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|  | Officer Key Decision |
| | Report to the Corporate Director, Resident Services |
| Authority to extend contract for the delivery of a Rapid Assessment Hub and a Housing First Service for Rough Sleepers with St Mungo's Community Housing Association | |

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| Wards Affected: | All |
| Key or Non-Key Decision: | Key Decision |
| Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small> | Open |
| No. of Appendices: | N/A |
| Background Papers¹: | |
| Contact Officer(s): <small>(Name, Title, Contact Details)</small> | Name: Laurence Coaker Job Title: Head of Service, Housing Needs Email: Laurence.Coaker@brent.gov.uk |

1.0 Purpose of the Report

- 1.1 This report requests authority to extend a contract for the delivery of a Rapid Assessment Hub and a Housing First Service for Rough Sleepers with St Mungo's Community Housing Association as required by Contract Standing Order 112. The report summarises the reasons for the request to extend and the duration of the extension.

2.0 Recommendation(s)

That the Corporate Director, Resident Services

- 2.1 Approves the extension of the contract for the delivery of a Rapid Assessment Hub and a Housing First Service for Rough Sleepers with St Mungo's Community Housing Association for a period of 12 months from 1 April 2023 to 31 March 2024.

3.0 Detail

- 3.1 The Council entered into a contract for the delivery of a Rapid Assessment Hub and a Housing First Service for Rough Sleepers with St Mungo's Community Housing Association from 1 July 2021 (the "Contract").
- 3.2 The Contract was let for an initial period of 9 months from 1 July 2021 with an option to extend the contract for up to a further 2 years, from 1 April 2022 to 31 March 2024.
- 3.3 The Contract contains provision permitting extension of the Contract by up to 2 further years on a 1 + 1 year basis. The contract was extended by one year on 1 April 2022 and Officers consider extending the contract by another year will achieve best value for the Council and is reasonable in all the circumstances.
- 3.4 Officers considered not extending the contract and re-procuring the service. Officers however consider that the contractor is providing a good level of service and that the extension of the contract provides best value for the Council.
- 3.5 Under section 3(b) of the table at paragraph 9.5 of Part 3 of the Constitution, Corporate Directors are able to extend contracts and agreements without the need for Cabinet approval, provided that:
- (a) the extension would not be in breach of Procurement Legislation.
 - (b) the extension does not substantially alter the terms and conditions of the contract.
 - (c) there is sufficient existing budgetary provision.
 - (d) if the extension goes beyond the period of extension provided for in the contract (if any) or is otherwise not in accordance with the extension provisions in the contract:
 - (i) in the case of any contract, agreement, deed or other transaction with a life of not more than one year (including any possible extension provided for in the contract) the extension shall not exceed a period of six months; or
 - (ii) in the case of any contract, agreement, deed or other transaction with a life of more than one year (including any possible extension provided for in the contract) the extension shall not exceed a period of one year.

- (e) the relevant cabinet member shall be consulted prior to a decision within (d) (i) or (ii) above and may request that the decision instead be referred to them.

3.6 It is considered that the Corporate Director has delegated authority to agree the extension as, addressing the points detailed in paragraph 3.5:

- (a) The contract contains express provision at clause 3.4 (a) permitting the recommended extension. As a result, such extension is permitted in accordance with Regulation 72 (1)(a) of the Public Contracts Regulations 2015 (PCR 2015).
- (b) As the contract contains express provision permitting the recommended extension, the extension does not substantially alter the terms and conditions of the contract.
- (c) There is sufficient existing budgetary provision for the recommended extension.
- (d) The recommended extension does not go beyond the period of extension provided for in the contract.
- (e) This is not applicable given the recommended extension does not go beyond the period of extension provided for in the contract.

4.0 Financial Implications

- 4.1 The value of the Contract is approximately £1.9M. The value of the proposed extension is estimated to be under £545,566K.
- 4.2 The cost of this extension of the Contract will be funded from the Department for Levelling Up, Housing and Communities (DLUHC) Rough Sleeping Initiatives grant.

5.0 Legal Implications

- 5.1 Officers recommend the extension of the contract for the delivery of a Rapid Assessment Hub and a Housing First Service for Rough Sleepers with St Mungo's Community Housing Association for 12 months from 01st April 2023.
- 5.2 The value of the original contract is such that it is subject to full application of the PCR 2015.
- 5.3 The contract contains express provision allowing for the extension as

recommended and as such extension is permitted in accordance with Regulation 72 (1)(a) of the PCR 2015.

- 5.4 The Corporate Director is authorised pursuant to Paragraph 9.5 of Part 3 of the Constitution to extend contracts subject to the conditions set out in paragraph 3.4 above. As set out in paragraph 3.5 above, none of these conditions preclude the Corporate Director agreeing the recommended extension.

6.0 Equality Implications

- 6.1 The Council must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment and victimisation
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it,

pursuant to s149 Equality Act 2010. This is known as the Public Sector Equality Duty.

- 6.2 Under the Public Sector Equality Duty, having due regard involves the need to enquire into whether and how a proposed decision disproportionately affects people with a protected characteristic and the need to consider taking steps to meet the needs of persons who share a protected characteristic that are different from the needs of persons who do not share it. This includes removing or minimising disadvantages suffered by persons who share a protected characteristic that are connected to that characteristic.

- 6.3 The Public Sector Equality Duty covers the following nine protected characteristics: age, disability, marriage and civil partnership, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

- 6.4 The proposals in this report have been subject to screening and Officers believe that there are no adverse equality implications

7.0 Consultation with Ward Members and Stakeholders

- 7.1 There has been no consultation with Ward Members or Stakeholders given that this is merely an extension provided for in the Contract.

8.0 Human Resources/Property Implications (if appropriate)

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

9.0 Public Services (Social Value) Act 2012

- 9.1 The Council is under a 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. Whilst this report concerns an extension to the Contract, Officers have nonetheless had regard to considerations contained in the Social Value Act in relation to the extension.

10.0 Related Documents

- 10.1 Officer Key Decision report awarding the contract for the delivery of a Rapid Assessment Hub and a Housing First Service for Rough Sleepers with St Mungo’s Community Housing Association.

Report sign off:

LAURENCE COAKER
Head of Service, Housing Needs