



Memorandum

To: Minesh Patel

From: Laurence Coaker

Your ref:

Our ref:

Date: 13 January 2021

RECOMMENDATION TO DIRECTOR OF FINANCE TO EXERCISE DELEGATED POWERS TO GRANT AN EXEMPTION FROM THE REQUIREMENT TO OBTAIN 3 WRITTEN QUOTES IN RESPECT OF AN INTERIM CONTRACT FOR 3 MONTHS FOR THE PROVISION OF A RAPID ASSESSMENT HUB AND A HOUSING FIRST SERVICE WHICH WILL BE FUNDED BY THE ROUGH SLEEPER INITIATIVES (RSI) GRANT

Dear Minesh,

In accordance with Contract Standing Order 84(b)(ii), the Director of Finance is able to grant an exemption from the requirement to procure in accordance with Contract Standing Orders where the exemption sought is in relation to the requirement to obtain 3 written quotes for Low Value Contracts. The Director of Finance should only exercise authority to grant such exemption:

- (i) following legal advice that there is no breach of domestic or EU law or the Council's own procedures in the exercise of the authority; and
- (ii) where there are good operational and / or financial reasons for doing so.

This memorandum seeks your approval to exercise such delegated powers to grant an exemption from the requirement for Brent Council to seek 3 quotes in respect of an interim contract for 3 months to St Mungo Community Housing Association ("St Mungo's") for the provision of Rapid Assessment Hub and a Housing First Service which will be funded by the Ministry of Housing Communities and Local Government (MHCLG) under the annual Rough Sleeper Initiatives (RSI) Grant.

A summary of the background to the recommendation, including details of the contract and the benefits to be obtained, is outlined below.

1.0 Recommendations:

- (a) That you exercise delegated powers to grant an exemption from the usual Contract Standing Orders requirement to obtain 3 written quotes for Low Value Contracts in respect of an interim contract for 3 months to St Mungo's for the provision of Rapid Assessment Hub and a Housing First Service with a value of £132,308 which will be funded by the MHCLG under the annual Rough Sleeper Initiatives (RSI) Grant.

(b) That you confirm that there are good operational and / or financial reasons for granting this exemption.

2.0 Background to and Benefits of the Proposed Award:

- 2.1 Rough sleepers are one of the most vulnerable groups in society, and many have high levels of complex and interrelated needs such as mental health problems and drug and alcohol dependencies. The longer someone sleeps rough, the more likely these conditions are to get worse.
- 2.2 A number of government led initiatives have also been introduced nationally in the past in an effort to prevent and relieve street homelessness. These include The “Rough Sleepers’ Initiative (RSI), “No Second Night Out” (NSNO); “Streetlink”; ”Reconnection”. The current Government has also committed to ending rough sleeping by 2024 and is working with boroughs and charities with a commitment to maintaining investment in services.
- 2.3 The Council currently has a contract with St Mungo’s to deliver the Outreach and Resettlement service for rough sleepers which will expire (after options to extend may be exercised) on 31st March 2024.
- 2.4 The Rough Sleeping Initiative was first announced in March 2018 to make an immediate impact on the rising levels of rough sleeping. Since 2018/19, the Service has submitted bids to the MHCLG for funding under the Rough Sleeper Initiative (RSI) grant, to help tackle rough sleeping in Brent. In January 2021, the Service will submit another bid to the MHCLG.
- 2.5 The provision of two interventions is currently being delivered by St Mungo’s based on annual grant determination:

Intervention	Name	Description	20/21 funding
Intervention 1	Rapid Assessment Hub	Provision of 24 hour Rapid Assessment Hub to assess rough sleepers and provide short term accommodation pending assessment for up to 10 rough sleepers, including No Recourse to Public Funds (NRPF) individuals (the number of rough sleepers supported is yet to be determined for 21/22)	£413,348
Intervention 2	Housing First Service	This approach prioritises moves into secure accommodation for up to 12 entrenched rough sleepers (the number of rough sleepers supported has yet to be determined for 21/22)	£115,886
Total			£529,234

Rapid Assessment Hub

This service is designed to provide a rapid response service to reduce the number of rough sleepers on the streets. The provider would be expected to undertake intensive support around reconnection and assessments ensuring all key elements and barriers to access accommodation are addressed. Self-contained or accommodation which meets Covid regulations would be expected for up to 10 individuals. The accommodation would need to be sourced independently or the lease for the premises currently being used for this service can be negotiated with the current landlord. The service would provide 24 hours waking support with a target stay of 12 weeks. In 20/21 the grant determination provided support for 6 bed spaces for complex needs clients with recourse to public funds and 4 bed spaces for clients with No Recourse to Public Funds (NRPF)

Housing First Service

This model has been set up to assist up to 12 entrenched rough sleepers with health and social care needs with a chance to rebuild their lives. The provider would be expected to identify individuals known to outreach teams. The Council would approve and assist with sourcing and allocating accommodation to each individual and the provider would be expected to continue to provide support on an individual basis.

The current Housing First service contains funding for a further 6 Housing First Units, which will increase the capacity to meet the needs of the single homeless people with high support needs. The tendered service will deliver support up to 12 Housing First Units and if there is any other grants allocated as for this year in future years this will be allocated through the other interventions component of this tender

- 2.6 Our intention is to tender for these two services on a long term basis until 31 March 2024 so that all rough sleeper services can be aligned with the current Outreach service. In order to achieve this objective, we are going out to tender in January 2021 and it is envisaged that these services will be awarded for services to commence in 1st July 2021. In the interim, to ensure continuity of existing services and ensure the provision of a correct mobilisation period for a new service provider, a direct award to St Mungo's for the two interventions is proposed for 3 months (1 Apr 2021 to 30 Jun 2021), the value of which is £132,308.

3.0 Legal Implications

- 3.1 The value of the proposed contract is £132,308 less than the threshold for services and supplies or Schedule 3 services which currently are set at £189,330 and £663,540 respectively. It is not considered that the services would be of cross border interest. Accordingly, only subject to the formalities set under chapter 8 of the Public Contracts Regulations 2015, which require the Council to observe the overriding principles of equality of treatment, fairness and transparency in the award of contracts and which require the Council to publish the award of the contract within reasonable time. Consequently, provided the Council observes the requirement to advertise the award of this contract there is not considered to be a breach of domestic or EU law or the Council's own procedures.
- 3.2 The award of this contract is also subject to the Council's own Standing Orders in respect of Low Value contracts. Under Contract Standing Order 86(c) no formal tendering requirements procedures apply to Low Value Contracts except that at least three quotes must be sought and the quotes sought and/or obtained must be recorded or alternatively the contract is procured through the Online Market Place. However, In accordance with Contract Standing Orders 84(b)(ii), the Director of Finance has discretion to waive the requirement to obtain 3 quotes for Low Value Contracts only where there are good operational and / or financial reasons for doing so. The Director of Finance is referred to Section 2 as to the reasons put forward and will need to consider whether such grounds are made out.

WAY FORWARD

Please confirm in writing in the approval box below whether or not:

- (a) You grant an exemption from the usual Contract Standing Orders requirement to obtain 3 written quotes for Low Value Contracts in respect of an interim contract for 3 months to St Mungo's for the provision of Rapid Assessment Hub and a Housing First Service with a value of £132,308 which will be funded by the MHCLG under the annual Rough Sleeper Initiatives (RSI) Grant.
- (b) You consider that there are good operational and / or financial reasons for granting this exemption.

If you have any questions or would like further information to be provided, please do not hesitate to contact me.

Yours sincerely

Laurence Coaker
Housing needs Head of Service

I do / ~~do not~~ approve an exemption from the usual Contract Standing Orders requirement to obtain 3 written quotes for Low Value Contracts in respect of an interim contract for 3 months to St Mungo's for the provision of Rapid Assessment Hub and a Housing First Service which will be funded by the MHCLG under the annual Rough Sleeper Initiatives (RSI) Grant

I agree / ~~do not~~ agree that there are good operational and / or financial reasons for granting this exemption.

Signed: *Minesh Patel*

Print Name: Minesh Patel
Position: Director of Finance
Date: 13.01.2021