

EXECUTIVE DECISION

made by a Cabinet Member




REPORT OF ACTION TAKEN UNDER DELEGATED AUTHORITY BY AN INDIVIDUAL CABINET MEMBER

Executive Decision Reference Number – DL08 22/23

Decision			
1	Title of decision: Enforcement Agent Services - Lot 1 – Council Tax and Business Rates & Lot 2 – Sundry and Housing Benefit overpayment debts, commercial rents. To vary the existing contract via CCR 2016		
2	Decision maker (Cabinet member name and portfolio title): Councillor Mark Shayer (Deputy Leader and Cabinet Member for Finance and Economy)		
3	Report author and contact details: Paul Walshe (Service Manager) paul.walshe@plymouth.gov.uk		
4	Decision to be taken: To vary the Enforcement Agent Service – Lot 1 – Council Tax and Business Rates & lot 2 – Sundry and Housing Benefit overpayment debts, commercial rents contact via CCR 2016.		
5	Reasons for decision: This Contract provides a law enforcement agency who are responsible for the enforcement of the laws on behalf of the Council. This Contract incorporates the following collection of debts:- Lot 1 - Council Tax and Business Rates Lot 2 - Sundry and Housing Benefit overpayment debts, commercial rents Lot 3 - Parking Services This Executive Decision is for Lot 1 – Council Tax and Business Rates & Lot 2 - Sundry and Housing Benefit overpayment debts, commercial rents only		
6	Alternative options considered and rejected: No alternative options considered, continuation of this service is required and cannot lapse.		
7	Financial implications and risks: The services of Enforcement Agents provide effective recovery of unpaid Council Tax, Business Rates and Sundry Debts, without this recovery option then the council would lose significant income that would otherwise be unrecovered and likely be written off. The income generated significantly contributes to essential council services such as adult and children's social care. The income generated is estimated to be £913,126 for a maximum duration of 24 months.		
8	Is the decision a Key Decision? (please contact Democratic Support for further advice)	Yes	Per the Constitution, a key decision is one which:
		No	in the case of capital projects and contract awards, results in a new

				commitment to spend and/or save in excess of £3million in total
			x	in the case of revenue projects when the decision involves entering into new commitments and/or making new savings in excess of £1million
			x	is significant in terms of its effect on communities living or working in an area comprising two or more wards in the area of the local authority.
	If yes, date of publication of the notice in the Forward Plan of Key Decisions			
9	Please specify how this decision is linked to the Council's corporate plan/Plymouth Plan and/or the policy framework and/or the revenue/capital budget:		<p>Linked to Plymouth Plan to help with a 'growing city' by ensuring all income to the council is collected and distributed back into other essential services.</p> <p>Income from Council Tax, Business Rates and Sundry Debts are built into the council's budget with target collection rates that depend on maximising recovery through the use of Enforcement Agents.</p>	
10	Please specify any direct environmental implications of the decision (carbon impact)		There are no direct environmental implications of this decision.	
Urgent decisions				
11	Is the decision urgent and to be implemented immediately in the interests of the Council or the public?		Yes	(If yes, please contact Democratic Support (democraticsupport@plymouth.gov.uk) for advice)
			No	(If no, go to section 13a)
12a	Reason for urgency:			
12b	Scrutiny Chair Signature:		Date	
	Scrutiny Committee name:			
	Print Name:			
Consultation				
13a	Are any other Cabinet members' portfolios affected by the decision?		Yes	
			No	(If no go to section 14)

13 b	Which other Cabinet member's portfolio is affected by the decision?							
13 c	Date Cabinet member consulted							
14	Has any Cabinet member declared a conflict of interest in relation to the decision?	Yes		If yes, please discuss with the Monitoring Officer				
		No	x					
15	Which Corporate Management Team member has been consulted?	Name		David Northey				
		Job title		Service Director for Finance				
		Date consulted		2 March 2023				
Sign-off								
16	Sign off codes from the relevant departments consulted:	Democratic Support (mandatory)			DS124 22/23			
		Finance (mandatory)			DJN.22.23.399			
		Legal (mandatory)			MS/00001339/2/22.03.23			
		Human Resources (if applicable)						
		Corporate property (if applicable)						
		Procurement (if applicable)						
Appendices								
17	Ref.	Title of appendix						
	A	Contract Award Part I						
	B	Equalities Impact Assessment						
Confidential/exempt information								
18 a	Do you need to include any confidential/exempt information?	Yes		If yes, prepare a second, confidential ('Part II') briefing report and indicate why it is not for publication by virtue of Part I of Schedule 12A of the Local Government Act 1972 by ticking the relevant box in 18b below. (Keep as much information as possible in the briefing report that will be in the public domain)				
		No	x					
		Exemption Paragraph Number						
		1	2	3	4	5	6	7

18 b	Confidential/exempt briefing report title:							
	Contract award Part 2			x				
Background Papers								
19	<p>Please list all unpublished, background papers relevant to the decision in the table below.</p> <p>Background papers are <u>unpublished</u> works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based. If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</p>							
Title of background paper(s)		Exemption Paragraph Number						
		1	2	3	4	5	6	7
Cabinet Member Signature								
20	<p>I agree the decision and confirm that it is not contrary to the Council's policy and budget framework, Corporate Plan or Budget. In taking this decision I have given due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not. For further details please see the EIA attached.</p>							
Signature				Date of decision		22 March 2023		
Print Name		Councillor Mark Shayer, Deputy Leader of the Council						