

APPEALS PANEL 3

WEDNESDAY 5 JANUARY 2017 AT 10.00AM

PRESENT: Councillors Collier (Chairman), Bomford and Williams (as substitute for Councillor Franklin).

OFFICERS: Revenues and Benefits Operations Manager
Recovery Court Officer

APP3.01/17 APOLOGIES FOR ABSENCE

An apology for absence was submitted on behalf of Councillor Franklin.

APP3.02/17 DECLARATIONS OF INTEREST

There were no declarations of interest in respect of the complaint.

APP3.03/17 PUBLIC AND PRESS

RESOLVED - That in accordance with Section 100A(4) of the Local Government Act 1972, the Public and Press were excluded from the meeting during consideration of the following item of business on the grounds that it involved the likely disclosure of exempt information, as defined in Paragraph Number 1 of Part 1 of Schedule 12A of the 1972 Local Government Act.

APP3.04/17 COMPLAINT AGAINST COUNCIL TAX

The Democratic Services Officer reported that the Appellant had contacted the office to explain that, unfortunately, he had been in a car accident which had left him without transport.

The Appellant had been informed that the Panel had two options available to them, they could agree to adjourn the meeting to allow for his attendance or they could proceed with the meeting in his absence. The Appellant had been happy with either option and had said he would submit a written statement to be read out to the Panel on his behalf. The written statement had not been received for the meeting.

The Chairman and Members discussed their options and felt that they should progress with the meeting due to the length of time it had taken for the complaint to come before the Panel and to avoid any further delay.

All Members of the Panel had read the report and supporting papers and felt confident that they understood the Appellants complaint to be about the handling of his Council Tax assessment and payments and the alleged behaviour of officers in obstructing the process of his complaint. In addition the Appellant had complained about the behaviour of an Enforcement Agent who had visited his property.

The Revenues and Benefits Operations Manager and the Recovery Court Officer were invited to the meeting.

The Chairman informed officers that the Appellant had been unable to attend the meeting and the Panel had agreed to consider the complaint in his absence. The Chairman summarised the Appellant's complaint as detailed in the report and invited the officers to respond to the issues raised, in particular the allegations made against the Enforcement Agent.

The Revenues and Benefits Operations Manager explained that, as detailed in the report, the City Council had tried to obtain information from the Appellant on numerous occasions but the Appellant had not supplied the required information. He added that the onus was on the Appellant to inform the City Council of any changes in circumstances which included moving into a new property.

The Revenues and Benefits Operations Manager and the Recovery Court Officer had been concerned about the allegations against the Agent and had watched the footage of the exchange which had been filmed on the enforcement Agent's body worn camera. The footage had been a stark contrast to the allegations made by the Appellant and showed that the Enforcement Agent had behaved professionally, courteously and had been accommodating in securing payment.

The Revenues and Benefits Operations Manager and the Recovery Court Officer responded to Members questions clarifying:

- that the cost of any recovery proceedings were covered by the customer;
- the Appellant had not provided the required evidence for an uninhabitable property when asked;
- it was the authority's statutory duty to collect Council Tax
- officers had followed the procedures set out in the Corporate Complaints Policy
- the Appellants address had been amended as soon as the Council had been informed it was incorrect.

The Panel thanked the Officers for their input and they left the hearing at 2.22pm.

The Panel then considered all of evidence presented to them prior to and during the hearing and:

RESOLVED – That the Panel gave full consideration to the papers circulated prior to the meeting and the responses made by Officers of the Council and did not uphold the appeal.

The Panel were unanimously of the opinion that the Council and its Officers had acted in accordance with the information given and the relevant laws governing Council Tax collection.

(The Meeting ended at 2.30pm)