

Appendices

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NORTHAMPTON
BOROUGH COUNCIL

CABINET REPORT

Report Title	ENFORCEMENT AGENT FRAMEWORK
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AGENDA STATUS: PUBLIC

Cabinet Meeting Date:	7 September 2016
Key Decision:	Yes
Listed on Forward Plan:	Yes
Within Policy:	Yes
Policy Document:	No
Directorate:	Finance & Resources
Accountable Cabinet Member:	Councillor Brandon Eldred
Ward(s)	All

1. Purpose

1.1 To seek Cabinets approval to implement a Revenues and Benefits Enforcement Agency Framework Agreement to address future recovery of unpaid monies on behalf of the Borough of Northampton.

2. Recommendations

That Cabinet approve the implementation of a Revenues and Benefits Enforcement Agency Framework Agreement to address future recovery requirements and to enter into a Framework Agreement with the following four providers:

- Bristow & Sutor
- Dukes
- JBW
- Rossendales

3. Issues and Choices

3.1 Report Background

- 3.1.1 Northampton Borough Council (Council) has historically used external enforcement agents (previously known as bailiffs) and collection agents to collect outstanding monies for Council Tax, Business Rates (NNDR), Overpaid Housing Benefits, Former Tenant arrears and Sundry Debts.
- 3.1.2 The existing contract came to an end in November 2015 and new arrangements needed to be sought to replace it with a specification that better met the needs of the Council. Since the commencement of the original contract in 2011 there has been much change in the enforcement industry, mainly due to the review by the Ministry of Justice, and the increased expectations of Local Authorities. Hence the need to take time to implement an appropriate contract.
- 3.1.3 In the industry the Council has a reputation for performance management, and insisting on a firm but fair approach to debt recovery. A framework approach allows for any supplier that doesn't deliver to the expected standards to be replaced without the need for a new procurement process, which is both costly and time consuming.
- 3.1.4 An open tender for the Revenues and Benefits Enforcement Agency Framework was advertised on the 3rd December 2015, on the OJEU website, Contracts Finder and Source Northamptonshire in compliance with the EU Procurement Regulations, to maximise the opportunity for the Council to secure service providers that could deliver to the specification required for a period of 4 years.
- 3.1.5 Initially nineteen (19) organisations registered an expression of interest, with ten (10) submitting a tender on the closing date of the 18th January 2016. These tenders were evaluated in accordance with the pre-determined criteria and scoring mechanism, with the prospective suppliers ranking based on the points awarded.
- 3.1.6 It is the intention to use the top four scoring suppliers, subject to approval by Cabinet of the recommendation above.

3.2 Issues

- 3.2.1 Not to appoint suitable suppliers will adversely impact on the Council's ability to recover outstanding monies.
- 3.2.2 Over time this will
- undermine the duty to protect the public purse
 - erode wider collectability and
 - increase recovery costs in the earlier stages of debt management.

3.3 Choices (Options)

- 3.3.1 To not award the contract would mean that the Council would have to look at an internal option, which currently is neither in place or resourced.
- 3.3.2 Following the evaluation of tenders against the pre-determined criteria and the specification, it should be noted that the interest received and the quality of those interested suppliers, has provided a compliant and satisfactory outcome to undertake the recovery services.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 The proposed Revenues and Benefits Enforcement Agency Framework Agreement fully supports the Corporate Debt policy and fair debt principles.

4.2 Resources and Risk

- 4.2.1 There will be no direct financial cost to the Council as the customer is responsible for paying any fees incurred during the recovery process.
- 4.2.2 All suppliers will charge fees in accordance with the Ministry of Justice's fee structure and those fees, not part of the MoJ fee structure, in accordance with the tender submissions. The charging of fees is monitored as part of performance management of the Framework Agreement.
- 4.2.3 Risks are mitigated and managed against through regular performance management of the contract. Six-weekly meetings are held with all suppliers where performance against the Council's standards is discussed, these are transparent and shared with all suppliers.
- 4.2.4 The cost for the performance management of the Framework Agreement is met through the existing budgets for Revenues and Benefits.

4.3 Legal

- 4.3.1 LGSS Law and LGSS Procurement have advised and assisted in the procurement and drafting of the Framework Agreement.

4.4 Equality and Health

- 4.4.1 The tender addressed Equality and Diversity relating to policy requirements and practices. In addition to this, monitoring and regular review meetings will be held, as with previous contracts, to ensure that any issues highlighted will be addressed as appropriate.

4.5 Consultees (Internal and External)

4.5.1 Internal:
LGSS Finance – Section 151 Officer
LGSS Law
LGSS Procurement

4.5.2 External:
None

4.6 How the Proposals deliver Priority Outcomes

4.6.1 None

4.7 Other Implications

4.7.1 None

5. Background Papers

5.1 None

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