

EXECUTIVE

19th May 2022

Report Title	Homelessness Temporary Accommodation: Dynamic Purchasing System
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Lead Member	Councillor Andy Mercer - Executive Member for Housing and Community

Key Decision	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is the decision eligible for call-in by Scrutiny?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are there public sector equality duty implications?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the report contain confidential or exempt information (whether in appendices or not)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Applicable paragraph number/s for exemption from publication under Schedule 12A Local Government Act 1972	

List of Appendices

None

1. Purpose of Report

- 1.1. To seek Executive's approval to use a Dynamic Purchasing System (DPS) to ensure a compliant procurement process and regularise the Council's expenditure on private sector temporary accommodation suppliers for homeless households.
- 1.2. To seek the Executive's approval to continue to utilise S&H (the former Euro Hotel) as supported temporary accommodation for single homeless individuals on a spot-purchase basis in the short term.

2. Executive Summary

- 2.1. In North Northamptonshire, demand for homeless assistance and temporary accommodation has risen sharply and this trend looks set to continue. To meet

the growing demand for temporary accommodation, the Council has become increasingly reliant on private sector housing suppliers (third party nightly paid providers).

- 2.2. It is important that the Council regularises its expenditure on temporary accommodation with private sector housing suppliers to ensure its compliance with procurement regulations and legislation, and to ensure the provision of safe and high-quality housing standards for homeless households. It is proposed that this regularisation occurs via the launch of a Dynamic Purchasing System.
- 2.3. Through a temporary accommodation service improvement project, in the short term the Council remains focussed on four main aims related to temporary accommodation use:
 - (a) reducing the use of bed and breakfast / hotel accommodation
 - (b) reducing the number of temporary accommodation placements outside of North Northamptonshire
 - (c) improving the standards of nightly paid supplier managed temporary accommodation
 - (d) maximising income from both council-owned and nightly paid temporary accommodation
- 2.4. In the medium term, the Council is committed to reducing its reliance on third party nightly paid providers and ensuring an adequate supply and turnover of other forms of temporary accommodation that provide better value for money for the Council. The Council's wider strategic approach to Housing, and Homelessness and Rough Sleeping will be developed during 2022/23. In the meantime, nightly paid providers of temporary accommodation play an important role in helping to meet the demand from homeless households and in ensuring that the Council is able to adhere to its statutory duties in this regard.
- 2.5. A particular change in demand for temporary accommodation has been since the start of the Covid-19 pandemic in March 2020. The Council continues to exercise discretionary powers to provide rough sleepers with emergency 'off the street' accommodation which has exacerbated demand and changed the overall demographic of our customer base occupying temporary accommodation. The increased proportion of homeless individuals with multiple complex support needs has meant a need for the Council to adapt and change the type of temporary accommodation that is available to this cohort to ensure that they are safeguarded and given improved opportunities to rebuild their lives.
- 2.6. The use of S&H (the former Euro Hotel in Midland Road, Wellingborough) as supported temporary accommodation for rough sleepers and other vulnerable homeless individuals was approved by the Executive in December 2021 until the end of March 2022. There is an ongoing requirement to continue using this facility on a spot-purchase basis until arrangements can be sought to be formalised following the outcome of the Council's £2.3m Rough Sleeping Initiative 2022-25 bid which is expected imminently.

3. Recommendations

3.1. It is recommended that the Executive:

- (a) Approve the implementation of a Dynamic Purchasing System to manage and regularise the Council's use of private sector temporary accommodation suppliers
- (b) Note that the spot-purchasing of supported temporary accommodation at S&H will continue for an interim period pending the outcome of the Rough Sleeping Initiative 2022-2025 bid and the implementation of an alternative arrangement; and
- (c) Delegates authority to the Portfolio Holder for Housing and Communities, in liaison with the Executive Director for Adults, Communities and Wellbeing, to approve the detailed specification, terms and conditions and relative schedules for Nightly Purchased, Supplier Managed Temporary Accommodation.
- (d) Delegates authority to the Portfolio Holder for Housing and Communities, in liaison with the Executive Director for Adults, Communities and Wellbeing, to take any further decisions and actions required to implement the Dynamic Purchasing System and award contracts in relation to this.

3.2. Reasons for Recommendations:

- To ensure the Council's compliance with the Public Contracts Regulations 2015 which regulates the purchasing by public sector bodies of contracts for goods, works and services.
- To enable the Council to monitor the delivery of service and performance of private sector housing suppliers to ensure that good quality homes and related services are being provided to homeless households
- To reduce the use of unsuitable and more costly forms of temporary accommodation
- To ensure that S&H, a much-needed supported emergency accommodation resource to safeguard single homeless people in North Northamptonshire, is able to continue to operate in the short term. This would be pending activity to regularise its use via the Dynamic Purchasing System assuming a successful Rough Sleeping Initiative 2022-25 bid.

3.3. Alternative Options Considered:

- For the Council to continue solely with its current existing arrangement of spot purchasing nightly paid temporary accommodation from all third-party private providers; and /or
- For the Council to cease use of S&H pending the outcome of the Rough Sleeping Initiative 2022-25 bid

4. Report Background

Temporary Accommodation Duties and Powers

- 4.1. The Council owes statutory interim accommodation duties under Section 188 of the Housing Act 1996, as amended, to provide suitable temporary accommodation to some homeless households, specifically where the housing authority has a reason to believe that an applicant (and their household) may be homeless, eligible for assistance and have a priority need.
- 4.2. Temporary accommodation is provided during a 56-day 'Relief Duty' period whilst the Council tries to support the applicant to relieve their homelessness by finding somewhere more settled for the applicant to live for a period of no less than six months.
- 4.3. Where relief efforts are unsuccessful, or where the temporary accommodation is not brought to an end during the 56-day Relief period via another legally prescribed circumstance, the Council will continue to owe an accommodation duty under Section 193 of the Act to unintentionally homeless households found to be eligible and in priority need (owed the 'main housing duty') usually until such time as suitable settled accommodation can be secured.
- 4.4. There are further complexities and circumstances as to when the Council has a duty or power to provide temporary accommodation in addition to the above, for example, to provide applicants with 'reasonable time' to secure alternative accommodation or pending a review of a decision made by the Council in respect of an applicant's homelessness. Most notably, since the Covid-19 pandemic and in line with the 'Everyone In' initiative, the Council has also exercised discretionary powers available under various legislation to temporarily accommodate verified rough sleepers including non-UK nationals with no recourse to public funds.

Temporary Accommodation Use: Headline Data

- 4.5. Whilst applicants are actively encouraged and supported to make their own temporary accommodation arrangements, especially if they have friends and family who can help and support them, the Council is currently accommodating 237 households in temporary accommodation on 19th April 2022 (202 statutory duty placements and 35 discretionary powers placements), a slight increase from the position two weeks prior on 4th April when there were 232 households in temporary accommodation.
- 4.6. During the last year, the number of households approaching the Council for help with their homelessness has increased by 21% with 3863 households approaching for help in 2021/22. The same pressures are reflected in the number of households living in temporary accommodation.
- 4.7. Table 1 below demonstrates the type of temporary accommodation occupied by the 232 households who were accommodated on 4th April 2022. The two rows in bold show the number of households in nightly paid accommodation

provided by third party providers and demonstrates that almost two thirds of all households occupy this type of accommodation.

Type of temporary accommodation	No. statutory duty households on 4 th April 2022	No. discretionary rough sleeper households on 4 th April 2022	TOTAL households in temporary accommodation on 4 th April 2022
NNC council property	29	6	35
NNC General Fund acquisition property	33	4	37
Private Sector Leased (PSL)	1	2	3
Registered Provider (Greatwell Homes)	9	0	9
Supported shared accommodation managed by NNC	0	2	2
Nightly paid: third party self-contained	95	3	98
Nightly paid: Bed & Breakfast / Hotels	29	19	48
Total	196	36	232

Table 1: households in temporary accommodation by type on 4th April 2022

- 4.8. Nightly-paid self-contained temporary accommodation is partly furnished and is managed and maintained by the private housing supplier. For most families with children, it is significantly more suitable than bed and breakfast accommodation, or hotels.
- 4.9. Of the 232 households in temporary accommodation in table 1, 34 are placed outside of North Northamptonshire, all in self-contained nightly paid units. None of the 48 households in hotels are families – this cohort consists of 46 single people and two couples, one with a pregnancy who has been in this accommodation for less than the 6-week legal limit. Reducing the use of ‘out of area’ placements and ensuring families are not placed in hotels (particularly not for longer than 6 weeks) are key priorities for the Temporary Accommodation team.
- 4.10. Of the 48 households in bed and breakfast / hotel accommodation on 4th April 2022, 34 are occupying one of two establishments in Wellingborough specifically S&H (formerly the Euro Hotel) and Knox Road.
- 4.11. 97 of the 232 households, or 42% of those living in temporary accommodation on 4th April 2022 in table 1 are single people with vulnerabilities.

S&H (the former Euro Hotel, Wellingborough)

- 4.12. Further to Executive approval in December 2021, S&H managed by The Housing Network (THN) opened on 20th December 2021, initially to provide additional winter surge capacity. Although classified as bed and breakfast/hotel accommodation in table 1, S&H is a 17-bed supported temporary accommodation facility for single homeless individuals – both those owed statutory duties and those helped to leave the streets to prevent ongoing rough sleeping.
- 4.13. S&H is staffed by The Housing Network who provide support and security staff 24/7. Comprehensive management procedures and communication has ensured the project's success to date which has already helped to transform the lives of many single homeless people and rough sleepers. To date, S&H has provided safe shelter and support to over 41 vulnerable homeless people.
- 4.14. The Council has continued to develop services based on lessons learned, for example learning from the Safeguarding Adults Review into the death of Jonathan (SAR019), and it has taken action to develop its response to multiple exclusion homelessness and safeguarding.
- 4.15. S&H has proven to be a vital resource in North Northamptonshire and has safeguarded vulnerable homeless people and prevented harm on the streets during the winter. Robust management arrangements and effective joint working by The Housing Network and officers of the Council have enabled a number of serious incidents to be dealt with quickly and effectively. It is without doubt that regular welfare checking of all guests has also saved a number of lives through the early identification of medical emergencies, and the prevention of escalating risks.
- 4.16. With 42% of all households in temporary accommodation being vulnerable single people, there is a significant demand for emergency accommodation from this cohort. 35 of the 97 individuals in temporary accommodation on 4th April 2022 had experienced rough sleeping and many have multiple complex needs or are experiencing multiple exclusion homelessness. It is apparent that the Council's standard general needs temporary accommodation offer does not meet the needs of this cohort resulting in unmet support needs, exacerbated drug, alcohol and mental / physical health issues, antisocial behaviour, crime and placement failure.
- 4.17. There is an increased evidenced requirement for temporary accommodation with wraparound support for vulnerable homeless individuals. Funding arrangements in respect of S&H were identified and agreed by the Executive until 31st March 2022 but a delay in the timeline for the Rough Sleeping Initiative 2022-2025 (RSI5) programme means that there has been a need to continue to spot purchase rooms as temporary accommodation at S&H since this date.
- 4.18. Due to the wraparound support (from 9am to midnight, 7 days a week) and security (24/7), this type of temporary accommodation comes at an increased cost (see paragraph 7.1.5) however enables the Council to:

- Meet the emergency accommodation needs of this vulnerable single homeless cohort
 - Enable placement sustainment to prevent repeat homelessness and rough sleeping
 - Better meet the health and wellbeing needs of the single homeless cohort
 - Better safeguard individuals through twice daily welfare checks and the availability of on-site security and support
- 4.19. North Northamptonshire Council submitted a £2.3m bid to the Rough Sleeping Initiative 2022-25 (RSI5) programme in February 2022. This bid was co-produced with the Department for Levelling Up, Housing and Communities (DLUHC) and a wide range of statutory and voluntary sector partners via the North Northamptonshire Homeless Forum. At the time of this report, the outcome of that bid was pending and is planned to be the subject of a future report to the Executive.
- 4.20. The Council's RSI5 bid includes a request for funding to ensure the ongoing financial viability of a nightly paid supported temporary accommodation scheme based on the S&H model for an 18-month period to allow time to procure an alternative and more sustainable model in the medium term.

Knox Road

- 4.21. The sovereign Borough Council of Wellingborough held a low-cost 'block booking' arrangement with a private sector housing supplier in respect of an 18-bed large scale House in Multiple Occupation (HMO) with shared facilities at Knox Road in Wellingborough – it is classified as a B&B for the purposes of this report and temporary accommodation monitoring.
- 4.22. Following multiple complaints of antisocial behaviour related to the facility and its occupants, Council officers have worked with the provider to ensure that they have taken action to make significant improvements to the safety and security of the building including an increased staff presence, out of hours security staff and a series of physical improvements to the building.
- 4.23. This building currently provides temporary accommodation to 17 single vulnerable homeless people (one room is currently out of use) and is a much-needed resource in North Northamptonshire for this cohort. It is important that the Council is able to continue to procure it via the proposed DPS.

Dynamic Purchasing System

- 4.24. Table 1 demonstrates an overreliance on nightly paid temporary accommodation with 146 of the 232 total households in temporary accommodation on 4th April 2022 accommodated in this type. In its simplest terms, this reliance is caused by three internal factors:

- The number of households going into temporary accommodation (how successful the Council's homeless prevention efforts are)
- The length of stay experienced by those households (how quickly the Council is able to facilitate households through the statutory homeless process)
- The supply and availability of settled accommodation options (how quickly the Council is able to facilitate move on from temporary accommodation).

4.25 Of course, there are also a myriad of external factors at play impacting on the Council's use of temporary accommodation over which there are less control and factors that are likely to mean a further increase in demand in the short term at least. Whilst there is various activity being undertaken to try and reduce this reliance on nightly paid providers this is likely to take some time not least whilst the Council develops a Housing Strategy and Homelessness and Rough Sleeping Strategy during 2022/23 and whilst the Housing Strategy and Solutions team continues its transformation journey.

4.26 Of the 98 households in nightly paid self-contained supplier managed temporary accommodation on 4th April 2022, table 2 shows the usage by size of accommodation on the basis that nightly rates are dependent on the number of bedrooms provided:

Size of nightly paid supplier managed temporary accommodation	No. households on 4th April 2022	% total nightly paid self-contained placements
One bedroom	25	26%
Two bedrooms	48	49%
Three bedrooms	19	19%
Four bedrooms	6	6%
Total	98	100%

Table 2: households in nightly paid self-contained temporary accommodation by size on 4th April 2022

4.27 The Council proposes to implement a Dynamic Purchasing System (DPS) in respect of its use of nightly paid supplier managed temporary accommodation. This would replace the current approach of spot purchasing all nightly paid temporary accommodation. Regulation 34 of the Public Contract Regulations 2015 sets out the rules on Dynamic Purchasing Systems.

4.28 A DPS is a procedure available for contracts for works, services and goods commonly available on the market. As a procurement tool, it has some aspects that are similar to an electronic framework agreement, but where new suppliers can join at any time during its lifetime. It is run as a completely electronic process. It is a two-stage process whereby suppliers that meet the selection

criteria are admitted to the DPS, with individual contracts being awarded during the second stage after invitations to bid for the specific contract(s). The DPS approach can streamline procurement for both the Council and suppliers, provides improved accessibility for small to medium enterprises and also provides the flexibility required for this type of demand-led service provision.

- 4.29 In the context of temporary accommodation, this approach will ensure compliance with the Public Contract Regulations 2015 and enable the Council to ensure quality, value for money and an improved temporary accommodation service.
- 4.30 A DPS would provide opportunities for both existing and new providers throughout the lifetime of the contract and would also ensure that sufficient due diligence was carried out in respect of current and new providers.
- 4.31 To date nightly paid accommodation and hotels have been spot purchased. The sovereign councils of North Northamptonshire were using some form of nightly purchased supplier managed temporary accommodation but through a variety of suppliers, and at different nightly charges for different sized accommodation. Action was taken prior to vesting day to ensure that this was harmonised as an interim solution pending these proposed longer-term procurement arrangements and in order to achieve some improved value for money during 2021/22.
- 4.32 In March 2021 and having considered demand, supply and disparate pricing schedules, existing suppliers of nightly paid self-contained temporary accommodation were advised of maximum nightly rates that would be paid by North Northamptonshire Council from 1st April 2021 pending a decision to formalise procurement arrangements.
- 4.33 At this time, the Council also implemented interim terms and conditions and use of temporary accommodation booking and cancellation forms which have improved working relationships with existing suppliers and enabled a level of consistency and scrutiny of standards.
- 4.34 Further to recent consultation with the Council's main providers of nightly purchased supplier managed temporary accommodation and due to rising costs (including increasing rent levels, increasing staff costs, rising energy costs and more) private sector housing suppliers are unable to continue to deliver services at the maximum rates agreed prior to vesting day. Until the Council can significantly reduce its reliance on this form of temporary accommodation (by significantly reducing the overall number of households living in temporary accommodation and/or increasing the supply or turnover of existing alternative temporary accommodation), it has a continued requirement to spot purchase such accommodation at increased rates in order that it can meet its duties under homelessness legislation.
- 4.35 Considering the fair and reasonable concerns raised by private sector housing suppliers and the provision of justification and evidence, officers of the Council, under delegated powers have agreed a further interim arrangement whereby maximum rates have increased by an average of 7%.

- 4.36 A Dynamic Purchasing System will deliver a flexible contracting model that maximises opportunities for providers to work with the Council. Key benefits of this approach include reduced need for spot purchasing, increased oversight of commissioned providers and improved relationships with a wider market.
- 4.37 In terms of a Dynamic Purchasing System (DPS) and the specific proposal in relation to the procurement of nightly paid temporary accommodation:
- A DPS is an electronic tendering system for the selection of 'Potential Providers', who comply with minimum service requirements as set out in a specification to be produced by the Council.
 - A DPS must remain open throughout its duration for the admission of any Potential Provider that meets the minimum service specification. The Council is therefore able to add Potential Providers to the DPS throughout its duration, providing Potential Providers meet the minimum service specification and submit a compliant Indicative Tender.
 - The DPS will enable the Council to utilise Potential Providers, who meet the minimum service specification and the Council's Housing Standards for Temporary Accommodation (to be produced as an appendix to the specification) which will form part of the Indicative Tender documentation.
 - It is proposed that the DPS will begin from the notified commencement date and will last for an initial period of 3 years but may be reviewed and extended on an annual basis depending on the Council's ongoing need for this type of temporary accommodation.
 - There will be no obligation or guarantee given as to the quantity, value or regularity of services procured under the DPS. The Council will use only the accommodation that it has a requirement for at any given time.
 - Where a Potential Provider (a housing supplier) that is accepted onto the DPS demonstrates a failure to comply with the requirements of the minimum service specification, they will be removed from the DPS.
 - Housing suppliers will provide available units of accommodation knowing that it is for temporary use only, in accordance with the Council's duties under homeless legislation.
 - In addition to seeking Potential Providers to provide 'general needs' temporary accommodation via a DPS, the proposal is to also seek providers that can offer temporary accommodation with wraparound support for the reasons detailed in paragraphs 4.13 - 4.18. Such a resource enables the Council to safeguard, and better meet both the accommodation and related support needs, of single homeless individuals.
 - This will enable the Council to regularise its use of S&H and Knox Road in Wellingborough and also provide other potential suppliers the opportunity to offer similar 'enhanced' temporary accommodation services in other towns in North Northamptonshire should an evidenced need arise. In the event of

any further service needs the DPS will give the Council the opportunity to publish expressions of interest and / or mini competitions to meet this changing need.

- 4.38 In accordance with the existing procurement timeline, subject to Executive approval, it is anticipated that the DPS will 'go live' in July 2022, and contracts will commence in October 2022.
- 4.39 The specification, terms and conditions and relative schedules for Nightly Purchased, Supplier Managed Temporary Accommodation will set out the detail in relation to the Council's requirements – this is to be written and can be supplied to the Executive with relevant appendices to note at a later date if required.

5 Issues and Choices

- 5.1 The Executive therefore has the following choices on two distinct, but linked matters:
- (a) Approve the use of a Dynamic Purchasing System for the procurement of nightly purchased supplier managed temporary accommodation to ensure the Council's compliance with procurement regulations, noting that there are no other appropriate procurement options available for this purpose that provide the level of flexibility required for this demand led statutory service; **or**
 - (b) Do nothing and the Council continues solely with its existing arrangement of spot purchasing nightly paid temporary accommodation from third-party private providers.
- 5.2 The Executive has a further choice relating to the interim use of S&H pending the outcome of the Rough Sleeping Initiative bid to either:
- (c) Approve the continuation of the interim spot-purchasing of S&H pending the outcome of the Rough Sleeping Initiative 2022-25 bid; **or**
 - (d) For the Council to cease use of S&H pending the outcome of the Rough Sleeping Initiative 2022-25 bid noting that this will result in the Council having to identify alternative temporary accommodation for 17 vulnerable homeless individuals, with solutions likely to be less suitable, and potentially outside of North Northamptonshire with other nightly-paid providers.
- 5.3 It should be noted that the nuanced nature of demand for temporary accommodation means that there will likely remain a need to spot-purchase some temporary accommodation outside of any DPS albeit as a last resort. This is for reasons of flexibility which are required due to the nature of the demand for homeless assistance and the Council's statutory duties under Part 7 of the Housing Act 1996, as amended. The Council may be required to source temporary accommodation in ad hoc emergencies for example due to a large-

scale fire / flood. Fast changing external pressures can also significantly impact levels of demand for temporary accommodation and national hotel providers, and small local B&B's may not engage in any tender exercise.

6 Next Steps

- 6.1 Subject to approval from the Executive, the procurement will be delivered as per the key timelines below.

Executive Committee	19 th May 2022
Tender Published	1 st July 2022
Evaluation	15 th August 2022
Contract Award	19 th September 2022
Contract Start Date	3 rd October 2022

7 Implications (including financial implications)

7.1 Resources, Financial and Transformation

- 7.1.1 There are no implications for staffing resources or assets. An officer has been identified within the existing Housing Strategy and Solutions team to lead on this procurement exercise in conjunction with Procurement colleagues. The Council's existing software and e-procurement portal can be utilised.
- 7.1.2 Based on the snapshot of households in nightly paid temporary accommodation (B&B's and self-contained units) on 4th April 2022 at recently increased rates, the Council is estimated to be experiencing a gross expenditure from the General Fund revenue account of £6,100 per night on this type of accommodation. Some income is recouped via rents charged but, on the same modelling and allowing for some income loss due to arrears and no recourse to public funds cases, this income typically equates to approximately £1,700 each night. This equates to an estimated net expenditure on nightly paid temporary accommodation of £1.6m per annum based on current use.
- 7.1.3 The potential total value for the initial three-year contracts is therefore estimated to be £4.8m, although note as per paragraph 4.37 that the DPS can be reviewed on an annual basis depending on the Council's ongoing need for this type of temporary accommodation. Note that there will be no obligation or guarantee given as to the quantity, value or regularity of services procured.
- 7.1.4 External factors such as the rising cost of living, increasing rents and benefits caps are likely to result in an increased demand for homelessness services and may create pressure on the general fund revenue budget.

- 7.1.5 Interim spot purchase rates for S&H have been agreed if the Executive approves the recommendation to continue this arrangement pending formalisation of contracts upon notification of the Rough Sleeping Initiative 2022-25 bid. The agreed interim nightly rates for this supported temporary accommodation are 78% higher than B&B's of a similar standard without the security and support but the model provides value in other ways (explained in paragraph 4.18) and is necessary to safeguard and support our most vulnerable homeless customers.
- 7.1.6 In 2021/22, various government grants including the Homelessness Prevention Grant, Rough Sleeping Initiative grant and Protect and Vaccinate grant have assisted with temporary accommodation costs and it is envisaged that any increased requirement (such as that associated with S&H) will be funded from a combination of base budget and additional grants where applicable.
- 7.1.7 This decision has links to the wider ambition of transforming the Council's Housing Solutions service to ensure a greater focus on homelessness prevention and early intervention through co-located multi-disciplinary teams, to realise efficiency savings in the medium term and to provide an improved customer experience that links with the Council's staff values.

7.2 Legal and Governance

- 7.2.1 The proposal will aid the Council to meet its statutory duties to prevent and relieve homelessness and provide suitable temporary accommodation to certain homeless households as set out in Part 7 Housing Act 1996 (the primary homelessness legislation), as amended by the Homelessness Act 2002, the Homelessness Reduction Act 2017 and the Domestic Abuse Act 2021 (the Act).
- 7.2.2 The Council's duties in this regard are explored briefly in paragraph 4.1 - 4.4. The proposal to continue with the S&H model will enable the Council to meet its duties under Sections 195 and 189B to prevent and relieve homelessness for individuals experiencing rough sleeping. The DPS proposal aims to ensure that the Council is more effectively able to meet its interim accommodation duties under Section 188 of the Act and also its duties under Section 206 of the Act to ensure the suitability of any accommodation provided.
- 7.2.3 The proposals will ensure the Council's compliance with its own Temporary Accommodation Policy (provided as a background paper) in relation to the provision of suitable accommodation for homeless households in accordance with The Homelessness (Suitability of Accommodation) Order 1996 (S.I. 1996/3204), The Homelessness (Suitability of Accommodation) (England) Order 2003 (S.I. 2003/3326), and The Homelessness (Suitability of Accommodation) Order 2012 (S.I. 2012/2601) and relevant case law in particular the judgment relating to out of area placements, *Nzolameso v Westminster* (2015) in the Supreme Court.
- 7.2.4 The procurement will follow a compliant procurement process, under the Light Touch Regime as set out in Schedule 3 of the Public Contract Regulations 2015, and the Council's Contract Procedure Rules and Constitution.

7.3 Relevant Policies and Plans

- 7.3.1 The recommended proposals in this report link closely to the Council's key commitments in the Corporate Plan.
- 7.3.2 With regards to the corporate priority of 'Active, fulfilled lives', specifically in relation to S&H the proposal is consistent with the stated corporate aim of ensuring the right services are available at the right time and place, and that the root causes of complex issues such as homelessness are tackled. The S&H model not only allows for increased safeguarding opportunities through welfare checks but also that support needs are met through wraparound support during periods of homeless crisis.
- 7.3.3 The S&H model and the DPS proposal also meet the corporate priority of 'Safe and Thriving Places' through ensuring that housing supply meets demand, that housing standards are improved, and through tackling nuisance and anti-social behaviour through robust management of temporary accommodation premises accommodating high numbers of vulnerable homeless individuals.
- 7.3.4 The DPS proposal links to the 'Modern Public Services' priority through ensuring adherence to procurement regulations and seeking to provide a more efficient service that also ensures quality is not compromised.

7.4 Risk

- 7.4.1 If the Executive approve the recommendations, the Council will not be in breach of Procurement Regulations. The proposal enables a compliant procurement process having regard to the potential value of the contracts. It is therefore important that the Council formalises existing arrangements with existing private sector housing suppliers and provides others with the same opportunity in the interests of fairness, openness and transparency to support the Council to discharge its accommodation duties under homelessness legislation.
- 7.4.2 A further significant risk is that the Council may not be able to provide safe and suitable temporary accommodation to meet demand leaving the Council open to risk of legal challenge and judicial review, notwithstanding the Council's duties to safeguard homeless vulnerable adults and prevent harm caused by rough sleeping and unsuitable accommodation.

7.5 Consultation

- 7.5.1 A variety of statutory and voluntary sector partners with an interest in homelessness matters attended our inaugural North Northants Homeless Forum meeting in January 2022. At this meeting, all partners had the opportunity to contribute to the Council's self-assessment of existing rough sleeping services and help to shape the Rough Sleeping Initiative 2022-25 bid, through highlighting what works well, and where the gaps are. Partners recognised the value of S&H and the positive impact the model was having on

many homeless individuals and were keen to ensure that funding was requested to enable this to continue.

7.5.2 The Department for Levelling Up, Housing and Communities specialist Rough Sleeping and Homelessness Advisors have provided their support to the S&H aspect of this proposal and to the Council's Rough Sleeping Initiative funding bid highlighting the evidenced requirement in North Northamptonshire for supported emergency accommodation.

7.5.3 Existing private sector temporary housing suppliers have been advised of the Council's intended action in relation to procurement and to register to the Council's new e-procurement portal (Intend) ahead of our 'go live' date. Many existing providers are familiar with this approach to the procurement of nightly paid temporary accommodation. This will ensure the Council can lawfully continue with existing temporary accommodation placements as well as source future provision.

7.6 **Consideration by Executive Advisory Panel**

7.6.1 This paper may be considered by Executive Advisory Panel for Health, Wellbeing and Vulnerable People as part of the Councils governance process.

7.7 **Consideration by Scrutiny**

7.7.1 The procurement process and/or any part of the requirement may be selected for consideration by Scrutiny.

7.8 **Equality Implications**

7.8.1 In line with the Equality Act (2010) an Equality Screening Assessment will be undertaken and included as part of the report to the Procurement Gateway Group if considered applicable to ensure that the proposal will not adversely impact individuals with protected characteristics. It is not envisaged that this will be the case, instead the proposal is likely to advance the equality of opportunity for vulnerable homeless individuals who frequently share protected characteristics especially relating to disability due to providing a more certain supply of good quality temporary accommodation within North Northamptonshire that is suitable for their needs.

7.9 **Climate Impact**

7.9.1 The Council will work continuously with providers to ensure the service maximises the use of technology and exploits service innovations that support the Councils commitment for a greener environment.

7.10 Community Impact

- 7.10.1 The recommendations will ensure that homeless households are safeguarded in respect of the provision of safe and suitable nightly purchased supplier managed temporary accommodation.
- 7.10.2 There are wider community benefits associated with robust management arrangements of facilities such as S&H and Knox Road which the DPS would enable to be monitored more closely.

7.11 Crime and Disorder Impact

- 7.11.1 There are wider positive impacts associated with a reduction in rough sleeping which, whilst fundamentally and most visibly a housing issue, is also closely interlinked with begging and street drinking, as well as other antisocial behaviour and crime which impacts on local businesses and the local economy.

8 Background Papers

- 8.1 Executive Report approved by Executive in December 2021 following Emergency Powers decision
- 8.2 NNC Temporary Accommodation Policy