

Part A

**Report to:** Cabinet

**Date of meeting:** Monday, 30 November 2020

**Report author:** Head of Housing

**Title:** Procurement Exemption - Winter Accommodation and Intensive Support for Rough Sleepers with and without recourse to public funds

**1.0 Summary**

1.1 The council was successful in obtaining funding from the Ministry of Housing, Communities and Local Government (MHCLG) under its Next Steps Accommodation Programme (NSAP) for two projects to be delivered within very tight government-set deadlines:

- provision of Covid-19 compliant accommodation and intensive support for up to five rough sleepers with no recourse to public funds from 1 October 2020 to 31 December 2020;
- Covid-19-complaint accommodation and intensive support for up to 15 rough sleepers with recourse to public funds from 1 December 2020 to 31 March 2021;

1.2 The council undertook a soft market testing exercise in early October inviting seven organisations to bid for the available funding of £100,000. Three organisations responded that they were overcommitted and would not bid, one did not respond. Three organisations submitted bids: New Hope, One YMCA and Keystage Housing. After interviews on 15 October 2020, the bid proposed by One YMCA was agreed to be the most comprehensive and best quality in terms of support and accommodation proposed for the winter provision, including being able to immediately provide accommodation. The speed of response was important given the particularly short period of assistance available for rough sleepers without recourse to public funds (to end by 31/12/2020).

1.3 A Procurement Exemption to the Council's Procurement Procedures was agreed on 2 November 2020 for the council to procure both projects with One YMCA.

## 2.0 Risks

### 2.1

Nature of risk	Consequence	Suggested Control Measures	Response (treat, tolerate, terminate or transfer)	Risk Rating (combination of severity and likelihood)
The winter accommodation and support provision is not delivered within the time-frame required	Rough sleepers with complex needs will remain on the streets without humanitarian or other support over the cold winter period	The council could pay for unsupported hotel accommodation	Treat	4 (4*1)

## 3.0 Recommendations

3.1 That Cabinet notes the Approved Exemption to the Council's Procurement Procedures in relation to the Winter Accommodation and Intensive Support provision for Rough Sleepers set out in Appendix 1.

### Further information:

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**Report approved by:** Tom Dobrashian, Group Head of Placeshaping

## 4.0 Detailed proposal

4.1 Details of the Exemption can be found in Appendix 1 to this report along with an extract of the council's Contract Procedure Rules as they relate to Exemptions.

## 5.0 Implications

### 5.1 Financial

5.1.1 The Shared Director of Finance comments that the support and mobilisation costs are fully covered through existing budgets.

## 5.2 **Legal Issues** (Monitoring Officer)

5.2.1 The Group Head of Democracy and Governance comments that under the Council's contract procedure rules exemptions can be agreed in exceptional circumstances and where there is a limited market. The rules require that all exemptions are reported to Cabinet and recorded in a central register held by the Corporate Procurement Manager.

## 5.3 **Equalities, Human Rights and Data Protection**

5.3.1 Under s149 (1) of the Equality Act the council must have due regard, in the exercise of its functions, to the need to –

- eliminate discrimination, harassment, victimisation and any other conduct prohibited by the Act
- advance equality of opportunity between persons who share relevant protected characteristics and persons who do not share them
- foster good relations between persons who share relevant protected characteristics and persons who do not share them.

As part of the review of the Rough Sleeper Winter Accommodation and Intensive Support provision, an equalities impact assessment will be undertaken.

### 5.3.2 Data Protection Impact Assessment

Having had regard to the council's obligations under the General Data Protection Regulation (GDPR) 2018, it is considered that officers are not required to undertake a Data Processing Impact Assessment (DPIA) for this report. The contract between the council and One YMCA will include that both organisations are joint data controllers for both projects.

## 5.4 **Staffing**

5.4.1 There are no staffing implications from this report.

## 5.5 **Accommodation**

5.5.1 There are no accommodation implications from this report.

## 5.6 **Community Safety/Crime and Disorder**

5.6.1 Section 17 of the Crime and Disorder Act 1998 requires the council to give due regard to the likely effect of the exercise of its functions on crime and disorder in its area and to do all it reasonably can to prevent these. The Winter Accommodation and Intensive Support provision for Rough Sleepers will be a valuable contribution

towards reducing rough sleeping in Watford and any associated anti-social behaviour or crime.

## 5.7 **Sustainability**

5.7.1 There are no sustainability implications from this report.

## **Appendices**

- Appendix 1 – Procurement Exemption – One YMCA – Winter Accommodation and Intensive Support for Rough Sleepers

## **Background papers**

No papers were used in the preparation of this report.