

Summary of Write Off's

Debts written off in 2022/23

Period 1 April 2022 – 30 September 2022 relating to any year

Write Offs	Council Tax £	Business Rates £	Housing Benefit Overpayment £	Adult Services £	Miscellaneous Income £	HRA (Care Line/Service Charges) £	Parking £	Libraries £	HRA Tenants £
Under £5k	138,290.75	25,583.52	34,491	17,918	21,265	0	280,482.85	412.50	£39,953.71
£5k-£25k	0.00	38,053.01	17,151	5,960	28,173	0	0.00	0.00	0
Over £25k	0.00	0.00	0	0	0	0	0.00	0.00	0
Total	138,290.75	63,636.53	51,642	23,878	49,438	0	280,482.85	412.50	£39,953.71

There are five Write off's greater than £25,000 that are submitted as part of this report seeking approval from cabinet.

Amount to write off		Service Area
£61,091.35	<p><u>Marl123 Limited – 5/6 London Road, Southend-on-Sea, Essex, SS1 1PE</u></p> <p>Non-Domestic Rates debt to be written off as company has been dissolved. Debt relates to the period 2nd July 2020 until 10th April 2022 (three different financial years)</p> <p>The Council have sought to recover this debt, and the appropriate recovery action has taken place, with court action being instigated on 6th July 2021 – the first court post the Covid pandemic.</p> <p>As no payment was forthcoming following this action, the Council have passed the debt to both Marston and Newlyn Enforcement Agents, neither of which have been successful in obtaining a payment.</p> <p>Following this action, the company has been dissolved. The department have been in contact with the Treasury Solicitor who confirmed on 6th July 2022 that the Crown hold no interest in the lease at this site.</p> <p>The account has been closed and the rate charge has been diverted to the new tenant at the property.</p>	Business Rates

<p>£96,946.03</p>	<p><u>Eurodiet Health Ltd – 9 Elmer Approach, Southend-on-Sea, Essex, SS1 1NE</u></p> <p>The Council have recently created a rate account for the company covering the period 7th June 2018 until 6th April 2022.</p> <p>The debt has been raised following a High Court case between the landlord and tenant concerning the legality of the tenancy that had been entered into at the premises. The High Court confirmed the tenant should be liable for this period.</p> <p>Prior to this decision the Council had not sought to alter the liability as the Council were first notified of the existence of a tenancy after High Court proceedings had commenced.</p> <p>Having altered the liability, the Council are not able to seek recovery of the debt as the company has entered into liquidation (this process had commenced during the High Court proceedings)</p>	<p>Business Rates</p>
<p>£59,431.78</p>	<p><u>Business registered at 147 High Street, Southend-on-Sea, Essex, SS1 1LL</u></p> <p>The Council created a business rate account for an individual in May 2019 for the period 1 May 2019 until 27 October 2019.</p> <p>At no stage during the occupation has the debt ever been paid and as such has been subject to court proceedings, with an order granted on 4th September 2019.</p> <p>This debt has been passed to Newlyn Enforcement Agents who have made numerous enquiries and subsequently returned to the Council as uncollectable.</p> <p>The Council have made various checks to trace the debtor who has absconded, despite having official confirmation via the debtors driving licence there has been no financial footprint that we have been able to identify this individual.</p> <p>Given the size of the debt, multiple checks have been made over a prolonged period, however with no success and the debt now three years old, there is now no further avenue for collection, and little prospect of locating this individual after this period of time.</p>	<p>Business Rates</p>

<p>£66,457.75</p>	<p><u>One Hundred Coffee Club Ltd – 119 High Street, Southend on Sea, Essex, SS1 1LH</u></p> <p>A rate account was created in June 2019 for this company at the property following notification that they had entered into a lease agreement at the site.</p> <p>The account covers the period 4th June 2019 through until 29th March 2022</p> <p>The company initially advised that they were refurbishing the property to a standard to be able to open to the public, however, with the pandemic in March 2020, the venture has failed to be completed and the site has never been traded from. This has left the company unable to claim the respective Covid grants and indeed the retail relief that would have covered the majority of this debt.</p> <p>The company has now ceased to trade, and search shows the company to have no assets therefore we have no alternative but to write the debt off our record as there is no avenue for collection.</p> <p>The company has paid a total of £2,151.58 towards this debt.</p> <p>The Council have taken the appropriate recovery action and having obtained a liability order for each debt, the cases have been allocated to enforcement agents to collect on our behalf, however these efforts have been in vain with no collection received.</p>	<p>Business Rates</p>
<p>£25,873.29</p>	<p><u>The Hive Enterprise Centre (Southend Victoria) Ltd – Part 2nd and 3rd Floors, The Hive, 70 Victoria Avenue, Southend-on-Sea, Essex, SS2 6EX</u></p> <p>Non-Domestic Rates debt to be written off as company went into liquidation on 23rd August 2022. Debt relates to the period 1st April 2020 until 22nd August 2022 and includes the financial years 2020/21 and 2022/23.</p> <p>The Hive Enterprise Centre (Southend Victoria) limited commenced occupation of the above property on 27th March 2015. All rates were paid until 31st March 2020.</p> <p>On 13th March 2020 a demand was issued for £19840.00 for the financial year 2020/21. The demand requested the following instalments £1984.00 from 1st April 2020 until 1st January 2021. Due to the Covid pandemic recovery action was placed on hold. On 12th October 2020 a reminder notice was issued. As no payments were made a summons was issued on 27th August 2021 and a liability order granted on 22nd September 2021. This added £95.00 costs to the account.</p>	<p>Business Rates</p>

For the financial year 2020/21 the government supplied all Local Authorities with funding to assist businesses paying their 2020/21 business rates. The scheme was called the Covid 19 additional relief fund (CARF). The scheme awarded £19840.00 and therefore no business rates were due.

On 11th March 2022 a demand was issued for £19840.00 for the financial year 2022/23. The demand requested the following instalments 10 monthly payments of £1984.00 from 1st April 2022 until 1st January 2023. As no monies were paid a reminder was issued on 21st April 2022. A payment of £1984.00 was made on 4th May 2022. This was offset against the April instalment. As no further monies were received a final notice was issued on 16th May 2022 and a summons issued on 6th July 2022. A liability order was obtained on 27th July 2022. Costs of £95.00 were added to the account.

From October 2020 Southend Council was in contacted with the taxpayer and several arrangements were made. As each arrangement failed, on 6th July 2022 the above case was issued to our enforcement agents. Requests were made for the enforcement officer to take control of goods, but as this took place The Hive Enterprise Centre (Southend Victoria) Limited went into liquidation.

A claim has been made against the estate. The insolvency agents Marshall Peters to date have been unable to ascertain any assets.