



Cabinet 21 October 2014

Report of the Anglia Revenues and Benefits Partnership Joint Committee: 11 September 2014 (ARP14/02)

1. Summary and reasons for recommendations

- 1.1 On 11 September 2014 the Anglia Revenues and Benefits Partnership (ARP) Joint Committee considered the following substantive items of business:
- (1) Performance Report;
 - (2) The Anglia Revenues Partnership (ARP) Service Delivery Plan;
 - (3) Waveney and Suffolk Coastal District Councils;
 - (4) Welfare Reform;
 - (5) Forthcoming Issues;
 - (6) Future of Counter Fraud Work of ARP; and
 - (7) Enforcement Agency.
- 1.2 The majority of this report is for information only and provides the decisions of the Joint Committee; however, decisions of the Cabinet are required on Items **(3)** and **(7)** above.

2. Recommendations

- 2.1 It is **RECOMMENDED** that:
- (1) the majority of the content of Report F150, being the report of the Anglia Revenues and Benefits Partnership Joint Committee, be noted;
(a) Waveney and Suffolk Coastal District Councils (ARP14/02)
 - (2) (i) Waveney District Council and Suffolk Coastal District Councils become full members of the Anglia Revenues Partnership; and
(ii) the Operational Improvement Board be given delegated authority to negotiate a new Anglia Revenues Partnership agreement to include Waveney District and Suffolk Coastal District Councils as full members of the Anglia Revenues Partnership; and

(b) Enforcement Agency

- (3) Subject to the approval of full Council, one of the two Directors, in consultation with the Portfolio Holder for Resources and Performance, be given delegated authority to introduce a shared Enforcement Agency for the Anglia Revenues Partnership (St Edmundsbury Borough Council, Forest Heath District Council, Fenland District Council, Breckland Council and East Cambridgeshire District Council) Waveney District Council and Suffolk Coastal District Council through discussion via the ARP Operational Improvement Board, as outlined in Appendix A to Report F150, and detailed in the full business case appraisal presented to the Anglia Revenues and Benefits Partnership Joint Committee.

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3. Strategic priorities

- 3.1 The recommendation meets the following, as contained within the West Suffolk Strategic Plan:
- (a) It supports the delivery of the priorities of the Council as contained in the Strategic Plan in an efficient and effective way.

4. Key issues

Performance Report (Agenda Item 5)

- 4.1 The Joint Committee had received and noted a Performance Report as at 31 July 2014. The report detailed ARP's key achievements in respect of Benefits News; Council Tax News; NDR news; HBOP News; Projects; Learning and Support; and Customer Survey. This detailed report, together with the other reports considered at this meeting which are available in the public domain, can be viewed on Breckland District Council's website:

<http://democracy.breckland.gov.uk/ieListDocuments.aspx?Cid=109&MId=3264&Ver=4>

- 4.2 A discussion was held on the balanced scorecard dashboard (summary), which was annotated green in respect of all five partner authorities, indicating 'good' or no data was available.
- 4.3 In respect of financial performance, the Joint Committee noted that the Partnership budgets had been consolidated with Fenland DC, Waveney DC and Suffolk Coastal DC which provided a total budget of £10 million. The summary provided a forecast of a small saving of £7,000 despite set-up costs of introducing the new partners. The variances were explained, including the anomaly of £112,000 income to Waveney and Suffolk Coastal DCs being offset by expenditure budgets.

The Anglia Revenues Partnership (ARP) Service Delivery Plan (Agenda Item7)

- 4.4 The Joint Committee had considered a report which presented its Service Delivery Plan for approval. Members had also noted progress made against ten recommendations provided by 'Activist', a company that had been commissioned to undertake work to assist ARP with determining its future priorities and strategic direction.
- 4.5 Discussions had been held on how the Partnership had expanded and Activist's recommendations had been made before working with the three new authorities; correspondence with three Actuaries regarding pension positions; the holding of a workshop for all Joint Committee members and substitutes of each authority, which would include considering options in respect of the future direction regarding pensions; and also Members and staff from the Partner Authorities being invited to attend training on the ARP.
- 4.6 The Joint Committee **RESOLVED that:**
- (1) the progress against the Activist recommendations was noted;**
(2) the Service Delivery Plan at Appendix A to the report was approved;

- (3) the Service Delivery Plan would be updated and performance against the Plan would be reported to Members every six months;**
- (4) Members would be invited to a workshop to discuss the options for the way forward; and**
- (5) Members and staff from all the Partner Authorities, including Waveney and Suffolk Coastal would be invited to receive training about the ARP.**

Waveney and Suffolk Coastal District Councils (Agenda Item 8)

4.7 The Joint Committee had considered a report which sought approval from the Partner Authorities to accept Waveney and Suffolk Coastal District Councils as full members of the Anglia Revenues Partnership. A business case had previously been considered by the Joint Committee regarding the proposal.

4.8 The Joint Committee noted that the current arrangement with Waveney and Suffolk Coastal District Councils is through an agreement using Section 113 of the Local Government Act 1972 which enables local authorities to enter into an agreement as follows:

"a local authority may enter into an agreement with another local authority for the placing at the disposal of the latter for the purposes of their functions, on such terms as may be provided by the agreement, of the services of officers employed by the former, but shall not enter into any such agreement with respect to any officer without consulting him."

This Section 113 agreement has the same effect as the Joint Committee ARP agreement except that Waveney and Suffolk Coastal District Councils do not sit on the Joint Committee. These two councils therefore do not currently have voting rights to influence decisions and equally are not constrained in making decisions independently that would affect all partners.

4.9 The creation of a single core of staff with Waveney, Suffolk Coastal and Fenland District Councils (Fenland DC joined the Partnership on 1 April 2014) has realised approximately £470,000 per annum savings in respect of the reduction in employees. The seven Councils are generating further savings through partnership discounts and joint procurement and further initiatives are being worked on to lead to further economies brought about by the strength of the partnership, as detailed in the report to the Joint Committee shown at:

<http://democracy.breckland.gov.uk/documents/s31635/Joint%20Committee%20WDC%20SCDC%20Report%20final.pdf>

4.10 Full membership of the ARP for Waveney and Suffolk Coastal District Councils will offer the following:

- (a) an income in excess of £150,000 per annum from bailiff fees;
- (b) the continuance of robust strategic and operational management;
- (c) a management model to offer future potential partners;
- (d) other benefits such as those detailed in the report shown via the link above;
- (e) to ensure that all members working in partnership work within the same governance model; and
- (f) simplified arrangements for determining shares of cost and income.

4.11 The Joint Committee had supported the proposal and recommended the following recommendations to the partner authorities for approval.

4.12 It is **RECOMMENDED that:**

(1) Waveney District Council and Suffolk Coastal District Councils become full members of the Anglia Revenues Partnership; and

(2) the Operational Improvement Board be given delegated authority to negotiate a new Anglia Revenues Partnership agreement to include Waveney District and Suffolk Coastal District Councils as full members of the Anglia Revenues Partnership.

Welfare Reform (Agenda Item 8)

4.13 The Joint Committee had received and noted a verbal update which made reference to the Universal Credit Pilots and the successful first reading of a Private Member's Bill regarding the removal of the Spare Room Subsidy.

Future of Counter Fraud Work of the ARP (Agenda Item 12)

4.14 The Joint Committee had considered an exempt report which sought approval for a bid to the Department for Communities and Local Government (DCLG) for funding to tackle fraud and for delegated authority to be given to the Operational Improvement Board to put that resource in place if the bid is successful.

4.15 It was proposed to operate an in-house service on behalf of the Partnership. Suffolk County Council (SCC) would also benefit from the service and as SCC was also applying for funding and the bids were complementary to each other, this could lead to a county-wide approach for tackling fraud, which together with benefits fraud, could include tackling corporate fraud and working with Housing Associations on tenancy fraud.

4.16 The Joint Committee **RESOLVED that:**

(1) the bid to the DCLG Counter Fraud Fund be noted;

(2) authority be delegated to the Operational Improvement Board (OIB) to seek alternative funding if that bid was unsuccessful; and

(3) authority be delegated to the OIB to fund a Counter Fraud resource for a period of 12 months.

Enforcement Agency (Agenda Item 13)

4.17 The Joint Committee had considered an exempt report, which sought approval for the establishment of an Enforcement Agency, as detailed in the full business case appraisal presented to the Joint Committee.

4.18 Attached as Appendix A to this report is a version of the report presented to the Joint Committee, but excludes the commercially sensitive data concerning costs etc. to enable its publication in the public domain. The exempt report is available to Cabinet Members upon request. On the recommendation of the Joint Committee, the Cabinet is asked to consider Appendix A and the recommendation contained at Section 2.1(3), as reproduced below.

4.19 It is ***RECOMMENDED*** that subject to the approval of full Council, one of the two Directors, in consultation with the Portfolio Holder for Resources and Performance, be given delegated authority to introduce a shared Enforcement Agency for the Anglia Revenues Partnership (St Edmundsbury Borough Council, Forest Heath District Council, Fenland District Council, Breckland Council and East Cambridgeshire District Council) Waveney District Council and Suffolk Coastal District Council through discussion via the ARP Operational Improvement Board, as outlined in Appendix A to Report F150, and detailed in the full business case appraisal presented to the Anglia Revenues and Benefits Partnership Joint Committee.

5. Other options considered

5.1 See link to documents published on Breckland District Council's website as shown in Section 4.1 above.

6. Community impact

6.1 See link to documents published on Breckland District Council's website as shown in Section 4.1 above.

7. Consultation

7.1 See link to documents published on Breckland District Council's website as shown in Section 4.1 above.

8. Financial and resource implications *(including asset management implications)*

8.1 See link to documents published on Breckland District Council's website as shown in Section 4.1 above.

9. Risk/opportunity assessment *(potential hazards or opportunities affecting corporate, service or project objectives)*

9.1 See link to documents published on Breckland District Council's website as shown in Section 4.1 above.

10. Legal and policy implications

10.1 See link to documents published on Breckland District Council's website as shown in Section 4.1 above.

11. Wards affected

11.1 All Wards.

12. Background papers

12.1 See link to documents published on Breckland District Council's website as shown in Section 4.1 above.

13. Documents attached

13.1 Appendix A – Public Version of Enforcement Agency Report considered by Anglia Revenues and Benefits Joint Committee.

ANGLIA REVENUES PARTNERSHIP

Report of

To:

Subject: Enforcement Agency.

Purpose: To present a business case for a shared Enforcement Agency Service for the Anglia Revenues Partnership (ARP), Waveney District Council (WDC) and Suffolk Coastal district Council (SCDC).

Recommendation(s):

- That the report is noted
- The ARP Joint Committee recommends that Full Council gives the Director of *[insert relevant authority]* in consultation with the *[insert relevant Portfolio Holder title]* delegated authority to introduce a shared Enforcement Agency for the Anglia Revenues Partnership (St. Edmundsbury Borough Council, Forest Heath District Council, Fenland District Council, Breckland Council and East Cambridgeshire District Council) Waveney District Council and Suffolk Coastal District Council through discussion via the ARP Operational Improvement Board, and detailed in the full business case appraisal presented to the Anglia Revenues and Benefits Partnership Joint Committee.

1. INTRODUCTION

1.1 Background

1.1.1 The ARP, WDC and SCDC have been working in partnership for over 2 years now and we have successfully set up a single officer core for the 7 Councils which takes affect from the 8th September 2014.

1.1.2 Part 3 of the Tribunals, Courts and Enforcement Act 2007 was introduced in April 2013 which has changed the basis of enforcement fees (previously known as Bailiff Fees) to mean that debtors incur far greater fees if their debts are passed to enforcement agencies; rising from £42.50 after two visits to £310.00 if a first visit is needed.

1.1.3 In October 2013 it was agreed in principle that the 7 partners would like to create an enforcement Agency with the potential to make sure that residents are treated fairly where enforcement is necessary, keeping fees as low as possible, whilst retaining the income generated by Enforcement actions for the Council tax payers of the partner authorities.

1.2 Matters for consideration.

1.2.1 On the 11th September 2014 the ARP Joint Committee considered the full business case for creating a shared Enforcement Agency which offers the potential of a shared income in excess of £150,000 per annum.

1.2.2 A detailed analysis has assessed the potential benefits of a shared in house Enforcement Agency. The business case, presented to the Joint Committee, is deliberately cautious and so the potential income could be significantly greater than forecast.

1.3 Options

- To do nothing.
- To approve the recommendation to give delegated authority to create a shared Enforcement Agency Service

1.4 Reasons for recommendations

A shared Enforcement Agency will offer the following: -

- A shared income of £150,000 per annum from Bailiff fees;
- A management model to offer future potential partners.
- Other benefits such as those detailed in this report

2. IMPLICATIONS

2.1 Risk

The bailiff service could fail to generate the income estimated however, based on the analysis of external bailiff services, the financial risk of making a loss is very low. The assumptions in the business case assume a lower than anticipated income and so there is little risk anticipated.

2.2 Financial

The Enforcement Agency will generate an income for the Partners whilst treating debtors equitably.

2.3 Legal

The Enforcement Agency will need to be set up in accordance with Part 3 of the Tribunals, Courts and Enforcement Act 2007.

2.4 Equality and Diversity

Not applicable.

Background papers:- None

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