

# Nottingham City Council Delegated Decision



**Nottingham**  
**City Council**

Reference Number:	2912
Author:	Alan Lowen
Department:	Strategy and Resources
Contact:	Alan Lowen (Job Title: Lead Commissioning Manager, Email: alan.lowen@nottinghamcity.gov.uk, Phone: 01158763571)
Subject:	Continuation of No Second Night Out Service for one year
Total Value:	£50,000 (Type: Revenue)
Decision Being Taken:	<ol style="list-style-type: none"><li>1. Approve funding of £50,000 in order to deliver the No Second Night Out (NSNO) service for a period of one year commencing 1st April 2017.</li><li>2. Approval to dispense with Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 (Operational Issues) to extend the current contract with Framework Housing Association to deliver the No Second Night Out (NSNO) service for a period of one year commencing 1st April 2017.</li></ol>
Reasons for the Decision(s)	<p>Nottingham City Council is currently reviewing the assistance for people who have become homeless and those at risk of homelessness in order to determine its future commissioning of homelessness services in the City. It is therefore preferable to continue the current NSNO arrangements which were put in place in 2015 in order to allow completion of the commissioning review without a loss of service provision. There is also a need to continue the service in response to a recent rise in the numbers of people rough-sleeping in the City and to ensure that the Council upholds its commitment to the No Second Night Out policy. The policy strives to ensure that no one will live on the streets and that no one new to sleeping rough will sleep rough for a second night. The service targets these new to rough sleeping in order to prevent individuals from becoming entrenched in rough sleeping lifestyles with its associated risk of crime and anti-social behaviour.</p>

**Other Options Considered:**

**Do nothing:** This would result in the loss of the NSNO element of the Rough Sleeper Enablement Team and would result in Nottingham City Council being unable to honour its commitment to the No Second Night Out policy.  
**Tender the service:** A partner organisation would need to be found that would be willing and able to commit to delivering the NSNO service on a tight budget and cover some of the necessary costs themselves. This is unlikely to be achieved for a one year contract and it would be an inefficient use of the Council's resources to go through a tender process with little probability of success.

**Background Papers:**

**Published Works:**

**Delegated Decision 1883 'Continuation of No Second Night Out service for fixed period of two years'**

**Affected Wards:**

**Citywide**

**Colleague / Councillor Interests:**

**None.**

**Dispensation from Financial Regulations:**

**Yes**

**Consultations:**

**Those not consulted are not directly affected by the decision.**

**Crime and Disorder Implications:**

**These proposals are expected to help reduce crime and disorder by helping to alleviate rough sleeping in the City.**

**Equality:**

**EIA not required. Reasons: EIA not required as this serves as an extension of current arrangements. A commissioning review expected to produce recommendations for the re-commissioning of homelessness services (including those to assist people at risk of sleeping rough) in autumn 2017 is underway. Any decisions taken in light of these recommendations will be subject to a full EIA.**

**Regard for NHS Constitution:**

**Local authorities have a statutory duty to have regard to the NHS Constitution when exercising their public health functions under the NHS Act 2006. In making this decision relating to public health functions, we have properly considered the NHS Constitution where applicable and have taken into account how it can be applied in order to commission services to improve the health of the local community.**

**Decision Type:** Portfolio Holder

**Subject to Call In:** No  
The call-in procedure does not apply to the proposed decision because the delay likely to be caused by the call in process would seriously prejudice the Council's or the public's interests. The Chair of the Overview and Scrutiny Committee (or Vice-Chair) in his/her absence has been consulted and agreed both that the decision proposed is reasonable in all circumstances and that it should be treated as a matter of urgency.

**Person Consulted:** none  
**Consultation Date:** 07/08/2017  
This is a retrospective decision.

**Advice Sought:** Legal, Finance, Procurement, Equality and Diversity

**Legal Advice:** The proposals in this report raise no significant legal issues.  
  
The No Second Night Out (NSNO) policy was developed as part of the Council's review of homelessness and rough sleeping in the City. It was commenced in 2015 and is understood to have made a positive impact.  
  
The recommendation in the report is to continue the NSNO service for an additional year until March 2018 and on the basis that this will allow the services to continue, and a review of the service to be undertaken with a view to re-tender the service collectively with other services from April 2018, dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 (Operational Issues) is supported.  
  
Legal services will work with commissioning and procurement colleagues as necessary to reflect any extension and commence preparation of the proposed tender process in due course.  
  
Advice provided by Dionne Claire Screamore (Solicitor) on 27/04/2017.

**Finance Advice:** This decision seeks approval to approve expenditure of £50k in order to deliver No Second Night Out (NSNO) in budget year 2017/18. Funding from the Flexible Homeless Fund received in the service will fund the decision, there is therefore minimal financial risk to the authority.  
  
The service will need to ensure the expenditure is in line with the Flexible Homeless Fund terms and conditions and monitor spending to minimise the risk of overspending. Any overspends will need to be funded from elsewhere in the service.  
  
Advice provided by Chanelle Poyser (Commercial Business Partner) on 26/06/2017.

**Procurement Advice:**

The proposal to extend the No Second Night Out (NSNO) service with Framework Housing Association, for the period 1st April 2017 to 31st March 2018, will enable this service to continue whilst a strategic commissioning review of Social Inclusion provision is completed. Therefore, dispensation from the provisions of the Contract Procedure Rules (5.1.2) for in accordance with Financial Regulation (3.29) (Operational Issues) to allow for the extension of this contract is supported from a procurement perspective.

Advice provided by Julie Herrod (Procurement Officer) on 20/04/2017.

**Equality and Diversity Advice:**

Any activity will need to ensure that the wide gamut of communities that are eligible make use of any available provision. 'Confirmed' 12/07/17 Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 27/03/2017.

**Signatures**

Jane Urquhart (PH for Planning, Housing and Heritage)
SIGNED and Dated: 07/08/2017
Candida Brudenell (Corporate Director for Strategy and Resources)
SIGNED and Dated: 07/08/2017
Geoff Walker (Strategic Director Finance/CFO) - Dispensation from Financial Regulations
SIGNED and Dated: 01/08/2017
Chief Finance Officer's Comments: