

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3776

Author:

Rachael Harding

Department:

Development and Growth

Contact:

Rachael Harding

(Job Title: Homelessness Strategy Manager, Email: rachael.harding@nottinghamcity.gov.uk, Phone: 01158762754)

Subject:

Cold Weather Fund 2019-20 and introduction of new supported accommodation for rough sleepers

Total Value:

£90,200 (Type: Revenue)

Decision Being Taken:

1. To receive Ministry for Housing, Communities and Local Government (MHCLG) Cold Weather Fund grant 2019/20 (award confirmed) and MHCLG Rough Sleeping grant 2020/21 (award pending)
2. To delegate authority to the Corporate Director for Development and Growth to spend the Cold Weather Fund grant in accordance with the programme set out in Appendix A.
3. To delegate authority to the Head of Contracting and Procurement to award / amend contracts for the services outlined in Appendix A (including a contract for 28 months for the YMCA accommodation options).
4. To grant dispensation from Contract Procedure Rule 5.1.2 in accordance with Financial Regulation 3.29 to directly award a 28 month contract to the YMCA for the delivery of Wellesley House and the 'crash-pads' at a total value of £84,980 for the duration of the contract.
5. To allow the Chief Finance Officer to approve partial payment to YMCA in advance of service delivery

Reasons for the Decision(s)	<p>Rough Sleeping has been increasing nationally and since 2018 government has made available bi-annual opportunities for local authorities to competitively bid for grants to respond to the pressures. Two main areas of challenge remain in Nottingham:</p> <ol style="list-style-type: none"> 1. Sufficient supported accommodation and support for rough sleepers who have multiple and complex needs 2. Throughput in services and move on to sustainable housing options. <p>Nottingham City Council has submitted a successful bid to the Cold Weather Fund 2019/20 (detail at Appendix A - Cold Weather Fund measures) and is coproducing a bid with MHCLG for Rough Sleeper funding 2020/21. The Cold Weather Fund bid introduces two new services to be provided by the YMCA under a 28 month contract. The first is "crash-pad" accommodation which is 9 beds of instant access shelter for rough sleepers, the second is a 10 bed supported accommodation project for rough sleepers who have multiple and complex needs.</p> <p>The Cold Weather Fund will provide funding for the services to be delivered from 01 December 2019 to 31 March 2020 and the Rough Sleeping Initiative fund will provide funding for the services from 01 April 2020 to 31 March 2021. It is anticipated that a further bid to MHCLG will secure the additional funding for the final 12 months of the contract 01 April 2021 to 31 March 2022.</p> <p>Nottingham City Council anticipates being successfully awarded the MHCLG Rough Sleeping Initiative funding and a further decision will be submitted to authorise spend of the grant when confirmed. However, if the bid is unsuccessful, there are other options available to cover the value of the contract. These include resources from within the community protection directorate or use of Flexible Homeless Support Grant.</p>
-----------------------------	---

Briefing notes documents:	Appendix A - Cold Weather Fund measures.docx , Nottingham Funding Letter 201920 - For information not for publication.pdf , Cold Weather Fund 2019-20 bid - For information not for publication.docx
Other Options Considered:	<p>There are no other funding sources available to deliver the new services outlined in the programme because all existing homeless budgets are fully committed to support the prevention and response to homelessness locally. By introducing this service from 01 December an option of safety and shelter is being provided to hard-to-engage rough sleepers during winter months and onwards. Not introducing this will put the health and wellbeing of these individuals at risk in the cold weather and future months and so that option has been dismissed.</p>
Background Papers:	<p>None.</p>
Published Works:	<p>None.</p>
Affected Wards:	<p>Citywide</p>
Colleague / Councillor Interests:	<p>None.</p>

Dispensation from Financial Regulations:	Yes
Consultations:	Those not consulted are not directly affected by the decision.
Crime and Disorder Implications:	None.
Equality:	EIA not required. Reasons: Those individuals with protected characteristics are disproportionately represented within the homeless population and this service will enable access to services not currently available to meet their needs.
Social Value Considerations:	N/A
Relates to staffing:	Yes
Decision Type:	Portfolio Holder
Subject to Call In:	Yes
Call In Expiry date:	30/01/2020
Advice Sought:	Legal, Finance, Procurement, Human Resources
Legal Advice:	<p>The City Council must ensure the grant is used in accordance with the interventions set out in the grant funding letter from MCHLG and that the reporting requirements requested by MHCLG are complied with. The dispensation for the contract to YMCA is supported and a direct award is permissible as the value of that contract is below the applicable financial threshold in the Public Contracts Regulations 2015. It is understood that continued funding for the contract is dependent on further grants and therefore a break clause should be included in the contract with YMCA. The City Council's Financial Regulations (D.7) provide that payment should not be made in advance of services being provided except with approval of the Chief Finance Officer - Recommendation 5 in this report provides for that approval. Advice provided by Andrew James (Team Leader Contracts and Commercial) on 02/12/2019.</p>

Finance Advice:

The Cold Weather Grant has been agreed by MCLG and should be received shortly. It will be spent as outlined in the bid and there will be monitoring in place to ensure that this is adhered to.

The dispensation from Financial Regulations is deemed appropriate in the circumstances due to the specialist nature of the work that needs to be commissioned and the joint working with the YMCA to deliver this service. The total amount is £36k for the year which will be paid half at contract commencement and half in 6 months time.

A decision on the Rough Sleeping Bid has not yet been made but if confirmed this will fund the ongoing contract with the YMCA. In the event of this not being awarded there are other grants for Homelessness Prevention that will be used instead as this provision is required. Although these grants are awarded on an annual basis, there will be grants awarded due to the size and scale of the homelessness crisis therefore this is minimal risk.

Advice provided by Susan Tytherleigh (Senior Finance Manager) on 20/12/2019.

Procurement Advice:

The proposal to dispense with Contract Procedure Rule 5.1.2 in accordance with Financial Regulation (3.29) (Operational Issues) to allow for a direct award to YMCA for two services, for 9 crash pad flats and a 10 bed supported accommodation project from 1st April 2020 to until 31st March 2021, are supported from a procurement perspective. Both services will support rough sleepers and will help respond to the pressures around rough sleeping in the City. Advice provided by Julie Herrod (Procurement Officer) on 15/11/2019.

HR Advice:

Management will need to ensure that the job role is fully evaluated and created within systems. Management should be aware that the selected post-holder should commence on a starting salary of Level One within the respective grade, unless the appointed colleague is already in employment at the Council and on Level 2 of the same grade, in which case the employee would be matched over at the rate of pay they currently receive. There will need to be a support and development plan for the new post-holder once appointed in line with managing performance. As the post is temporary, an appropriate exit strategy must be in place in order to terminate the contract in line with NCC guidance in the event that the post cannot be made permanent at the end of the fixed term period. Management will need to ensure appropriate timelines are in place to notify the affected employee and give appropriate notice. Advice provided by Aadil Bhatti (HR Consultant) on 19/11/2019. Advice provided by Aadil Bhatti (HR Consultant) on 19/11/2019.

Signatures

Linda Woodings as Portfolio Holder (PH Housing, Planning and Heritage)

SIGNED and Dated: 22/01/2020

Chris Henning (Corporate Director for Development and Growth)

SIGNED and Dated: 09/01/2020

Laura Pattman (Strategic Director of Finance) - Dispensation from Financial Regulations

SIGNED and Dated: 08/01/2020

Chief Finance Officer's Comments: