



**RECORD OF CABINET PORTFOLIO HOLDER DECISION –
CONTRACT AWARD**

1. Decision Reference No.	PH097
2. Decision made by (who is taking the Decision)	Councillor Sarah Cox Portfolio Holder for Corporate Finance, Property and Resources
3. Name and job title of Officer requesting the decision	Nick Sach Revenues & Benefits Manager nsach@melton.gov.uk
4. Title / Subject Matter:	Award of Enforcement Agent Contract
5. Type of Decision:	Public
6. Key Decision?	Yes
7. Decision Taken:	<ol style="list-style-type: none">1. To award the contract for Enforcement Agent Services to the preferred suppliers through the YPO framework2. To enter into any necessary legal documentation to effect the award
8. Reasons for Decision:	<p>The existing contract for enforcement Agent Services, expires on 29th November 2023. Currently, two suppliers deliver the contracted services concerned that encompass the collection of Council Tax & Non-Domestic Rates, where the Council has been unable to collect it directly.</p> <p>Not procuring external partners, would leave the Council with limited ability to collect unpaid Council Tax & Non-Domestic rates, which would impact adversely on the Council's budget.</p> <p>The suppliers have been procured in compliance with the contract procedure rules, and all necessary due diligence has been carried out by the Council Officer.</p>
9. Authority / Legal Power:	Legal – See below

Authority is provided by Chapter 2 Part 5 of the MBC Constitution (Cabinet Scheme of Delegation)

10. Background Papers attached?

No

11. Alternative options available / rejected:

The alternative would be not to employ external enforcement agents and either resource internally or not utilise any enforcement agents. These options were not considered as it would require additional staffing resource to maintain collection levels. If no additional staff were employed, collection would be adversely impacted, and arrears would significantly increase.

The Council also has a statutory responsibility to recover debts and employs a variety of means appropriate to the individual circumstances. Enforcement agents are one method deployed to collect debts. Failure to procure these services would limit the ability of the council to collect debts that are due yet remain unpaid and could impact on the delivery of services.

12. Implications:

Legal	<p>The Council has the power to enter into contracts in order discharge its functions (Local Government Act 1972, s111 and the Local Government (contract) Act 1997, s1).</p> <p>The Local Government Act 1972 requires the Council to have regulations for how it enters into contracts. In addition to complying with all relevant UK and EU legislation every contract entered into on behalf of the Council must also comply with the Council's Contract Procedure Rules and the Council's Financial Regulations</p> <p>The Council's Contract Procedure Rules, Chapter 3, Part 7 permits a contract of any value to be procured via a framework agreement or DPS, compliance with these Rules and relevant national and EU law is achieved through compliance with the framework agreement/DPS terms and conditions.</p> <p>[Legal Approval - 20 November 2023]</p>
Finance	<p>The Council only pays VAT on fees collect by the enforcement agent. As a result of this the cost to the Council is negligible. Since 01/04/2021 the Council has paid out £3,233.31 to Enforcement Agents directly.</p> <p>These costs are contained with the revenues and benefits budgets.</p> <p>[Finance Approval - 17 November 2023]</p>
HR	N/A

Procurement	<p>The procurement exercise for this contract has been done with 6 other Local Authorities across Leicestershire. The award of the contract has been done through a framework with Yorkshire Purchasing Organisation (YPO). It is a concessions contract and therefore the overall value of the contract to the suppliers should be taken into consideration.</p> <p>The suppliers have been procured in compliance with the contract procedure rules, and all necessary due diligence has been carried out by the Council Officer.</p> <p>[Welland Procurement Approval – 20 November 23]</p>
Other	<p>The following checks have been carried out in relation to the contract provider:</p> <ul style="list-style-type: none"> - Financial credit checks - Insurance certificates - Health and safety policies

13. Signature of Officer with authority to sign :	<p>Signature redacted Dawn Garton Director for Corporate Services</p>
14. Officer Responsible for Procurement:	<p>I confirm compliance with the Contract Procedure Rules Name: Nick Sach</p>
Date: Call In Waived by Scrutiny Committee Chair?	<p>No</p>
Has this been discussed by Cabinet Members?	<p>No</p>
Cabinet Portfolio Holder Signature	<p>E-mail approval received - 20 November 2023 Councillor Sarah Cox Portfolio Holder for Corporate Finance, Property and Resources</p>
Declarations/conflict of interest?	<p>-</p>

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