



Executive
18 January 2010

**Report from the Director of
Housing and Community Care**

Wards Affected:
ALL

**Authority to Tender Contracts for Supporting People
Funded Services for Single Homeless People**

Forward Plan Ref: H&CC-09/10-26

1.0 Summary

- 1.1 This report seeks authority to invite suitable providers to tender for 2 framework agreements and 1 contract as required by Contract Standing Orders 88 and 89. The framework agreements will be for the provision of Supporting People funded accommodation based services and floating support services (with 2 initial call-off contracts to be entered into under each framework, shortly after award). The remaining contract will be for work and life skills training services for Single Homeless People.
- 1.2 This report additionally seeks authority to extend the current Supporting People Single Homeless contracts until 31 March 2011.

2.0 Recommendations

- 2.1 The Executive to give approval to the pre tender considerations and the criteria to be used to evaluate tenders to award framework agreements for the provision of Supporting People funded accommodation based services and floating support services for single homeless people, and a contract for work and life skills training services for single homeless people, as set out in paragraph 10 of this report.
- 2.2 The Executive to give approval to officers to invite tenders for the 2 framework agreements and one contract and to evaluate them in accordance with the approved evaluation criteria referred to in paragraph 2.1 above.
- 2.3 The Executive to approve an extension of the existing Supporting People

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contracts for services for Single Homeless Services as specified in paragraph 8.9 of this report until 31 March 2011.

3.0 Detail Supporting People

- 3.1 The Supporting People (“SP”) Programme is a national programme to commission the provision of housing related support services for vulnerable people to help gain, increase or maintain their independence. SP funds the provision of “floating support services” (support to service users in their own home where the support worker moves to support someone else when support is no longer needed) and “accommodation based services” (support tied to accommodation where the client living in a hostel or supported housing scheme or a refuge receives support as a condition of occupation).
- 3.2 The SP Programme commenced in April 2003. The budget for the SP Programme in Brent is £12.8 million for 2009/10.
- 3.3 Members will recall that at their meeting in May 2007, they approved the SP Commissioning Framework setting out a procurement programme for SP Services over a five-year period. This tendering project is part of the plan set out in the programme. Single Homeless services are all included in the SP Programme and due to be tendered in 2009-10.
- 3.4 In June 2009 the decision was taken to complete a strategic review of single homeless services funded by SP which was completed in October 2009. As a result of the review an Indicative Equality Impact Assessment was undertaken. Both reports were presented to the Commissioning Body in December 2009. The Commissioning Body recommends the tendering of the single homeless services.

4.0 Detail – Strategic review of Supporting People services for Single Homeless People

- 4.1 Defining single homeless:
The term single homeless is generally used when service users do not ‘fit’ into one box in terms of support needs and often points to a complexity of need. Common support issues for this group include social exclusion, mental health and substance misuse. For the purpose of this report Brent single homeless may be defined as a user group that is single, with no dependent children, are unlikely to be statutory homeless but have a vulnerability that makes it difficult for them to sustain a home and contribute to the wider community. The term generic is used in this report to identify this group of single homeless.
- 4.2 The review report recommended to the Commissioning Body the following:
1. The large hostels (Livingstone House & Pound Lane) within Brent to provide an intensive assessment phase for up to a maximum of three months to identify an individual’s needs and recommend the appropriate onwards pathway

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2. To provide a small number of units for rough sleepers (who have been verified as bedding down and sleeping in the open air at night) within the hostels for a short period of time pending a decision on their longer term housing and support pathway.
3. Hostels will provide 24 hour cover.
4. A clear referral pathway (described above) into, between and out of all services will ensure that services are sufficiently flexible to meet the changing needs of single homeless people placing the emphasis on the 'right help at the right time'.
5. It is recommended that a number of accommodation based services be designated as specialist i.e. Mental Health, Drug & Alcohol, ex offenders to capture and provide for identified secondary needs. The remaining accommodation based services will offer generic support to those who are preparing for independent living
6. Cover to medium/low support services to be provided between 8 am – 8 pm Monday- Sunday as required by the service user, with access to out of hours support through an 'on-call' service.
7. To create a small team to work across all providers for work and learning. One post for 'Work Skills' that will look for training and a work placement programme with local businesses, support to find work after placements and ongoing support regarding work. To build links and partnerships with providers of training related job activity and Job Centres to create work opportunities for service users. In addition this post will have a working knowledge of in work benefits.
8. A further post to provide short life skills programme for service users, mainly within the two hostels, but the programme should be able to deliver to other venues as needed. In addition they will build up links with local colleges and seek funding to deliver the programme.
9. All service users will be expected to sign up at the initial assessment to undertake the support plan, to take responsibility for the plan and to agree to move on from any accommodation provided (supported accommodation only) when support plan is completed.
10. To provide floating support to service users in the form of surgeries', short term crisis support and up to 2 years floating support to people in their own accommodation and to verified rough sleepers.
11. Services will be provided by generic providers who must ensure services are provided in a culturally sensitive manner with a staff group that reflect the culture of the client base
12. That all single homeless services work with the emphasis on improving social inclusion and that outcomes will be measured on this basis
13. To set a planned move on (NI141) target of 80% within the first year of operation for accommodation based provider whilst floating support will have a target of 96% for living independently (NI142). Where it is noted that support is no longer required but clients are waiting to move on, to review the funding as this indicates that the service is not required apart from housing
14. To review funding for services where the voids are consistently above 10% as this would indicate no need for the service
15. To withdraw funding from the accommodation based services where tenants have assured tenancies, replacing with floating support if required

16. To review in conjunction with the Housing Resource Centre and Housing Solutions the role of rough sleeping outreach to the pathway for single homeless people, in particular the links in relation to residential support and support to independent living in the private rented sector
17. To further review, in conjunction with Housing Solutions, the feasibility of Registered Social Landlords (RSL) becoming managing agents for Private Rented Sector (PRS) properties.
18. To further review the possibilities of allocating a small 'pot' of money for rent deposits for those at work on low income and ready to move on to support them to obtain PRS tenancies.

4.3 The intention is to remodel current services to take into account the conclusions of the strategic review within the contract tendering proposed in this report. Members will note that all matters itemised in paragraph 4.2 above are relevant in terms of background context for this procurement.

5.0 Detail – Current patterns of Supporting People funded single homeless services

5.1 Supporting People currently funds accommodation based housing-related support services with a total cost of £800k per annum. A total of 220 people access these services. The services are short term providing up to a maximum of 2 years housing related support including assistance with “move-on” and resettlement support. There are however a small number of ‘assured tenancies’ within this group.

Accommodation based services for single homeless are provided by five providers, one of which is a BME provider to the Irish community, providing a variety of models where staff may be based on site or visit. Properties include shared housing, single sex and mixed accommodation, “move-on” semi-independent and independent flats. Current contracts vary from short term services to long term accommodation services although it remains unclear how short and long term services vary as all have service users who have been in the accommodation for longer than 2 years. Currently there are no specified services for rough sleepers.

5.2 Floating Support

Three providers provide floating support to 468 users at a cost of £1.4m per annum, one provider works solely with the Irish community (43 units), the second provider works in Partnership with a BME Drug and Alcohol provider (140 units) and the third provider is a partnership of two RSL's (285 units). Floating support services are provided up to a maximum of two years

5.3 Large Hostels

Members will remember that at the November Executive meeting members agreed that the award of a contract for the Pound Lane hostel would be exempted from the tendering requirements ordinarily required by the Council's

Contract Standing Orders, for good operational and financial reasons as set out in the report.

- 5.4 Discussions are currently taking place with English Churches Housing Group to vary the contract so that the services at Livingstone House can meet the requirements set out in the strategic review of single homeless services. A report on the outcome of these discussions will be presented to the Commissioning Body in February 2010 and for approval by the Executive March 2010.

6.0 Diversity Implications

- 6.1 Accommodation based and floating support services are currently provided on a generic basis (that is to individuals who are single and may have a range of support needs, rather than one specific need such as substance misuse, or an offending background) with the exception of those services provided to the white Irish community whose services are provided by an Irish Housing provider and one generic floating support contract where there is a subcontract to a BME Drug & Alcohol service
- 6.2 Service users entering single homeless services ethnic breakdown 08-09:

White British	12%	Asian British	2%	Black Caribbean	25%
Irish	5%	Parkistani	2%	African	17%
Other	54%	Bangladashi	2%	Other	8%
Mixed	9%	Other	7%		
Not identified	6%				

- 6.3 Given the above statistics it is difficult to argue that there is a need to provide specialist provision to any one specific community group. Anecdotal evidence is that the Irish community in need of housing related support are older people whose needs may be best met through the Older People's Supporting People services.
- 6.4 An indicative Equality Impact Assessment has been undertaken to assess the impact of the proposed arrangements in terms of equalities across all individuals using the services. Accommodation based service to the Irish community will remain, however within floating support services prospective tenders will be asked to include an Irish worker to ensure this group are represented.

7.0 Consultation with service users, providers and stakeholders

- 7.1 Service users of Supporting People funded single homeless services within Brent were given the opportunity to contribute to the strategic review either by completion of a questionnaire or by attendance at a consultation meeting. In addition a separate questionnaire was used at the Single Homeless Advice Surgery. Findings are shown below:

The consultation groups were arranged over three sessions in various locations in Brent to allow easy access for service users. Approximately 50

users attended across these sessions. The major themes of the sessions were:

- Social Housing – seen as an entitlement – with many prepared to sit and wait until this was offered regardless of the length of time this could take. As a result the purpose of supported living is lost.
- Skills training – many service users wanted work or work experience to get into the job market rather than training which they did not see as useful or appropriate

98 questionnaires were returned from current users of single homeless services

- 17% did not feel safe in their current accommodation
- Over 85% of respondents need support with obtaining benefits, wanted regular feedback, needed help to build their lives and move on and to have social activities arranged.
- Over 92% of service users thought the support provided was OK/good/very good
- 86% of service users said that their support worker had made them aware of their move on options, however 57% would not consider private renting as an option. This seems to be based on past experience, low income, no security and permanency.
- Less than 7% thought that their cultural needs were not met by their current provider.
- When asked what gaps were in the support services, service users wanted more activities, more/ better information on housing, private rented and social housing and how long moving out of accommodation can take.

The single homeless survey took place over a one month period, with 58 people completing the questionnaire.

- The single most common cause cited by respondents for homelessness is family/parents asking them to leave – interesting this was not confined to young people, but across all ages.
- 50% of people thought that their homelessness could have been prevented if they had known where to go for help earlier
- Over 68% wanted help on where they could get housing,
- 67% wanted 'council' housing, whilst only 27% wanted information on private renting.
- Fewer than 7% of the total spent the night in a car/ on the streets / in a hallway. The remaining number found a bed for the night; however the survey did not look for long term plans.

7.2 **Priorities Identified by Stakeholders/Partners**

- To accept clients irrespective of the nature of their tenancy especially those living in council properties (Floating Support)
- Greater emphasis on clients gaining independence through other agencies and support organisation, in preparation for move-on.
- Supported accommodation that meets the clients development into independence i.e. rehab, daily living skills, education & training and employment.

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7.3 **Feedback from Providers**

Providers were asked to identify gaps in services and how they saw the future of services for single homeless. Below the key areas are listed:

- Development of a pathway through services
- Develop service users to be involved in consultation, developing and managing services
- Develop links with other statutory and non statutory agencies/stakeholders
- Develop meaningful activity, training and work for service users
- Life skill training
- Promote social inclusion in/of the wider community
- Working with private sector landlords & housing associations to source appropriate properties (in addition to Start Plus)
- Increased health awareness i.e. TB screening, sexual health etc
- To make PRS attractive to users
- Need for floating support short term services (6-8 weeks max)
- Apprenticeships for service users
- Advice surgeries for those who require one off advice

7.4 The current Supporting People providers for single homeless people are aware of the procurement timetable and have expressed an interest to continue to provide SP services to their users until the tender process has been completed and providers appointed.

8.0 **Proposals for tendering**

8.1 It is proposed to tender for the provision of Supporting People funded accommodation based services and floating support services for single homeless people under two framework agreements and a contract for work and life skills training services for single homeless people

8.2 The Supporting People team propose that current accommodation based services be reconfigured into two contracts.

8.3 Services will be structured into a pathway model that allows service users to move forward and back as their needs change.

8.4 Some services will be designated as Mental Health or Drug and Alcohol to improve outcomes for secondary needs, the remaining services will be generic single homeless services catering to a range of needs. A small number of units will be for low support

8.5 Floating support will be provided to those who are living in their own accommodation or to those identified and verified as rough sleepers. Support will be provided in the following ways:

1. Crisis Support to those who are at risk of losing a tenancy, support will be up to a maximum of 6 weeks

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2. Surgeries for those who have been through Supporting People services, and require one off support that can be dealt with there and then.
3. Provide floating support to those that require support for up to 2 years.

8.6 To create a small team to work across all providers for work and learning. One post for 'Work Skills' and the second post will provide life skills programmes.

8.7 The objective of the tender exercise is to improve the quality of services for single homeless people by combining and re-specifying services. In addition some efficiency saving will be made. Providers will have to demonstrate sensitivity and the ability to provide ethnically and culturally sensitive services and respond to the needs of Brent's diverse communities. Contracts will be awarded to the tender which submits the most economically and qualitatively advantageous tender for the services.

8.8 The existing contracts for the accommodation-based services and the floating support services noted in paragraphs 5.1 and 5.2 are due to expire November 2010 however it is unlikely that the tender process will be completed by this time and therefore an extension until March 2011 is requested for all single homeless contracts to facilitate the continuation of the relevant single homeless people services during the period of tendering, to allow for the tendering timetable to be followed, and to allow for individual contracts to commence once providers have been appointed

St Mungos
English Churches Housing Group
Single Homeless Project
Notting Hill/Paddington Churches HA
Lookahead
Broadway
Innisfree

8.9 The exact requirements and qualities of services will be outlined in a detailed service specification

8.10 Officers consider that framework agreements are appropriate for the accommodation-based services and floating support services for single homeless people because they offer the flexibility if necessary to call off additional services in future from the providers appointed to the frameworks. It is anticipated that the call-off contracts specified in the table at paragraph 10.1) will be called-off promptly after the award of the frameworks. In respect of the proposed framework agreements (and the resulting call-off contracts) for accommodation-based services and floating support services for single homeless people, and the contract for work and life skills training services, officers are recommending that the period for the contracts is 3 years with an option for a 2 year extension where performance is satisfactory.

9.0 Monitoring

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- 9.1 Supporting People services will be monitored by the Supporting People unit. The current providers are required to submit quarterly monitoring data on their performance and to attend regular meetings for this. In addition the Supporting People team also conduct an annual quality assessment using the Quality Assessment Framework.
- 9.2 It is proposed that the monitoring of the new contracts will be more service user centred, outcome focused and provide good quality services within the resources available. Annual service user satisfaction surveys will be carried out. Future providers will be required to submit regular monitoring data as described in 9.1above.

10.0 Pre-tender Considerations

In accordance with Contract Standing Orders 88 and 89, pre-tender considerations have been set out below for the approval of the Executive:

Ref	Requirement	Response
(i)	The nature of the service	<p>An accommodation based service for up to 250 persons accommodated in various shared/single houses for people who are single, with no dependent children, are unlikely to be statutory homeless but have a vulnerability that makes it difficult for them to sustain a home and contribute to the wider community. It is proposed this be addressed by a framework agreement (Framework 1) to which 3 providers will be appointed, as follows:</p> <p>Framework 1 Accommodation Based Services The framework is for single homeless individuals who may have a range of complex needs (Mental Health, substance misuse, ex offenders etc); BMER (Black Minority Ethnic and refugees). Two contracts will be called off from this framework. Contract 1 will be for up to 120 people over 17 properties. A number of these units will be for the Irish Community. Contract 2 will be for up to 116 people over 14 properties. A number of these units will be for Refugees</p> <p>A floating support service for up to 500 people, regardless of tenure who have a vulnerability that makes it difficult for them to sustain a home and contribute to the wider community. It is proposed this be addressed by a framework agreement (Framework 2) to which 3 providers will be appointed, as follows:</p> <p>Framework 2 Floating Support Services The framework is for single homeless individuals who have a range of complex needs (Mental Health, substance misuse, ex offenders etc) BMER, Rough Sleepers. There will be two contracts called off from this framework Each contracts will be for up to 250 individuals</p> <p>Work and life skills team to work across all services users regardless of support type. It is proposed this be</p>

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		addressed by a contract for a Work and Life Skills team, which would work across all single homeless providers to ensure work opportunities and life skill training	
(ii)	The future estimated value of all contracts:	<p>It is estimated that the agreements will collectively total £2 m pa (£10 m over the maximum term of 5 years), itemised as follows:</p> <p>Framework 1 – 2 call-off contracts totalling approx. £850k pa</p> <p>Framework 2 – 2 call-off contracts totalling approx. £1 m pa</p> <p>Work & Life Skills contract – approx. £125K pa</p>	
(iii)	The contract term	The frameworks and the contract will be for a maximum of 5 years (being for 3 years with an option to extend for a further 2 years).	
(iv)	The tender procedure to be adopted:	<p>A two stage process leading to the award of a framework Agreement in accordance with the Councils Standing Orders.</p> <p>Social Services transactions are 'Part B services' for the purpose of the EU regulations. The regulations are of residual application only (general duties of fairness and transparency, forwarding of a contract notice etc.) and do not dictate the procurement process to be followed.</p>	
(v)	Procurement timetable	Indicative dates are:	
		Adverts placed	Feb 2010
		Seminar for Interested Parties	March 2010
		Expressions of interest returned	March 2010
		Shortlist drawn up in accordance with the Council's approved criteria	April 2010
		Invite to tender	April 2010
		Deadline for tender submissions	June 2010

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		Site Visits	June/July 2010
		Interim Panel evaluation	July 2010
		Interviews	July/August 2010
		Final Tender Evaluation and Contract Decision	August 2010
		Report recommending Contract award circulated internally for comment	September/ October 2010
		Executive approval	September/ October 2010
		Contract award	September/ October 2010
		Contract start date	1 st April 2011
(vi)	The evaluation criteria and process.	<p>Shortlists of those to be invited to tender are to be drawn up in accordance with the Council's Contract Management and Procurement Guidelines namely the pre qualification questionnaire (PQQ) and thereby meeting the Council's minimum standards of financial standing, technical capacity and professional and technical expertise.</p> <p>Award of the framework agreements and call off contracts will be made on the basis of the most economically advantageous offers, with the tenders to be evaluated against the following evaluation criteria:</p> <p>Tendered Price (50% weighting)</p> <p>Quality assessment (50% weighting) using the following criteria:</p> <ul style="list-style-type: none"> • Methods of service delivery within Brent • Service User involvement and choice including the service provider's ability to respond flexibly to the specific needs of the respective service user groups and the ability to facilitate involvement of service users in the shaping and delivery of services they receive. • Methods for ensuring Quality performance and good outcomes, including demonstration of how service standards will be maintained and monitored. • Approach to working with single homeless people with complex needs/issues, including approach to 	

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		<p>delivering flexible solutions which are responsive to varying service user needs (e.g. Substance misuse, mental health and other complex needs) with service provision for the BMER group</p> <ul style="list-style-type: none"> • Approach to Partnership working with the Council and other agencies. • Added Value and innovation.
(vii)	Any business risks associated with entering the contract.	All existing providers are locally based organisations working with single homeless people, with varying needs in the borough. The contract(s) to be tendered will represent a significant portion of their business. However no particular business risks for the Council have been identified assuming there is continued funding from Communities and Local Government.
(viii)	The Council's Best Value Duties	This procurement process and on-going contractual requirement will ensure that the Council's Best Value obligations are met. Tenders will be invited to submit specific proposals on ensuring what is the most economically advantageous tender on the basis of a 50% weighting for cost and 50% weighting for quality issues. There will be an assessment of detailed evaluation criteria as stated in (vi).
(ix)	Any staffing implications, including TUPE and pensions	See sections 12 and 14
(x)	The relevant financial, legal and other considerations.	See sections, 11, 12, 13 and 14..

11.0 Financial Implications

- 11.1 The Council's Contract Standing Orders state that contracts for supplies and services exceeding £500k or works contracts exceeding £1m shall be referred to the executive for approval to invite tenders and in respect of other matters identified in Standing Order 89.
- 11.2 The Supporting People budget in 2009-10 is £12.8m. These contracts will be funded from within the Supporting People budget.
- 11.3 The current combined annual value of the single homeless Supporting People contracts is £2m. It is envisaged that the capacity purchased will increase, i.e. the work and life skills team. The expectation is that a total of £200k savings will be made through this exercise.
- 11.4 There will be costs incurred in the contract process for professional advice. The cost of these contracts, including those for professional advice, will be funded from existing resources within the SP budget.

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12.0 Legal Implications

- 12.1 The Council has the necessary powers to enter into the contracts under section 1 of the Local Government (Contracts) Act 1997 and section 111 of the Local Government Act 2003 in conjunction with its functions (amongst other provisions) s21, s26 and s29 of the National Assistance Act 1948, s45 of the Health Services and Public Health Act 1968, s2 of the Chronically Sick and Disabled Persons Act 1970, and sections 179(2)&(3), 180, 192 and 193 of the Housing Act 1996 . The Council also needs to comply with any conditions imposed on the Supporting People Grant it receives.
- 12.2 The estimated values of each of the framework agreements and the work and life skills contract over their lifetimes are in excess of £500K therefore the procurement and award of the contracts are subject to the Council's Contract Standing Orders in respect of High Value contracts and Financial Regulations and, thus, Executive approval is required for the invitation to tender for the Contracts. Standing Orders require a formal tender process to be followed, including advertisement and a restricted or two stage procurement processes will be used.
- 12.3 The services to be provided under the contract are classified as Part B Services under the Public Contracts Regulations 2006 ("EU procurement Regulations") and are not therefore subject to the full application of the EU Procurement Regulations. They are however, subject to the overriding EU principles of equality of treatment, fairness and transparency in the award of the contracts. Non-discriminatory language must be used in the Specification, and a contract award notice will need to be sent to the Official Journal of the European Union.
- 12.4 Once the tendering process is undertaken Officers will report back to the Executive in accordance with Contract Standing Orders, explaining the process undertaken in tendering and recommending awards of contracts.
- 12.5 The Transfer of Employment (Protection of Employment) Regulations 2006, ("TUPE") operate so as to protect the continuity of service and the terms and conditions of employees where there is a "service provision change" or where there is a transfer from one organisation to another of an economic entity which retains its identity and where the employees are assigned to the economic identity which has been transferred.
- 12.6 In the present case, the existing SP contracts includes both floating support and services for people accommodated in supported housing. If the contracts for services for single homeless people in supported housing and floating support are awarded to a new contractor, TUPE is likely to apply so as to transfer from the current to the new contractor those employees of the current contractor who spend all or most of their working time on the activities relating to services for single homeless people in supported housing and floating taken over by the new contractor. This is because the activities taken over by the new contractor are not likely to fundamentally change and given the current contractors employ some staff that spend all or most of their working

time carrying out activities relating to services for people supported housing or floating support to single homeless people under the current contract.

- 12.7 As detailed in paragraph 8.8, it will be necessary for the existing contracts to be extended to 31 March 2011 in respect of services for single homeless people in supported housing or floating support. .
- 12.8 The contractors currently providing services for people in accommodation based services do so from a number of leased properties. Any new contractor will need to identify as part of their tender, arrangements for housing management with the landlord of the various properties.

13 Diversity Implications

- 13.1 Contracts currently require providers of housing support services to deliver services which are:
- Culturally sensitive by providing cultural awareness training for all workers, matching specific language requirements where possible and recruiting a workforce which reflects the communities of Brent;
 - Able to offer service users a female support worker if specifically requested
- 13.2 The new contract will continue to require the provider to deliver services in this way. In addition partnering arrangements with local community groups and specialist providers will be encouraged to ensure that a diverse range of services can be provided to meet the specific ethnic and cultural needs of service users.

14 Staffing Implications

- 14.1 As detailed at paragraph 12.10 there are likely be TUPE implications arising from the award of the contract with TUPE applying to those staff providing a service that will be included in the tender process. Appropriate consultation with current employers will commence as soon as possible.

15 Background Papers

Supporting People Grant Conditions (CLG)
Brent Five Year Supporting People Strategy 200/14
Strategic Review of Single Homeless Services October 2009
Executive Report Pound Lane – November 2009

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Martin Cheeseman
Director of Housing and Community Care

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