


Agenda Item No:	16	
Committee:	Council	
Date:	19th May 2025	
Report Title:	Partnership working through a Section 113 agreement	

The Schedule to this Report comprises **EXEMPT INFORMATION** which is not for publication by virtue of paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

Cover sheet:

1 Purpose / Summary

- 1.1 To recommend that Council approve a Section 113 agreement with Maldon District Council for the Anglia Revenues Partnership (ARP) to provide Fraud Services.

2 Key Issues

- 2.1 Each partner Council of the ARP is required to approve their Council entering into Section 113 agreements.
- 2.2 In June 2024, the ARP Joint Committee gave their approval for ARP to commence discussions and negotiations with Maldon in respect of provision of Fraud and Enforcement Services.
- 2.3 These negotiations are now concluded, and the Section 113 agreement is ready to be ratified by each partner Council.

3 Recommendations

- 3.1 That Cabinet recommend the Council approve a Section 113 agreement to enable ARP Officers to provide Fraud Services to Maldon District Council.

Wards Affected	All
Forward Plan Reference	N/A
Portfolio Holder(s)	Cllr Jan French – Portfolio Holder for Revenues & Benefits, CPE
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Background Papers	None

Report:

1 Reasons for Exemption

- 1.1 The Schedule to this Report is NOT FOR PUBLICATION in accordance with paragraph 3 of Schedule 12A of the Local Government Act 1972 in that it contains information relating to the financial and business affairs of Fenland District Council, Maldon District Council and the other constituent authorities of the Anglia Revenues Partnership which is of a commercially sensitive nature. The public interest test has been applied to the information contained within the exempt Schedule and it is considered that the need to retain the information as exempt outweighs the public interest in disclosing it.

2 BACKGROUND AND INTENDED OUTCOMES

- 2.1 ARP provides statutory Revenues and Benefits services to the five partners, including fraud services.
- 2.2 Following the strategic review in December 2023, the agreed approach to Partnership working was to focus on provision of Fraud and Enforcement services and concentrate ARP resource on provision of core services, striving for continuous improvement for the current 5 Partners. Benefits of this approach include creating greater resilience and will generate further efficiencies to meet ARP's Medium Term Financial Strategy.
- 2.3 ARP retained a fraud and compliance team to prevent and detect fraud when Housing Benefit fraud transferred to the DWP in 2015; at that time, most Councils ceased to provide a full fraud service.
- 2.4 Maldon District Council, in Essex, has approached ARP with a view to providing fraud services.
- 2.5 In June 2024 Joint Committee gave approval for ARP to commence discussions and negotiations with Maldon District Council in respect of provision of Fraud Services.

2.6 These negotiations are now concluded, and the Section 113 agreement is ready to be ratified by each partner Council.

2.7 Section 113 of the Local Government Act 1972 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.”

3 REASONS FOR RECOMMENDATIONS

3.1 Maldon District Council have asked ARP to provide, and will fund, fraud services.

3.2 Maldon will be paying a fee which will cover the costs involved in providing the service.

3.3 A negotiated Section 113 agreement to provide fraud services will enable partnership working without the need for Maldon District Council to become members of the Partnership, and in the future may lead to other partnership opportunities.

3.4 Arrangements to share staff and access to systems will be coordinated, and will be in line with all Data Protection requirements

3.5 In addition, providing a fraud service to Maldon District Council will add social value that, in turn, may lead to similar approaches and opportunities in the Essex area.

3.6 The provision of fraud services provides the added value of additional resource resilience allowing for cover of annual leave, sickness and peaks and troughs in workload.

4 CONSULTATION

4.1 The ARP Joint Committee and Operational Improvement Board were fully consulted on this proposal.

5 ALTERNATIVE OPTIONS CONSIDERED

5.1 One alternative option was considered, which was to do nothing. Given the reasons outlined in section 3, this was discounted by the Joint Committee.

6 IMPLICATIONS

6.1 Legal Implications

- 6.1.1 Section 113 of the Local Government Act 1972 enables a Local Authority 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.”

6.2 Financial Implications

Maldon will be paying a fee which will cover the costs involved in providing the service.

6.3 Equality Implications

None

7 SCHEDULES

EXEMPT Schedule 1 – Additional Information