

	Cabinet 12 th January 2021
	Report from the Strategic Director of Community Wellbeing
Authority To Tender Contract For Emergency Temporary Accommodation For Homeless Households	

Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt:	Open
No. of Appendices:	None
Background Papers:	None
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1.0 Purpose of the Report

- 1.1 This report concerns the need to secure emergency temporary accommodation in Brent, to house homeless households (families and single homeless people), while enquires into their homelessness application are made. If the main rehousing duty is accepted, settled accommodation is then secured. This report requests approval to invite tenders in respect of securing emergency temporary accommodation for this cohort, as required by Contract Standing Orders 88 and 89.

2.0 Recommendation(s)

That Cabinet:

- 2.1 Approve inviting tenders for 200 self-contained rooms, (with bathroom, toilet and kitchen facilities) in Brent, to use as emergency temporary accommodation for homeless households on the basis of the pre - tender considerations set out in paragraph 3.16 of the report.
- 2.2 Approve Officers evaluating the tenders referred to in 2.1 above on the basis of the evaluation criteria set out in paragraph 3.16 of the report.
- 2.3 Delegate authority to the Strategic Director of Community Wellbeing in consultation with the Lead Member for Housing and Welfare Reform to award

the contract for the provision of 200 self-contained rooms, in Brent to use as emergency temporary accommodation for homeless households for a term of 18 Months (with a 12 month break clause).

3.0 Detail

- 3.1 Under section 188 of the Housing Act 1996 part 7, (the Act), the local authority has a statutory duty to secure suitable interim accommodation if the authority have reason to believe that an applicant may be homeless, eligible for assistance and have a priority need, as defined by the Act.
- 3.2 This type of accommodation is emergency temporary accommodation, and is used to provide emergency housing for homeless households, while enquiries into their homelessness application are completed. Once enquiries have been completed, a decision will be made about what rehousing duties are owed, to secure more settled, suitable accommodation, to resolve their housing needs.
- 3.3 Historically, the local authority has relied on rooms in privately owned bed and breakfast accommodation, where rooms are procured on a spot purchase basis. Wherever possible rooms are secured in Brent, and are self-contained, with a bathroom, toilet and kitchen facilities. However, due to the demand for these rooms outstripping the supply, coupled with competition from other local authorities, households are often placed in rooms which are outside of Brent (predominately other London Boroughs, but also High Wycombe) and/or in rooms which are not self-contained.
- 3.4 This causes significant additional stress to households, who are already experiencing the trauma of being homeless, as they are required to share kitchen and bathroom facilities with other homeless households, as well as the disruption and anxiety of moving away from schools and support networks in Brent.
- 3.5 With the implementation of the Homelessness Reduction Act 2017, and the more recent application of the “Everyone In” policy, under the Covid lockdown, there has been a significant increase in the use of this type of emergency temporary accommodation for single homeless people.
- 3.6 During the Covid lockdown the local authority accommodated 350 single homeless people. The majority of these people have now been moved on into more settled accommodation, primarily in the private rented sector. However, there is a cohort of approximately 50 people from the EEA and another 10 people from outside of the EEA, who are not eligible under homelessness legislation due to their immigration status, who are still being accommodated in emergency temporary accommodation.
- 3.7 There are also an additional 40 single homeless people, who are living in emergency temporary accommodation, pending enquires, who are not part of the Covid cohort. The total number of single people currently being

accommodated, either because of their immigration status, or due to pending enquiries is therefore 100.

- 3.8 There are a further 118 single homeless people who are also living in emergency temporary accommodation, to whom the local authority have accepted the main rehousing duty. This cohort can be moved on into appropriate settled accommodation; however, there are often barriers around support needs and affordability issues, which causes delays, as the appropriate and suitable accommodation needs to be secured.
- 3.9 The number of families with children who are currently being accommodated in emergency temporary accommodation, pending enquiries is currently 32. There are a further 61 families to whom the main duty has been accepted, making a total of 93 families currently living in emergency temporary accommodation. The majority of these families are living in self contained rooms, and some in nightly paid annexe accommodation, however 17 are currently living in accommodation with shared facilities.
- 3.10 Therefore, the total number of homeless households currently living in emergency temporary accommodation is 311, broken down in table 1 below;

Table 1 breakdown of households living in emergency temporary accommodation

Single People			Families with Children		Total
Not Eligible	Pending Enquiries	Pending Move on	Pending Enquiries	Pending Move on	
60	40	118	32	61	311

- 3.11 As well as the barriers around affordability and support needs, the reason that there are so many single people pending a move on to settled accommodation, is due to the impact of securing settled accommodation for a large number of people during the Covid lockdown. Now that this Covid cohort have been secured settled accommodation, officers focus will be on the 118 single people currently waiting to move on.
- 3.12 However, there will still be significant demand for emergency accommodation, and therefore the Housing Needs Service is requesting authority to tender to enter into a contract with a provider to secure 200, self contained rooms in Brent for this purpose. All the accommodation should be within the London borough of Brent, to be compliant with homelessness legislation and the associated Homelessness Code of Guidance, which states that so far as reasonably practicable, the Council should seek to accommodate homeless households in their own area. This will also minimise the disruption to service user lives and maximise our ability to support service users. This provision will also support people to self isolate and provide additional protection for people who might be particularly vulnerable if exposed to Covid through sharing facilities.
- 3.13 In so doing the local authority will be able to largely eliminate the use of non self contained rooms, and the use of accommodation which is outside of the borough. Both of which will vastly improve the quality of emergency temporary

accommodation provided, and so alleviate some of the additional pressures and stress for homeless households.

- 3.14 The contract will also achieve a competitive price for securing this accommodation, rather than relying on the current spot purchase of rooms, some of which are more expensive than the rates which are normally paid.
- 3.15 The contract needs to be in place as there is likely to be an ongoing need to continue to accommodate the 50 non eligible people from the EEA, while they are supported to secure their settled status in the UK. The reason the term of the contract should be 18 months, is that the Council are currently developing its own temporary emergency accommodation scheme, at Knowles House, in Harlesden. The anticipated delivery of this scheme is December 2021, however there may be slippage in this deliver date.
- 3.16 A 12 month break clause will be added to the contract, to allow the Council to end the contract, in case there is no slippage on the delivery date of Knowles House, or if demand for emergency temporary accommodation reduces. However, a drop in demand is unlikely due to the anticipated spike in homelessness applications, as a result of the COVID related economic downturn.
- 3.17 The provision of the 200 rooms from one provider does not necessarily mean that all the rooms will be in one building. Some providers will have scattered stock across the borough, and so the households would be dispersed. However, it is anticipated that bids will be received from providers who own some large hotels in Brent, which have formally been used for tourism.
- 3.18 If all 200 rooms are in the same building, officers will ensure that the property is well managed to prevent any anti social behaviour from occurring. The cohort who will be accommodated will be a mixture of families and single people, and there have been recent examples of large numbers of homeless people being accommodated together, with no management issues. Notably the Holiday Inn in Wembley, currently being used by the Home Office to accommodate 350 asylum seekers, and the Best Western Plus, Wembley, currently being used to accommodate 50 single homeless people.
- 3.19 In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Cabinet.

Ref.	Requirement	Response
(i)	The nature of the services	200 self contained (own kitchen, bathroom and toilet facilities), in Brent
(ii)	The estimated value.	£4,092,500.00
(iii)	The contract term.	18 months

Ref.	Requirement	Response	
(iv)	The tender procedure to be adopted.	Open Procedure tender process	
v)	The procurement timetable.	Indicative dates are:	
		Adverts placed/Invite to tender	19 th January 2021
		Deadline for tender submissions	19 th February 2021
		Panel evaluation and shortlist for interview	w/c 22 nd February 2021
		contract decision	w/c 1 st March 2021
		Report recommending Contract award circulated internally for comment	w/c 8 th March 2021
		Approval to award	16 ^h March 2021
		Minimum 10 calendar day standstill period – notification issued to all tenderers and additional debriefing of unsuccessful tenderers	17 th to 29 th March 2021
		Contract Mobilisation	April 2021
		Contract start date	1 st May 2021
(vi)	The evaluation criteria and process.	An open tendering process will be used for the procurement, but organisations will be required to complete a selection questionnaire which officers will review to ensure organisations meet the Council's financial standing requirements, technical capacity and technical expertise. Organisations who fail any questions in this section will have their tender disregarded. Organisations that pass will be subject to a number of scored questions to further assess their technical ability. Organisations who do not meet the required threshold may have their tender disregarded and not be evaluated for stage 2	

Ref.	Requirement	Response
		<p>The most economically advantageous tender calculation will be based on: 40% of the points being awarded for Quality/Technical assessment, 50% of the points being awarded for Commercial assessment and 10% on Social Value.</p> <p>At tender evaluation stage, the panel will evaluate the tenders against the following Quality/Technical criteria:</p> <ul style="list-style-type: none"> • The Tenderer's proposal to meet the requirements and outcomes as stated in the service specification • Tenderer's ability to meet essential health and safety standards <p>The Tenderer's proposed approach to Social Value delivered through this contract (weighted at 10% of the total evaluation criteria)</p>
(vii)	Any business risks associated with entering the contract.	There are limited business risks are considered to be associated with entering into the proposed contract. The successful provider will engage with vulnerable people as part of the delivery of its services and therefore will be asked to provide safeguarding, risk assessment and health and safety policies, as part of the due diligence process. Providers will also be asked to outline how they will address risks associated with implementing a safe environment in the context of COVID-19 guidance and regulations
(viii)	The Council's Best Value duties.	The adoption of an open tendering process will enable the council to achieve best value for money
(ix)	Consideration of Public Services (Social Value) Act 2012	The service specification will ask providers to address how they intend to meet Social Value requirements as part of tender process. It will count for 10% of the overall score.
(x)	Any staffing implications, including TUPE and pensions.	there are no TUPE implications
(xi)	The relevant financial, legal and other considerations.	See sections 4.0 and 5.0 below.

3.20 Cabinet is asked to give its approval to these proposals as set out in the recommendations and in accordance with Standing Order 89.

4.0 Financial Implications

4.1 The estimated value of this services contract is £4,092,500, based on accommodation for 200 individuals for 546 days (18 months) at £35/night. Plus security at £10K per month for 18 months = £180K

Plus food for destitute EEA Nationals at £10.00 per day for up to 50 people – for 6 months = 10 x 50 x 183 days = £94,500

4.2 It is anticipated that the cost of this contract will be funded from within the existing Housing General Fund budget and grant income. The primary grant is the Flexible Homelessness Support Grant from MHCLG, which was £5.2m in 2020/21.

4.3 There are also broader benefits arising from avoiding spot purchasing of accommodation, including streamlined invoicing, payment processing and more accurate financial forecasting of the related costs.

4.4 Where eligible, individuals will also receive Housing Benefit towards these housing costs. This will provide additional income towards the housing costs for a proportion of these individuals.

5.0 Legal Implications

5.1 The service to be procured as set out in this report, fall within Schedule 3 of the Public Contracts Regulations 2015 ('the EU Regulations) and based on the estimated value of the contract, which is over the EU threshold of £663,540 for Schedule 3 services. The procurement is therefore subject to the requirements of the EU Regulations in respect of Schedule 3 services, in that the Council is required to publish a contract notice in the Official Journal of the European Union (OJEU) and undertake some form of competitive process in accordance with the EU Treaty principles of equal treatment, non-discrimination, fairness and transparency, before awarding the contract. The procurement process to be undertaken prior to award of the contract as set out in paragraph 3.16 is in line with the EU Regulations.

5.2 Based on the value of the services to be procured over their lifetime, the contracts will be classed as High Value Contracts under the Council's Contracts Standing Orders and Financial Regulations. As such, Cabinet approval of the pre-tender considerations set out in paragraph 3.16 above (Standing Order 89) and the inviting of tenders (Standing Order 88) is required.

5.3 Once the tendering process is undertaken Officers would generally report back to the Cabinet in accordance with Contract Standing Orders, explaining the process undertaken in tendering the contracts and recommending award. However, delegated authority is sought from Cabinet to the Strategic Director of Community and Wellbeing in consultation with the Lead Member for Housing

and Welfare Reform, to award the contracts on completion of the procurement process.

- 5.4 Officers will observe the requirements of the 10 calendar standstill period under the EU Regulations before the contracts can be awarded. The requirements include notifying all tenderers in writing of the Council's decision to award and providing additional debrief information to unsuccessful tenderers on receipt of a written request. At the end of the standstill period the Council can issue a letter of acceptance to the successful tenderer and the contract may commence.

6.0 Equality Implications

- 6.1 The proposals in this report have been subject to screening and officers believe that there are no equality implications.

7.0 Consultation with Ward Members and Stakeholders

- 7.1 The lead member for Housing and Welfare Reform has been fully consulted

8.0 Human Resources/Property Implications (if appropriate)

- 8.1 This service is currently provided by external providers and there are no implications for Council staff arising from tendering the contract

9.0 Public Services (Social Value) Act 2012

- 9.1 The Council is under duty pursuant to the Public Services (Social Value) Act 2012 ("the Social Value Act") to consider how services being procured might improve the economic, social and environmental well-being of its area; how, in conducting the procurement process, the Council might act with a view to securing that improvement; and whether the Council should undertake consultation. Officers have had regard to considerations contained in the Social Value Act in relation to the procurement.
- 9.2 It is the intention within this tender that 10% of the total evaluation criteria will be reserved for social value considerations
- 9.3 Brent Council Social Value and Ethical Procurement Policy was agreed by Cabinet on April 2020 and applies to all tenders over £100,000 equally. This policy requires all bidders in Brent to outline how they will add social value initiatives and deliverables which align with the Strategic Themes of the Council's Brent Borough Plan 2019-2023.

Bidders will be asked to provide a social value action plan and method statement which then be measured for impact and delivery over the life of the contract through the Contract Management function.

This contract we will ask providers to provide initiatives with Social Value and impact equivalent to a monetary value of 10% of the contract value.

Report sign off:

Phil Porter
Strategic Director of Community
Wellbeing