

RECORD OF OFFICER DECISION

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<p>NAME OF OFFICER MAKING DECISION (INCLUDING JOB TITLE) AND THE DECISION BEING MADE</p>	<p>Mark Radford, Director of Corporate Services</p> <p>Establishment of a shared debt recovery service</p>
<p>TITLE OF REPORT</p>	<p>Collaboration Agreement to establish shared debt recovery service with Maidstone and Tunbridge Wells Borough Councils</p>
<p>DATE THE DECISION WAS TAKEN</p>	<p>24 May 2016</p>
<p>SUMMARY OF REASONS FOR DECISION</p>	<p>The Cabinet agreed at its meeting on 15th July 2015 to establish an in house a shared debt recovery service as per the following Minute No 110/07/2015:</p> <p>Cabinet Member for Finance</p> <p>Cabinet considered the report of the Head of Housing and the above Cabinet Member which sought Members consideration of a shared debt recovery service for the collection of unpaid council tax, business rates and parking fines. The service would recover debts on behalf of the Borough instead of sending them to external enforcement agents.</p> <p>The Cabinet Member for Finance advised that there was an error in Table 1 of the report, also included as Table 6 in Appendix I, which related to Profit and Loss. The amended Table had been emailed to Members and was also tabled.</p> <p>In response to a query from a Member, the Assistant Revenues and Benefits Manager explained that officers had studied in depth the cost implications of collecting for type of case and the volume of each type of case. It was considered that for the first year at least it was simpler to divide the costs by three as they were likely to even out. She advised that this could be reviewed after the first year.</p> <p>Discussions ensued about reviewing the service, and Members agreed that Recommendation (3) be amended to include the following wording to reflect that the Collaboration Agreement should include a three yearly review in addition to the proposed one year initial review 'shared debt recovery service for the collection of unpaid council tax, business rates and parking fines, this will include a review of the service after one year as part of the implementation of the service and that a three yearly review be incorporated</p>

into the proposed Collaboration Agreement’.

RESOLVED:

- (1) That, subject to the agreement of Maidstone and Tunbridge Wells Borough Councils, the creation of an in-house debt recovery service for the collection of unpaid council tax, business rates and parking fines be approved.**
- (2) That the Revenues and Benefits Manager Financial and Technical be delegated authority to make the necessary implementation arrangements as set out in the report.**
- (3) That the Director of Corporate Services in consultation with the Cabinet Member for Finance, be delegated authority to negotiate the terms of and enter into a collaboration agreement with Maidstone and Tunbridge Wells Borough Councils for the delivery of a shared debt recovery service for the collection of unpaid council tax, business rates and parking fines, be reviewed after one year as part of the implementation of the service and that a three yearly review be incorporated into the proposed Collaboration Agreement.**

The service is to go live from 20 June 2016. The agreement will run for 5 years expiring on 19 May 2021 unless terminated on mutual agreement or by exercise of the notice provisions. As requested by Cabinet a three year review has been included, however, in essence the agreement will be subject to an annual service review for the first three years of the agreement and in the unlikely event of the service overspending there will be an immediate review of the service through the Shared Service Board.

In terms of governance perspective I am satisfied that it covers:

- The provision of the service, the service plan and the service level agreement – the latter sets out the detailed service specification: receipt of instructions, transferring, recording and maintaining computerised records of instruction, authorisation of enforcement agents, body worn video, ensuring that enforcement agents meet Council’s conduct and appearance requirements, working procedures fees, banking and accounting money, providing and administering payment facilities, reporting, returning records, insurance indemnities, performance standards, performance review meetings.
- The agreed termination, default and review provisions
- The appropriate arrangements under Data Protection and Freedom of Information of Acts and confidentiality

BACKGROUND	A report was considered by the Cabinet on 15 July 2015 details set out above
DETAILS OF ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	The alternative would be to not enter into a Collaboration agreement, however, the requirements of the delegation have been satisfied and the business benefits of entering into the service remain.
DETAILS OF ANY CONSULTATION UNDERTAKEN	<p>In accordance with the delegation, consultation has taken place with the Cabinet Member for Finance and he has confirmed that the collaboration agreement has been negotiated in accordance with the delegation.</p> <p>The Head of Finance has also been consulted and his amendments to the financial provisions have been incorporated into the Collaboration Agreement.</p> <p>The Revenues and Benefits Manager Financial and Technical has also confirmed that she is content that the proposed operational arrangements have been covered in the Collaboration Agreement.</p>
DETAILS OF ANY CONFLICTS OF INTERESTS	None
CONTACT FOR ENQUIRIES/FURTHER INFORMATION	Mark Radford 01795 417268
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