

Northern Rother District Councillors' Report April 2022D.

Revenue Budget and Capital Programme – Q3 2022/23.

Cabinet agreed the continuation of two Service Level Agreements in respect of Rother District Citizen's Advice and Bexhill Museum and an extension of funding of £85,000 for Rother Citizens Advice and £8,500 for Bexhill Museum for a further one year.

The Revenue Budget forecast as of 31 December 2021 indicates a surplus of £128,000 against the approved budget drawdown from Reserves of £2.7m. This is an improvement of £222,000 since the Q2 forecast.

Strategy and Planning shows a deficit £677,000 which has decreased by £60,000 mainly due to a predicted reduction of £54,000 in the cost of support from Capita Business Services to clear the planning applications backlog. There was also a reduction in the costs of judicial reviews forecast (£17,000) and additional income from the administration of Community Infrastructure Levy receipts (£38,000), although this was largely offset by a predicted downturn in Planning fee income of £47,000.

The Council's Capital Programme is forecast to underspend by £47.345m in 2021/22, but this is due to timing differences and the five-year programme is still on target to be delivered.

Enforcement – Environmental offences:

Members received and considered the report of the Head of Environmental Services, Licensing and Community Safety which sought approval to procure a concessionary agreement, as a closed quote with selected providers, to carry out the enforcement of environmental offences.

The Council could employ a private company to carry out the enforcement of certain environmental offences, including dog fouling, littering, fly-tipping (unauthorised disposal of waste) using a

concession agreement. Other authorities use contractors who employ uniformed staff to patrol their districts, identifying offences and issuing fixed penalty notices (FPNs). The service would include the prosecution of offenders who failed to pay an FPN, which was a statutory requirement. The company would also be required to carry out promotional work, for example issuing dog waste bags and portable ashtrays and organising litter picks. The Council would have some discretion over the requirements of the contractor to ensure that local priorities were targeted and not just the high earning common offences that would create more fee income.

It was intended that the contract would include the use of a private Solicitor to carry out prosecutions, if authorised by the Deputy Chief Executive or Head of Service. By using a concessionary agreement, there would be no costs to the Council, as these would be met from the income received by the company by issuing FPNs. However, there would be associated management costs associated with monitoring the contract. As the value of the concession agreement would be under the public procurement threshold, an exemption could be made to the open tender route and the procurement run as a closed quote with a select number of providers. Provision would be made to review the contract at 12-month intervals to determine whether to continue or procure a new contract for a longer period, with a 'break out' clause should it be necessary to end the contract sooner. Members were keen to ensure Member input to the process, both pre and post tender and that a comprehensive communication strategy was also put in place once the contract was let.

It was agreed that the Deputy Chief Executive be authorised to procure a concessionary agreement as a closed quote with selected providers, to carry out the enforcement of environmental offences.