

LOCAL GOVERNMENT ACT 2000

REGISTER OF URGENT
DECISIONS OF THE EXECUTIVE

NORTH DEVON COUNCIL CONSTITUTION
– Appendix 12



1) SUBJECT:

Rough Sleeping Grant

2) REQUESTED DECISION:

Executive permission to set aside the requirements of the Contract Procedure Rules to tender an above £40,000 service namely; a Rough Sleeper Safe Sleep via Freedom Community Alliance at the cost of £130,000 over a 6 month period.

3) STATEMENT OF THE REASONS FOR THE REQUEST AND WHY IT IS URGENT:

North Devon Council have been successful in drawing down an additional £285,000 from Government following a submission to the MHCLG – Ministry of Housing, Communities and Local Government.

Following successful award of the bid NDC were issued with a funding structure from Government. This structure highlights service delivery for Safe Sleep as of the 01.10.2018. The urgency of the decision is required to allow time for planning consent to be obtained and to allow the necessary time to maximise staff capacity and purchase the necessary kit to run the service. Without the relevant permissions (including planning permission) we are unable to confirm the service can operate which places us at risk of having to return the money to Government.

The aim of the service is to open a nightly provision from the 1st October 2018 - 31st March 2019 for rough sleepers. This will provide a universally accessible accommodation offer for all existing and new rough sleepers. Relief duties will be delivered to all, with an entitlement to remain until alternative suitable accommodation can be obtained for all clients with a local connection to North Devon. Other clients will be given the support for planned reconnections to occur. Safe Sleep will be accessible for up to 20 rough sleepers both male and female on a nightly basis. The provision will allow clients to be assessed quickly, safely and in a more supportive environment.

This project is aimed at reducing the number of people rough sleeping in North Devon.

NDC wish to contract Freedom Community Alliance to provide the appropriate level of accommodation and support for Council's clients staying in their building. The bid identifies £130k to ensure this provision. The £130,000 cost attached to the service was jointly agreed with the MHCLG advisor who confirmed this figure was favourably benchmarked with other like projects.

NDC would set out the parameters/standards of provision requirements through a specification and the NDC appointed Coordinator would take responsibility for monitoring the service and ensuring the wider rough sleeper services are supporting successful delivery of the service.

4) FINANCIAL IMPLICATIONS: (NOTE: Please state if there are any financial implications. If so, state if there are sufficient funds within the agreed budget. If there are not sufficient funds, please state how the decision will be financed)

Please see above. The financial award made through the bid covers full costs of service delivery

5) ANY ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

Ongoing use of the Salvation Army Hall was considered but rejected as it is not a suitable long term accommodation venue due to a lack of facilities such as showers and a private meeting space. In addition, the Hall already has regular existing bookings limiting the times we could access the building.

DCC have been contacted re bringing into use a disused building namely; Rosebank Day Centre. Due to tight time frames and works needed to the property this is not seen as a viable option.

Encompass Southwest expressed an interest in running the support element but were unable to identify any suitable accommodation that could be used to operate the service.

Freedom Community Alliance is therefore considered the most appropriate service option because; they are able to provide both the support and the accommodation required. The building is already fully functioning and equipped to meet both staff and client needs. They are very experienced in working with the client group and have historically provided Cold Weather Provision so have a clear understanding of expectation.

6) A RECORD OF ANY CONFLICT OF INTEREST DECLARED:

N/A

7) A NOTE OF ANY DISPENSATION IF GRANTED:

N/A

8) THE CONSENT OF THE CHAIRMAN OF THE OVERVIEW AND SCRUTINY COMMITTEE WAS OBTAINED ON:

] 2nd July 2018

9) LIST OF BACKGROUND PAPERS (but not including published works or those which disclose exempt or confidential information (as defined in rule 10 of appendix 15 (Access to Information Procedural Rules) and the advice of a political advisor):

Rough Sleeping Grant Bid

10) CONSULTATION UNDERTAKEN:

The following have been consulted on this urgent decision:

Consultee	Consulted Yes/No	Date
Executive Member	Brian Moores	
Ward Member(s)	No	
Chief Executive	No	
Head of Service (name) Jeremy Mann	Yes	
Legal	Yes	
Finance	Yes	

11) APPROVED BY DECISION TAKER



Councillor Des Brailey MBE, Leader

12) NOT APPROVED BY DECISION TAKER

13) DATE THAT DECISION WAS TAKEN:

2nd July 2018

GUIDANCE NOTES

NOTE: ALL REFERENCES TO SUB-PARAGRAPHS REFER TO APPENDIX 12 OF THE CONSTITUTION

PROCEDURE FOR DECISIONS WHICH MAY BE CONTRARY TO ADOPTED PLANS AND STRATEGIES (INCLUDING THE BUDGET):

1. The Chief Executive must notify the Leader/Deputy Leader/Other Executive Member.
2. The Leader/Deputy Leader/Other Executive Member must approve the use of the procedure and notify the Chief Executive of his approval together with his reasons.
3. The Chief Executive must notify the Chairman of the Overview and Scrutiny Committee or if unable to act the Chairman of Council or if absent the Vice-Chairman to seek his determination as to whether the conditions detailed in paragraph 1.1 (b) (i), (iii) or (iv) are satisfied.
4. The Chairman of the Overview and Scrutiny Committee or if unable to act the Chairman of Council or if absent the Vice-Chairman, must confirm to the Chief Executive in writing that the proposed decision is urgent and that either of the conditions identified in paragraph 1.1 (b) (iii) or (iv) have been satisfied, the Chief Executive shall advise the Leader, Deputy Leader or other member of the Executive that the decision may be taken by a person or body possessing a relevant power to make such a decision.
5. If a decision is specific to a Ward, efforts should be made to ascertain the views of the local Councillor (s).

PROCEDURE FOR DECISIONS WHICH ARE WITHIN THE ADOPTED PLANS AND STRATEGIES (AND CAN NOT BE INCLUDED IN THE FORWARD PLAN):

1. If the Chief Executive considers that the conditions in sub-paragraph 2.1 are satisfied, he must notify the Proper Officer of the need for the decision, the reasons why it was impracticable for it to be included in the Council's Forward Plan, and whether or not the decision is required to be taken within five working days.
2. On receiving the notification, under sub-paragraph 2.3 and where satisfied that no decision is required to be taken for five working days, the Proper Officer shall:
 - (a) notify in writing the Chairman of the Overview and Scrutiny Committee or if there is no such person, each Member of the Overview and Scrutiny Committee, with particulars of the proposed decision, the

reasons for its urgency and the reasons for it being impracticable to include in the Council's Forward Plan;

- (b) make available for public inspection at the Council offices a copy of the written notice given to the Chairman of the Overview and Scrutiny Committee about the decision.

3. Decisions to which sub paragraph 2.4 applies, shall not be made until after five working days have elapsed following publication of the proposed decision under 2.4 (b) of Appendix 12 in the Constitution.

4. Where it appears to the Chief Executive that an urgent decision-

- (a) meets the requirements of sub-paragraph 2.1 of Appendix 12 of the constitution; and
- (b) because of the urgency cannot be deferred for five working days,

he shall seek the agreement and confirmation in writing on both those points from-

- (c) the Proper Officer; and
- (d) the Chairman of the Overview and Scrutiny Committee or in his absence the Chairman of Council or if there is no Chairman the Vice-Chairman of Council;

and the person or body possessing a relevant power to make the decision may proceed to make it only when the necessary agreement and confirmation have been obtained.

5. If a decision is specific to a Ward, efforts should be made to ascertain the views of the local Councillor (s).