
Cabinet: 16/06/26

Key Decision: No



CANNOCK CHASE COUNCIL

REVENUES AND BENEFITS SERVICES

Billing, Collection and Recovery Policy

March 2026

Council Tax and Business Rates Collection and Recovery Policy

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Billing Collection and Recovery

1. Introduction

Cannock Chase Council is fully committed to ensuring that all aspects of the collection and recovery processes are delivered in the most efficient and effective ways, to the highest standards of customer care and having regard to the individual needs of customers and the interests of the residents and businesses that we serve.

The Council is also committed to ensuring that its taxpayers' interests are properly protected by maximising the income that can be generated for receipts of Council Tax and Business Rates.

This document sets out the policy guidelines that the Council will follow, in the billing, collection and recovery of Council Tax and Business Rates.

2. Statement of Objectives

- We will issue a prompt, correct bill that is understandable and easy to pay
- We will collect monies outstanding quickly and efficiently
- We will treat all liable persons with courtesy, respect and sensitivity.
- We will ensure any person experiencing legitimate difficulty in paying has the opportunity to agree flexible payment arrangements.
- We will attempt to contact the tax payer as early as possible after payment default occurs to avoid formal recovery action where possible.
- At all stages of our recovery action are an attempt to contact the tax payer to arrange mutually acceptable payment arrangements.
- We will ensure those who attempt to avoid paying without legitimate reason will be pursued using all legal means.
- We will recover all costs incurred in recovery action from the relevant tax payer.
- We will provide clear advice at every stage of recovery including tax payers' rights and responsibilities and also sources of independent advice.
- We will promote regular Direct Debit payments and other regular payment schemes that ensure all amounts due are collected in the year due.
- We will promote the use of electronic communications wherever it is reasonably practicable.
- We will ensure that any exemptions, discounts and reductions are paid only to those who are genuinely entitled to them.

3. Background

The collection and recovery of Business Rates and Council Tax is prescribed by the Local Government Finance Acts of 1988 and 1992 respectively, and subsequent regulations.

The Council must undertake collection and recovery within this legal framework, but it does allow for some degree of discretion regarding the manner and emphasis of administering the procedures.

Procedures are designed to take account of several basic principles, which are crucial to ensure a successful process and make sure that there is a fair and equitable service to the taxpayers of the Council.

Maximising the Council's income through receipts of Council Tax and Business Rates is essential to facilitate the services provided by this Council, and by other preceptors. We will achieve this by:

- Ensuring that all chargeable property is brought into the rating list or valuation list promptly.
- Ensuring that only legitimate claims for reductions are accepted.
- Ensuring that "scams" designed to avoid liability for charges are countered.
- Ensuring that Bills are issued promptly and collected.
- Promoting efficient collection methods.
- Taking swift, but fair and proportionate action against defaulters.
- Ensuring that any discretionary reliefs granted, support the Council's priorities, comply with our policy and are supported by the appropriate business justification.

4. The Policy

Prevention is the first essential step in a sensitive and cost-effective recovery process. There are several measures that can be taken to minimise indebtedness at an early stage which reduce the necessity for costly enforcement action which not only reduces costs but works towards avoiding potential hardship for taxpayers. Our main priority is to make early contact with taxpayers to establish the correct amount that is payable and make a mutually acceptable arrangement to pay, which does not increase indebtedness.

We will endeavour to distinguish between those who have genuine difficulty in paying their debts and those who are deliberately withholding, delaying or giving false evidence in respect of payment of debt. All taxpayers will be given the opportunity to make arrangements to pay, and any sanctions will only be taken after attempts to make satisfactory arrangements have failed.

We will ensure that those who have the means to pay are required to do so on the due date specified on their bill and procedures will be in place to ensure that recovery action is taken uniformly against anyone who fails to pay for no good reason, thereby ensuring that all taxpayers are treated equitably.

We will ensure that all available allowances, discounts, rebates and reliefs are granted in appropriate cases at the earliest possible time in order to ensure the amount owed is correct. We will make all reasonable attempts at all stages of recovery to identify taxpayers who may be entitled to claim discounts or other reductions. Taxpayers will be encouraged and assisted to make appropriate applications.

We will identify payment default as early as possible and will then contact the taxpayer, to attempt to make arrangements to pay.

We will ensure that all of our documentation is clear and easy to understand, and that appropriate publicity is undertaken to encourage people to pay early or to contact us promptly in order to avoid their debt building up.

We will consider the taxpayer's financial and personal circumstances at every stage of contact, particularly as early as possible after the debt is established to allow reasonable timescales in which to settle the outstanding debt.

All statutory notices will be issued as early as possible within the legal framework to ensure maximum cash flow (having taken account of the various exceptions within this policy document).

Whilst in general payments will be required in accordance with the regulations, where taxpayers pay regularly, but not in accordance with the statutory instalment scheme, we will be as flexible as possible to their needs of when it is suitable for them to pay. Our policy aim is to ensure payment of the full bill for the year, within the year.

We will monitor outstanding debts and take appropriate recovery action. Where there is default on an arrangement, we will attempt to contact the taxpayer in order to either review the arrangement or to take further recovery action.

We will make all reasonable attempts to identify and bill partners and other individuals (where they exist) who may be jointly liable for a charge in order to recover against the person who has the greatest ability to pay.

This policy will be available on the Council's website and in appropriate circumstances, the Council will issue press releases on specific cases.

5. Dealing with Vulnerable People.

The Council recognises and takes very seriously its duty to support vulnerable people, to ensure that our services are provided fairly and equitably to all. This responsibility is of particular importance, when considering the actions that we take in terms of issuing bills and the actions needed to enforce unpaid debts.

Vulnerability takes several different forms and there can be no single solution that can be applied in all circumstances. All instances of vulnerability that are brought to the attention of the Revenues Team will be considered on their own merits and where

specific actions are considered necessary and are reasonable, they will be taken. It is often the case that an individual's particular vulnerability will not remove their liability to pay or the necessity of recovery action, but help will be given when appropriate.

Ordinarily, the Council would expect specific actions and adjustments to be made in the case of vulnerability caused by disability, old age, illness or an inability to deal with financial matters, though this list is not exhaustive.

The actions that the Council would ordinarily expect to take include but are not exclusive to:

- Noting the vulnerability, to enable identification of it when dealing with ongoing issues, with a particular resident.
- Issuing bills and correspondence in alternative formats or languages other than English.
- Having bills and correspondence directed to an agreed third party such as family member, friend appointee or attorney.
- Contacting and/or discussing issues with those third parties as they arise.
- Ensuring, as far as is reasonably practicable, that the individual is receiving any discounts or reductions that they may be able to claim.
- Referring individuals to voluntary organisations or other third-party agencies when specialist help may seem to be needed.
- Individual consideration of specific circumstances prior to the commencement of Enforcement action.
- Notifying enforcement agents of known vulnerabilities when they are engaged to enforce debts against vulnerable people.
- Ensuring that Enforcement Agents have in place adequate measures to deal appropriately with vulnerabilities that they become aware of.

Dependent upon the point at which a potential vulnerability is brought to the attention of the Revenues Team, the actions previously taken or ongoing, it may be appropriate for the Council to seek proof of the vulnerability being claimed, before embarking on a specific or form of action.

6. Bill and Reminder Stages

6.1. Bills

- We will issue bills and revised bills, where necessary, as early as possible.
- We will encourage Council Tax and Business rate payers to receive their bill electronically in preference to paper bills.
- We will promote and encourage Direct Debit as the easiest, most effective method of payment but all other methods will be made freely available.
- Direct Debit payers will be offered a choice of alternative payment dates within the month.

- Monthly instalments are the preferred method of payment frequency but any reasonable method of payment within the instalment period will be considered.

6.2. Joint and Several Liability

- A bill may be addressed to one or more joint taxpayers in respect of an amount for which they are jointly and severally liable.
- The recovery procedures may be applied to one or more than one of the joint taxpayers.
- Different recovery proceedings cannot be applied simultaneously to more than one joint taxpayer for the same debt.

6.3. Missed Payments – Reminders

- Taxpayers are required to pay in accordance with the regulations. We will aim to issue reminders within one calendar month of an instalment being missed in accordance with the regulations.
- The reminder will inform the taxpayer of the amount in arrears and that if payment is not received within 7 days the facility to pay by instalments will be withdrawn and will result in further recovery action for the full years charge.
- If the instalments are brought up to date within the statutory period or we make an agreement with the taxpayer, we will not take any further action providing future payments are made correctly.

6.4. Final Notices

Final Notices, requiring payment of the full amount within seven days, will be issued when:

- The overdue amount represents the whole balance of the charge for a year, i.e. no future instalments will become due. Or
- The required number of Reminder Notices have already been served and complied with for a particular debt (one reminder is required for Business Rates, two are required for Council Tax).

6.5. Summons and Liability Orders

- If payments are not made as required or agreed, the Council will make complaint to the Magistrates' Court and in accordance with the regulations, a summons will be issued giving at least 16 days' notice before the hearing date.0
- At the hearing, if the court is satisfied that the charge is legally payable and remains unpaid, the Magistrates are required to issue a Liability Order, together with an order for reasonable costs.
- Taxpayers who do not attend Court will usually be dealt with in their absence.

- Unless alternative arrangements for payment have been made, or a course of recovery action decided upon, in the case of Council Tax debts, a notice will be sent to the taxpayer when a Liability Order has been granted by the Magistrates. The notice may be issued either directly by the Council or by agents acting on our behalf.
- This notice will include the statutory requirement for information regarding the taxpayer's financial circumstances and employment, so that arrangements to recover the debt may be made from earnings or Income Support/Job Seekers Allowance as appropriate.
- In addition to the statutory requirement for financial information, this notice will emphasise the need to make an acceptable arrangement to pay based on the taxpayer's financial circumstances.
- Where a defaulter is known to be in receipt of Local Council Tax Reduction, more than one notice will be issued before Enforcement Agents visit the taxpayer.
- In the case of Business Rate default, debts may be issued to Enforcement Agents without a warning notice being issued.

7. Liability Orders and Enforcement Stages

7.1. Overriding Aims

- The Council's aim is always to collect any outstanding debt as efficiently and effectively as possible and will base any discretion as to methods of enforcement on this overriding aim.
- This aim will be balanced with ensuring that debtor's individual circumstances, where available, are considered.
- The previous conduct of a debtor will be taken into consideration when exercising discretion.
- The regulations only allow for one method of enforcement to be taken at any one time in relation to a single Liability Order. The Council will aim to use the most effective method at any point that debts remain outstanding.

7.2. Attachment of Earnings (Council Tax Debts only)

- If the details of the taxpayer's employment are known and an Attachment of Earnings Order is considered appropriate, we will make an Attachment of Earnings Order and serve it on the debtor's employer.
- The sums to be deducted are prescribed in the regulations and employers have a statutory obligation to comply with an Order.
- An employer may deduct £1.00 towards administrative costs on each occasion a deduction is made.

- Where the debtor has two or more unpaid liability orders the Council may request a maximum of two Attachment of Earnings Orders be initiated.
- Where alternative arrangements have been made but not adhered to, the recourse to enforce an Attachment of Earnings Order will be taken.
- If it is felt by a debtor that the deductions under the Attachment of Earnings Order will cause hardship, the debtor may apply to the Council for the deductions to be reviewed. This review will be undertaken on the basis of ensuring that any debts are collected as efficiently and effectively as possible.

7.3. Deductions from Benefits (Council Tax Debts Only)

- Where appropriate we will apply to the Department for Works and Pensions for deductions from Jobseeker Allowance or Income Support
- The Council can apply to the Job Centre Plus for deductions to be made from Universal Credit, Jobseeker Allowance, or Income Support but not from any other benefits.
- The Council Tax (Deductions from Income Support) Regulations 1993 specify the fixed weekly amount deductible which is 5% of the Universal Credit, Jobseeker Allowance or Income Support for a single person aged over 25.
- The fixed nature of the rate of deductions may render this method of recovery inappropriate, for example where the ongoing liability is greater than the deduction rate, or other means of recovering the debt are available.

7.4. Taking Control of Goods (formerly known as Levy of Distress)

- We will pass debts to Enforcement Agents (formerly known as bailiffs) to take control of debtors' goods, to enforce payment where it is felt that no alternative enforcement power is available or appropriate.
- Enforcement agents are required by law to undertake a compliance stage to encourage the debtor to engage, prior to visiting the debtor's home or place of business, or charging fees.
- Legislation permits the Enforcement Agent to charge statutory fees directly to the debtor. There is therefore usually no cost to the Council in this process.
- When a debt is referred to an Enforcement agent, we would expect the debtor to resolve payment of his arrears and associated fees with the agent. The Council will only intervene or withdraw a case from the Agent in exceptional circumstances, for example in the event of a Council error leading to the referral.
- The Council will from time to time, issue operating rules and a Code of Conduct to its Enforcement agents. The aim of these is to ensure that the agents operate fairly, proportionately and within the legal framework.
- We will always try to establish if a debtor is vulnerable, and act accordingly when this is the case. This will not ordinarily require the matter to be returned by the Agent. It is considered reasonable, at this stage for the Agent to require some

form of proof or verification of the vulnerability and where this is provided, allow time for the debtor to seek the support needed to be able to deal with the Agent's visit.

7.5. Bankruptcy, Liquidation and Charging Orders

- Any amounts due can be deemed to be debts for the purposes of the Insolvency Act 1986 in relation to winding up limited companies or to petition for the bankruptcy of individual.
- We will engage the assistance of private sector specialists in this type of recovery action, when appropriate.
- We will generally, only consider personal bankruptcy after other recovery methods have failed. However, we will choose it sooner if information is received that suggests that by initiating bankruptcy proceedings, this be a more effective method of collection.
- Insolvency proceedings against companies may be preferable to attempting to take control of their goods, and this method will be deployed where it appears preferable, having regard to the size of the debt and the circumstances and conduct of the debtor.
- We will make reasonable efforts to ascertain if there are assets available prior to making a petition for bankruptcy or insolvency.
- Insolvency and bankruptcy proceedings will only be considered where the overall debt is over £5,000. The debt may be made up of debts other than Council Tax.
- Charging Orders will be applied for where £1,000 or more is owed and it is felt appropriate to do so, having regard for the amount of debt and circumstances of the debtor. These will generally be followed with applications for Orders for Sale. Again, private sector specialism may be procured in these cases.

The procedures to be followed in the case of Bankruptcy, Insolvency and Charging Orders are as below.

8. Insolvency (Bankruptcy and Winding Up proceedings)

8.1. Legal Requirements

The legal requirements are contained within the Insolvency Act 1986, as amended. Essentially, bankruptcy action can be taken against any debtor who owes in excess of £5,000 to creditors and who, for whatever reason, is unable to satisfy his creditors' claims in full.

In addition, a debtor may initiate action by petitioning for their own bankruptcy. Winding Up proceedings are used against Limited Companies.

Insolvency frees a debtor from overwhelming debts so they can make a fresh start, subject to some restrictions, and makes sure the assets belonging to the debtor are shared out fairly among all the creditors. However, the consequences can be severe

and can involve the loss of the debtor's home or business and considerable legal and Trustee costs. The level of costs will reflect the complexity of the matters involved and the extent to which the debtor cooperates with the Trustee who is administering the estate.

Insolvency action takes place in the County Court or the High Court if the debtor resides in London.

8.2. Use of Specialists.

The Council will refer appropriate cases to a solicitor. Solicitors are fully authorised to deal with all matters connected with insolvency from the issue of the Statutory Demand to dealing with contested matters. Where appropriate a private sector specialist will be engaged to undertake the work on our behalf.

8.3. Circumstances where Insolvency Proceedings may be appropriate

- Where the debt exceeds £5,000 and the debtor has sufficient assets or equity to ensure the debt is recoverable by the Official Receiver or the Trustee.
- Where the debtor is not making regular and mutually agreed payments that are sufficient to clear accruing debt and the arrears within an acceptable timescale.
- Where insolvency action is considered most effective in recovering from a particular debtor.
- Where the debt has arisen as a result of fraud.
- Where specific assets cannot be identified but there are indicators that the debtor is one of high material worth for example, renting high value property/has a high salaried profession.
- Where bankruptcy action would encourage payment from specific groups of debtors where their credit rating is important to them, for example company directors, self-employed people and those people needing finance.
- Where debt is arising as a result of continuing default and facilitating occupation by another party would be beneficial to the Council's future Business Rate or Council Tax income.

8.4. Special Circumstances

If made aware of the following circumstances prior to a Bankruptcy Order being obtained, the Council will consider withdrawing proceedings in favour of alternative enforcement action.

- Where a debtor, as a result of age, severe mental illness, or serious learning difficulties, is vulnerable and cannot deal with their affairs.
- Where the debtor is currently in receipt of 100% Council Tax Reduction with no accruing debt and another method of recovery is considered to be more appropriate.

8.5. Consideration of Insolvency and Officers' Actions

A decision for the Council to begin bankruptcy proceedings will be made by the Principal Revenues Officer, Revenues Services Manager or Revenues and Benefits Manger.

As part of the consideration as to whether insolvency action is appropriate in an individual case, officers will consider the overall debt position, the financial position including income and equity, personal circumstances and the level of engagement including previous payment history.

The more information held about the debtor the more efficient the decision-making process will be in terms of selecting the most effective enforcement option. As part of the decision-making process the Council officer will seek to build a picture of the debtor and their circumstances and will achieve this in various ways, including some or all of the following activities. The list is not exhaustive.

- Demanding financial information in writing following a Liability Order being granted whilst stating bankruptcy is an option to be considered.
- Checking all Council Tax records and if possible, any other records to see if there is any reason bankruptcy would not be appropriate as a result of vulnerability issues.
- Checking with the Benefits Service to ensure that all Council Tax Benefit and Reduction due to the debtor has been posted to the Council Tax account and that their records do not indicate significant vulnerability issues.
- Checking H.M. Land Registry to confirm property assets.
- Checking with a Credit Reference Agency for information on outgoings, requests for finance, mortgages and other financial information.
- Checking known or potential employment details.
- Checking Benefit Overpayment records and Business Rates records (and including all debts in the bankruptcy action).
- Checking Companies House records for business information.

The Council may engage private sector practitioners or solicitors to undertake these checks and/or issue appropriate correspondence to the debtor.

9. Charging Orders

9.1 Legal Requirements

If the aggregated balance on Council Tax Liability Orders for a property is over £1,000 then an application may be made for a Charge to be placed on the same property only, to secure the debt owed to the Council. Charging Orders are not a method of enforcement in that the debt remains unpaid until the property is sold, and the Charge extinguished by the payment of the debt from the proceeds. The property may never

be sold or not for a considerable time. If the debt is to be actively recovered then following a Charging Order being obtained, an application must be made to the Court for an Order of Possession and Order for sale.

Charging Orders may only be used for Business Rates debt with the agreement of the ratepayer and therefore such action will not be taken without the written consent of the ratepayer.

9.2. Use of solicitors.

The Council will refer appropriate cases to a solicitor. Solicitors are fully authorised to deal with applications for Charging Orders, Orders for Sale and Possession and contested matters. Where appropriate, private sector specialist assistance will be sought.

9.3. Circumstances where a Charging Order may be appropriate.

- Where the property is currently for sale voluntarily and a Charging Order is used as a way of securing the debt by agreement with the Council.
- Where the property is owned by a debtor who resides outside UK jurisdiction.
- Where a debtor, as a result of age, severe mental illness or serious learning difficulties cannot deal with their affairs.
- Where the debtor's whereabouts are unknown making service to allow bankruptcy action difficult.
- Where a payment arrangement has been agreed on the basis that the debt is secured via a Charging Order.

9.4. Decision Making

The number of cases is very small. The Revenues and Benefits Manager will consider each case on its own merits being mindful of all the facts and the level of arrears.

10. Committal Proceedings

Where Enforcement Agents have attempted to take control of an individual's goods and (for whatever reason) have been unsuccessful, the Council has the power to apply for committal to prison. This requires attendance at the Magistrates Court to enable a means enquiry to be conducted to see whether failure to pay is due to 'wilful refusal' or 'culpable neglect'.

The Council will only use this as a last resort. There will be many attempts to make arrangements and elicit payment, before reaching this stage, but in some cases, there is no alternative.

In the majority of cases where committal action is taken, there will have been persistent refusal or avoidance of payment, and the Magistrates will be asked to impose a suspended sentence and order the taxpayer to make monthly or weekly payments.

Legal precedents exist that state that Magistrates should not commit forthwith without either considering alternatives or having made suspended orders to coerce payment. Once a suspended order has been made, debtors are obliged to pay as required by the order. If the debtor fails to pay, the Magistrates are entitled to remove the suspension and order that the debtor serves the sentence. In these cases, the Council will give debtors an opportunity to attend hearings to show cause why they have not paid. The term of imprisonment will not exceed three months for each Liability Order.

If the Magistrates decide that failure to pay was not due to wilful refusal or culpable neglect, they have the power to remit all or part of the debt. However, they are entitled to remit the debt, on the basis of inability to pay.

If a term of imprisonment is served, the relevant Council Tax will be written off as irrecoverable. Any part payment will reduce the term of imprisonment proportionally.

11. Policy Review

This policy will be reviewed and updated, from time to time, in order to ensure it remains valid, effective, and relevant. Updates that do not materially alter the aims or operation of this policy, for example changes to the underlying legislation, will be approved by the Revenues and Benefits manager in consultation with the cabinet Member(s) responsible for Council Tax and Business Rates.

Material changes to the policy will require further approval in accordance with the Council's Constitution.