Agenda

Cabinet

Date  Tuesday 1st October 2019

Time  6.00 p.m.

Venue  Council Chamber, Newham Town Hall, East Ham, E6 2RP

Rokhsana Fiaz OBE  Althea Loderick
Mayor of Newham  Chief Executive

Contact: Joy George, Democratic Services Officer, 020 3373 1256
CABINET MEMBERS
(Quorum: 3 - including Mayor or Deputy Mayor)

Rokhsana Fiaz OBE, Mayor of Newham– Mayor of Newham

Councillor John Gray  Deputy Mayor (Statutory) and Cabinet Member Housing Services
Councillor Charlene McLean  Deputy Mayor (Community) and Cabinet Member Community Neighbourhoods
Councillor Zulfiqar Ali  Cabinet Member for Health and Adult Social Care
Councillor Julianne Marriott  Cabinet Member, Education
Councillor James Beckles  Cabinet Member for Crime and Community Safety
Councillor Terence Paul  Cabinet Member, Finance and Corporate Services
Councillor Sarah Jane Ruiz  Cabinet Member Children Social Care
Councillor James Asser  Cabinet Member - Environment, Highways and Sustainable Transport

The following Members support the Executive; however they are not members of Cabinet

Councillor Carleene Lee-Phakoe  Deputy Cabinet Member - Children Social Care
Councillor Jane Barbara Lofthouse  Deputy Cabinet Member for Education
Councillor Shaban Mohammed  Deputy Cabinet Member - Housing Services
Councillor Firoza Nekiwala  Deputy Cabinet Member - Health and Adult Social Care
Councillor Mohammed Muzibur Rahman  Deputy Cabinet Member for Communities

The following Members also support the Executive; however they are not members of Cabinet

Councillor Stephen Brayshaw  Commissioner for Skills
Councillor Canon Ann Easter  Commissioner for Interfaith & Inter-Religious Dialogue
Councillor Rohit DasGupta  Commissioner for Social Integration and Equalities
Councillor Mas Patel  Commissioner for Air Quality & Climate Change

LEAD OFFICERS

Althea Loderick  Chief Executive
AGENDA

The agenda is available online at the link provided and can be printed for anyone requesting a hard copy. A copy of the agenda has been placed for public inspection at Newham Town Hall and Stratford Library.

1. Apologies for Absence

2. Declarations of Interest (Pages 1 - 2)

   In accordance with the Members’ Code of Conduct this is the time for Members to declare any interest they may have in any matter being considered at this meeting. Advice is attached.

3. Minutes (Pages 3 - 16)

   Decisions of Cabinet made on 3rd September 2019

4. Appointments to Outside Bodies

5. Rough Sleeping Taskforce Update (Pages 17 - 32)

6. Award of Call-Off Contract for the supply of user devices and peripherals to XMA Ltd as part of the Smarter Newham Programme (Pages 33 - 40)

7. Request to Award Adults Shared Lives Services Contract (Pages 41 - 46)

8. Fire Door Replacement in Council Housing Blocks (Pages 47 - 52)

9. Exclusion of the Press and Public

   To resolve that the press and public be excluded from the meeting for the following item(s) of business to the extent that exempt information as described in Part I of Schedule 12A to the Local Government Act 1972 is likely to be disclosed.

10. Exempt Appendix for Agenda Item 7 - Request to Award Adults Shared Lives Services Contract (Pages 53 - 54)

   This appendix is exempt by virtue of paragraph 3 of the Access to Information Procedure Rules set out in the Constitution pursuant to schedule 12A Local Government Act 1972, as amended.
Members Attendance at Meetings - Statutory Requirements

Section 85 of the Local Government Act 1972 provides that a Member (Councillor) of an authority must attend a meeting of the authority as a whole (i.e. Council) or a Committee, Sub-Committee or a Joint Committee at least once every six months. Attendance at a meeting of a Committee or Sub-Committee of Council listed below would count in lieu of a meeting of Council provided that the Councillor was an appointed member of that Committee or Sub-Committee

Standards Advisory Committee
Local or Strategic Development Committee
Licensing Committee
Overview and Scrutiny Committee or a Scrutiny Commission
Investment and Accounts Committee
Chief Officers Appointment Committee
Audit Board
Health & Wellbeing Board
Corporate Parenting Board
Standing Advisory Council on Religious Education (SACRE)

Members of the Executive (the Mayor and Cabinet Members) also need to attend a meeting of the Executive i.e. Cabinet at least once every six months.

If you have any queries with regard to this guidance you should contact:

Daniel Fenwick (Monitoring Officer) – 01708 432714
(E-mail: daniel.fenwick@oneSource.co.uk)
The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

Notice of Intention to Conduct Business in Private

Notice is hereby given that, in accordance with Regulation 5 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012, the Agenda Item(s) set out below is/are likely to be considered in private.

The item(s) detailed below will involve the disclosure of exempt information under specific paragraph(s) (detailed below) of the Access to Information Procedure Rules pursuant to Schedule 12A of the Local Government Act 1972, as amended:

<table>
<thead>
<tr>
<th>Agenda Item</th>
<th>Title</th>
<th>Reason Exempt</th>
</tr>
</thead>
<tbody>
<tr>
<td>10</td>
<td>Exempt Appendix for Agenda Item 7 - Request to Award Adults Shared Lives Services Contract</td>
<td>Grounds: Commercial Information relating to the transaction is exempt by virtue of Category 3 of Rule 11 of the Access to Information Procedure Rules set out in the Constitution pursuant to Schedule 12A Local Government Act 1972, as amended</td>
</tr>
</tbody>
</table>

INFORMATION FOR VISITORS

Filming of Proceedings

Visitors are advised that the Council, Councillors and members of the public may film the meeting and use social media; this is permitted as long as it does not disrupt the meeting. Please therefore be mindful that you could be being filmed for social media or recorded, by entering the meeting you are giving your consent to be filmed. It is requested that any filming by the public and press is focussed on those participating in the meeting.
Fire Evacuation Procedure

A fire alarm test is not expected during this meeting; however if the fire alarm sounds (continuous ringing), staff will direct you to the nearest exit. Please leave in a calm and orderly manner.

Please do not re-enter the building until you are advised it is safe to do so by the relevant member of staff. The assembly point is located in the car park.

General Information

Visitors are advised that this is a meeting held in public and not a public meeting.

There is no opportunity for you to speak or address Elected Members; therefore, you are respectfully requested not to interrupt the meeting.
If you interrupt the meeting and refuse to remain quiet, you will be asked to refrain from doing so and any further interruptions may result in you being asked to leave.

Visitors and Councillors are requested to turn off mobile phones or set them to silent during the meeting.
Members' Declarations of Interest

Matters for Consideration
Revised Guidance – February 2016

The following is offered as a guide to Members. Further details are set out in the Members' Code of Conduct, attached as Part 5.1 of the Council’s Constitution.

1. Disclosable Pecuniary Interests

Disclosable Pecuniary Interests (DPI) are covered in detail in the Localism Act 2011. Breaches of the law relating to these may be a criminal offence.

1.1 If you have a DPI in any matter on the agenda you must not participate in any discussion or vote on that matter. If you do so without a prior Dispensation (see below) you may be committing a criminal offence, as well as a Breach of the Code of Conduct. The Council's Constitution requires any Member declaring a DPI to leave the meeting (including any public seating area) during consideration of the matter.

1.2 Members will be asked at the start of the meeting if they have any declarations of interest. The Council's Code of Conduct requires you to make a verbal declaration of the fact and nature of any DPI. You are also required to declare any DPIs before the consideration of the matter, or as soon as the interest becomes apparent, if you were not aware of it at the start of the meeting.

2. Non-Disclosable Pecuniary Interest or Non-Pecuniary Interest

2.1 The Council's Code of Conduct requires you to make a verbal declaration of the existence and nature of any "Non-Disclosable Pecuniary Interest or Non-Pecuniary Interest". Any Member who does not declare these interests in any matter when they apply may be in breach of the Code of Conduct.

2.2 You may have a "Non-Disclosable Pecuniary Interest or Non-Pecuniary Interest" in an item of business where:

2.2.1 A decision in relation to that business might reasonably be regarded as affecting your well-being or financial standing, or a member of your family, or a person with whom you have a close association with to a greater extent than it would affect the majority of the Council taxpayers, ratepayers or inhabitants of the ward or electoral area for which you have been elected or otherwise of the authority's administrative area, or

2.2.2 It relates to interests which would be a DPI, but in relation to a member of your family or a person with whom you have a close association and that interest is not a DPI. If the matter concerns your spouse, your civil partner or someone you live with in a similar capacity, it is covered by the provisions relating to DPIs.

2.2.3 It could also cover membership of organisations which you have listed on your Register of Interests (including appointments to outside bodies), where there is no well-being or financial benefit accruing to you but where your membership might be said to be relevant to your view of the public interest.

2.3 A person with whom you have a close association is someone who is more than an acquaintance, and is someone you are in contact with over a period of time, whether regularly or not. It is someone that a reasonable member of the public might think you would be prepared to favour or disadvantage when discussing a matter which affects them and so covers friends, colleagues, business associates, or someone you know through social contact.
2.4 Family should be given a wide meaning. In relation to the family of both you and your partner, it would include the parents, parents-in-law, children and step children, brothers and sisters, grandparents, grandchildren, uncles and aunts, nephews or nieces, together with the partners of any of these persons.

2.5 You should make a verbal declaration of any such interest in a matter to be considered at the meeting at the start of the meeting, or before the consideration of the item of business, or as soon as the interest becomes apparent if you are not aware at the start of the meeting of the interest.

3. Register of Members interests

Members are required to complete the Register of Interests and to keep this register up to date by informing the Monitoring Officer in writing within 28 days of becoming aware of any change in respect of their DPIs.

4. Dispensations

In certain circumstances the Monitoring Officer is able to grant a dispensation to you which will enable you either to participate in the discussion on a matter, to vote on the matter, or both. Dispensations can only be granted in limited circumstances. If you believe that you are able to claim a dispensation you must seek advice as soon as possible from the Monitoring Officer, who will consider your request.

The Monitoring Officer, under Section 33(2) of the Localism Act, has granted the following general dispensations to all Members until the Annual Council meeting in 2022, on the grounds that the dispensation is in the interests of the inhabitants of Newham and/or it is appropriate to grant the dispensation to maintain a similar position as applied under the previous code of conduct. This means Members do not need to leave the meeting if their Disclosable Pecuniary Interest arises and is:

- An interest common to the majority of inhabitants in their ward.
- An interest so remote that it is not likely to prejudice their judgement of the public interest.
- Council housing unless related to their own particular tenancy.
- School meals and/or transport unless relating to their own child’s school.
- Statutory sick pay for members.
- Members allowances.
- Setting Council Tax or precept.
- Agreeing any Local Council Tax Benefit Scheme.
- Interests arising from membership of an outside body to which the authority has appointed or proposes to appoint them.
- The Local Government Pension Scheme unless relating specifically to their own circumstances.

5. Bias and Predetermination

If in relation to any decision, your outside connections may make it appear to a reasonable person that there is a real danger of bias, or predetermination you should seek advice as to whether it is appropriate for you to participate in any discussion about the matter and in the decision, regardless of whether or not you consider that you should declare an interest as defined above.

For further advice about these matters please contact the Monitoring Officer, Daniel Fenwick on 01708 432714
CABINET

Meeting held on 3rd September 2019
in Council Chamber, Newham Town Hall, East Ham, E6 2RP

Present: Rokhsana Fiaz OBE (Chair)

Cabinet Members
Councillors John Gray, Zulfiqar Ali, Julianne Marriott, James Beckles, Susan Masters, Terry Paul, Sarah Ruiz and James Asser

In attendance: Councillors Carleene Lee-Phakoe, Firoza Nekiwala and Mas Patel.

The meeting commenced at 6.06 p.m. and closed at 7.30 p.m.

Mayor’s Opening Remarks

The Mayor opened the meeting and informed all that, prior to the meeting, representatives from the People’s Empowerment Alliance for Custom House (PEACH) had attended at East Ham Town Hall and presented her with a gift of peaches to mark her return from her overseas trip. The gift symbolised each representative and acknowledged the support for the work of PEACH in seeking to achieve neighbourhood goals in education, jobs, housing and safety that had been given by the Mayor during her term as Ward Councillor for Custom House. The Mayor thanked PEACH for their gift and commended their continued valuable work for Custom House Ward.

1. Apologies for Absence

There were no apologies for absence received from Cabinet Members.

Apologies for absence were received from Councillors Charlene McLean (Deputy Mayor (Community) and Cabinet Member for Community Neighbourhoods), Jane Lofthouse (Deputy Cabinet Member for Education) and Mas Patel (Commissioner for Air Quality and Climate Change) for lateness.
2. Declarations of Interest

Councillor Paul declared an interest in respect of Agenda Item 15 (Renewal and Extension Ballot for Stratford Business Improvement District and Expansion) by virtue of the fact he was an unremunerated member of the Stratford BID Board.

3. Minutes

Cabinet RESOLVED to AGREE that the minutes of the Meeting of the Cabinet, held on 2 July 2019 subject to the following amendment at Minute 9 (iv) “that the budget implications concerning the development of the specialist school/school of excellence at Paul Street compared to developing high quality mainstream provision be dealt with via the Medium Term Financial Strategy Process.” and that the minutes of the Meeting of the Cabinet held on 9 July 2019 (Special), be approved as a correct record.

Order of Business

The Mayor altered the order of remaining business to move Item 5 (Newham Air Quality and Climate Change Strategic Intent) to the last item to be considered on the agenda in order to allow Councillor Patel (Commissioner for Air Quality and Climate Change), who had intimated that he would arrive at the meeting late, to present the report. Accordingly item 5 was moved for consideration as the final item of business at the meeting.

4. Appointments to Outside Bodies

The Mayor confirmed the appointment of Councillor Rev Ann Easter to fill one of two elected Member vacancies on the Standing Advisory Committee for Religious Education (SACRE).

5. Newham Air Quality and Climate Change Strategic Intent Part Two: Addressing Climate Change

Cabinet considered a report, which referred to the London Plan 2016 that required planning applicants to reduce carbon dioxide emissions (referred to as “carbon”) for certain types of major developments. It was reported that where applicants’ developments were not able to achieve reductions within their own development proposals, planning applicants could mitigate this impact elsewhere or make a payment to the local planning authority (LPA). It was noted that the payment to the LPA was calculated using the GLA’s cost of carbon for the shortfall that could not be achieved in the development based on the target established in Policy 5.2 of the London Plan 2016 and that the monies which accrued had to be ring-fenced towards a Carbon Offset Fund.
The Mayor introduced the report informing Members that it was appropriate for the Council to adopt an transparent approach and to communicate to residents how it would use this Fund. The Infrastructure Planning Manager informed Members that, due to the nature of some developments it was not possible for some developers to mitigate the negative effects of their proposed developments in respect of carbon produced. Therefore the Mayor of London had established an offset scheme through which carbon generated by such developments could be mitigated (for the local communities in which they would be situated) by payments to offset the carbon generated. Cabinet noted that the monies held represented all funds generated since the initiation of the scheme.

Decision

For the reasons set out in the report and the appendices, Cabinet RESOLVED to AGREE:

i) The content of the Interim Carbon Offset Fund;

ii) To publish the Interim Carbon Offset Fund on the Council’s website;

iii) That the monies held in 2019/20 (£264,451) would be applied towards carbon reduction or clean energy generating initiatives in LBN managed and/or maintained schools and community facilities in equal proportion (45% of the monies held at the time of the publication of the Cabinet report) and 10% of the funds ring-fenced for resourcing costs.

iv) That authority be delegated to the Director of Planning and Development, Chief Planning Officer, to make minor amendments and approve the final version of the Interim Carbon Offset Fund suitable for publication on the Council’s website.

v) To note that the Interim Carbon Offset Fund, in principle, allocated 45% of the monies accrued to date to investment in LBN maintained and owned schools; 45% in LBN owned and maintained public buildings and 10% on administrative costs and the detailed projects would be considered by the Chief Planning Officer;

vi) To note that a strategic Carbon Offset Fund looking at how the monies which were forecast monies (yet to be received or had reached their triggers for payment) would be spent, would progress alongside other corporate work streams and return to Cabinet for approval in Spring or Summer 2020 (a framework for this was included as Appendix 2 to the report);

vii) To note the criteria for projects which may receive funding from the strategic Carbon Offset Fund via the corporate Budget Setting process be reserved for further consideration as part of a subsequent decision as set out in Appendix 2: Scope of Carbon Offset Fund;
viii) To note that a growth fund request would be submitted for staff costs to support the delivery of projects and to assess ‘carbon’ savings from financial investments; and

ix) To note that the governance arrangements for the allocation of funds from the Interim and strategic Carbon Offset Fund would adhere to the principles established in the Developer Contributions: Governance and Funding and Allocation Strategy.

Alternatives Considered

1. The Council could delay agreeing this Interim Carbon Offset Fund and await further strategic work to progress.

2. There were deeds of planning obligation, which required the establishment of a fund, as did London Plan Policy 5.2; as such there was limited scope to delay indefinitely the establishment of the Fund – this would lead to Developer Contributions potentially being repaid and, crucially, delays in the delivery of emissions reductions interventions across the Borough.

3. The monies currently accrued could have been applied to:
   a) an Authority wide bidding process from different service areas based on in principle criteria, however this was discounted as being administratively burdensome based on the funding available;
   b) add funding to Keep Newham Moving through on-street lighting measures or other interventions; the scheme was successfully delivering based on the existing funding and this limited additional funding was not sufficient to enhance the extant programme in a meaningful way;

The alternatives considered above were primarily omitted due to the feasibility of prompt delivery. It was considered prudent to make initial investments in LBN assets as this could be expeditiously delivered.

6. Community Wealth Building Strategic Intent

Cabinet considered a report, which outlined the Mayor’s Community Wealth Building Strategy. It was reported that Community Wealth Building was about looking at driving economic regeneration from within the Borough by supporting Newham’s local businesses and residents and would also link in with the forthcoming Social Integration Strategy, which would work on resetting the Council’s relationship with Newham’s voluntary sector.

The Mayor introduced the report, which set out the intended approach towards building community wealth. The Corporate Director for Resoures explained how the strategy would help to drive economic regeneration from
within the Borough and retain wealth in the Borough by supporting Newham’s local businesses and residents. The strategy would be publicly launched in mid-October.

Decision

For the reasons set out in the report, Cabinet RESOLVED to AGREE:

i) The Community Wealth Building Strategy Intent, as set out in Table 1 to the report; and

ii) That the Corporate Director of Resources, in consultation with the Mayor, be authorised to finalise the Strategy in accordance with the overview set out in Table 1 to the report.

Alternatives Considered

Not applicable.

7. Interim Carbon Offset Fund

Cabinet considered a report, which referred to the London Plan 2016 that required planning applicants to reduce carbon dioxide emissions (referred to as “carbon”) for certain types of major developments. It was reported that where applicants’ developments were not able to achieve reductions within their own development proposals, planning applicants could mitigate this impact elsewhere or make a payment to the local planning authority (LPA). It was noted that the payment to the LPA was calculated using the GLA’s cost of carbon for the shortfall that could not be achieved in the development based on the target established in Policy 5.2 of the London Plan 2016 and that the monies which accrued had to be ring-fenced towards a Carbon Offset Fund.

The Mayor introduced the report informing Members that it was appropriate for the Council to adopt an transparent approach and to communicate to residents how it would use this Fund. The Infrastructure Planning Manager informed Members that, due to the nature of some developments it was not possible for some developers to mitigate the negative effects of their proposed developments in respect of carbon produced. Therefore the Mayor of London had established an offset scheme through which carbon generated by such developments could be mitigated (for the local communities in which they would be situated) by payments to offset the carbon generated. Cabinet noted that the monies held represented all funds generated since the initiation of the scheme.
Decision

For the reasons set out in the report and the appendices, Cabinet RESOLVED to AGREE:

i) The content of the Interim Carbon Offset Fund;

ii) To publish the Interim Carbon Offset Fund on the Council’s website;

iii) That the monies held in 2019/20 (£264,451) would be applied towards carbon reduction or clean energy generating initiatives in LBN managed and/or maintained schools and community facilities in equal proportion (45% of the monies held at the time of the publication of the Cabinet report) and 10% of the funds ring-fenced for resourcing costs.

iv) That authority be delegated to the Director of Planning and Development, Chief Planning Officer, to make minor amendments and approve the final version of the Interim Carbon Offset Fund suitable for publication on the Council’s website.

v) To note that the Interim Carbon Offset Fund, in principle, allocated 45% of the monies accrued to date to investment in LBN maintained and owned schools; 45% in LBN owned and maintained public buildings and 10% on administrative costs and the detailed projects would be considered by the Chief Planning Officer;

vi) To note that a strategic Carbon Offset Fund looking at how the monies which were forecast monies (yet to be received or had reached their triggers for payment) would be spent, would progress alongside other corporate work streams and return to Cabinet for approval in Spring or Summer 2020 (a framework for this was included as Appendix 2 to the report);

vii) To note the criteria for projects which may receive funding from the strategic Carbon Offset Fund via the corporate Budget Setting process be reserved for further consideration as part of a subsequent decision as set out in Appendix 2: Scope of Carbon Offset Fund;

viii) To note that a growth fund request would be submitted for staff costs to support the delivery of projects and to assess ‘carbon’ savings from financial investments; and

ix) To note that the governance arrangements for the allocation of funds from the Interim and strategic Carbon Offset Fund would adhere to the principles established in the Developer Contributions: Governance and Funding and Allocation Strategy.
Alternatives Considered

1. The Council could delay agreeing this Interim Carbon Offset Fund and await further strategic work to progress.

2. There were deeds of planning obligation, which required the establishment of a fund, as did London Plan Policy 5.2; as such there was limited scope to delay indefinitely the establishment of the Fund – this would lead to Developer Contributions potentially being repaid and, crucially, delays in the delivery of emissions reductions interventions across the Borough.

3. The monies currently accrued could have been applied to:

   a) an Authority wide bidding process from different service areas based on in principle criteria, however this was discounted as being administratively burdensome based on the funding available;

   b) add funding to Keep Newham Moving through on-street lighting measures or other interventions; the scheme was successfully delivering based on the existing funding and this limited additional funding was not sufficient to enhance the extant programme in a meaningful way;

The alternatives considered above were primarily omitted due to the feasibility of prompt delivery. It was considered prudent to make initial investments in LBN assets as this could be expeditiously delivered.

8. Performance Report Q1

Cabinet considered a report, which published the full suite of current corporate plan performance measures and corporate plan actions, using April to June 2019 (Q1) data. It was reported that the Council’s Performance Management Framework (PMF) continued to be improved to ensure that the Council’s performance measures fully reflected its priorities; performance data was published regularly; and services were accountable for delivery and for driving improvement.

The Mayor introduced the report informing all present that the Corporate Plan had been published in February and this set out how the Council would establish its performance management framework and monitor performance against agreed indicators. The Interim Assistant Chief Executive outlined the performance reported in the first quarter (April – June) highlighting the areas of good progress and the measures being taken to address areas of underperformance. Cabinet noted that the scope of ‘Bright Futures’ priority reported at Appendix1 was broader than the function of the newly established Brighter Futures Directorate. Therefore the concepts to which the terms referred were distinct.
Decision

For the reasons set out in the report and the appendices, Cabinet RESOLVED to AGREE:

i) To note the overall performance against key performance indicators for the 1st quarter (i.e. April to June), including areas of good progress and the actions being taken to address areas of underperformance. (Appendices 1 and 2);

ii) To note progress against the Corporate Plan actions (Appendix 3); and

iii) That Lead Members work with Directors in 2019/20 to address emerging trends and areas for improvement.

Alternatives Considered

The alternative to not publishing current data would be a continuing lack of transparency about the Council’s performance that would undermine the ability of Members and residents to understand how well the Council was performing, and whether resources were being used effectively.

9. 2018/19 Treasury Management Year End Report

Cabinet considered a report, which advised it that the Council was required by regulations issued under the Local Government Act 2003, to produce an annual treasury management review of activities and the actual prudential and treasury indicators for 2018/2019. It was noted that the report met the requirements of both the CIPFA Code of Practice on Treasury Management (the Code) and the CIPFA Prudential Code for Capital Finance in Local Authorities (the Prudential Code).

Councillor Paul introduced the report and outlined that the report summarised Treasury activity for the financial year 2018/19.

Decision

For the reasons set out in the report and the appendices, Cabinet RESOLVED to AGREE to note the report and its appendices.

Alternatives Considered

Not applicable.

10. Financial Viability Consultant Procurement

Cabinet considered a report, which sought the Cabinet’s approval for the award of contract for the Financial Viability Consultant (FVC) to robustly
scrutinise Financial Viability Assessments (FVA) which accompanied planning applications for the London Borough of Newham Local Planning Authority (LPA), as well as allowing review of viability matters relating to policy and strategic investment.

The Mayor introduced the report noting that Cabinet was required to consider the matter because of the value of the contract. The procurement of consultants to undertake this work would be beneficial as it would ensure that viability assessments submitted by developers were robustly scrutinised.

Decision

For the reasons set out in the report and the appendices, Cabinet RESOLVED to AGREE:

i) The award of a contract to BNP Paribas Real Estate Advisory and Property Management UK Limited (BNP Paribas), following the procurement exercise to appointment a specialist FVC; and

ii) To approve the award of the contract, for up to five years, commencing on 23 September 2019 at a total contract sum of £1,250,000.00 at £250,000.00 per annum.

Alternatives Considered

The option of using Bloom was considered, however, it was determined that using the recognised and Official Journal of the European Union compliant CCS framework would better satisfy the project’s broad scope and delivery requirements. An additional 5% was charged to the applicant via the Bloom framework. Even though this cost would be passed onto the applicant and cost neutral to the LPA, the use of a non-fee charging framework was considered better value for money. It should be noted that Transport for London and Homes England frameworks were also considered as part of this process however they were discounted following advice from LBN Strategic Procurement that the CCS Framework was more suitable to this form of work. It should also be noted that the value of the contract would require a sealed contract.

11. Newham Corporate Security Contract

Cabinet considered a report, which provided options for the delivery of security services for the Council’s corporate buildings for three years from April 2020 with an option of annual extension for a further two years.

Councillor Paul introduced the report and highlighted that the procurement approach adopted sought not only to identify a potential supplier but also maintain the potential for local purchase in keeping with the Council’s aim to spend locally. Additionally a requirement had been included that employment at London Living Wage, as a minimum, would be offered.
Decision

For the reasons set out in the report and the appendices, Cabinet RESOLVED to AGREE

To approve commencement of a tender exercise at an estimated contract sum of £14.5 million (over the duration of the contract) for a period of 3 years with the option to extend for a further 2 years in yearly increments with a proposed start date of January 2020 for the ongoing Newham Corporate Security Contract, using the Eastern Shires Purchasing Organisation (ESPO) Framework 347 Security Services.

Alternatives considered

1. **Do nothing**, this is not an option as LBN will be open to challenge by other suppliers as incumbents have been in situ for over 10 years.

2. **Local suppliers** are considered for works under £24,999, however the demand from our clients, residents and the portfolio are such that it is unlikely to be feasible to award a contract for individual requirements. Splitting the work across a disparate range of local suppliers would also result in more onerous contract management. may not be cost effective and will disaggregate the spend, hence one contract is more preferable However local suppliers can be incorporated into the supply chain and framework providers would be encouraged to recruit locally for services of this nature.

3. **OJEU** Should a suitable framework not be identified and contract value is over the public procurement thresholds then an OJEU procurement process to be conducted – this process could be time consuming and could take up to 9 months.

**In-house provision** at present this has not been considered due to this service not being a core function of the Council. The cost of it would incur to the Council in pension, national insurance, sickness, holiday pay, training, accreditation, liability insurance, and backhouse support and additional resources does not make this feasible.

12. **Building Compliance test inspection , repair and maintenance procurement proposals**

Cabinet considered a report which asked Members to agree a procurement approach to deliver building compliance test inspection, repairs and maintenance.

Councillor Paul introduced the report informing Members that an approach was sought to that would permit procurement through the use of a
specialist public sector procurement firm. Members were advised that Fusion 21 would provide this framework.

**Decision**

For the reasons set out in the report Cabinet **RESOLVED to AGREE**

i) To undertake a tender exercise, for the reason set out within the body of the report, at an estimated contract sum of £16.5 million, for a period of three (3) years with an optional two year (1+1) extension period and an estimated start date of January 2020, for the ongoing building compliance, test inspection, repair and maintenance project. The proposed form of contract to be the JCT;

ii) To waive Contract Standing Order 15 to allow for the use of the Fusion 21 framework and its procurement services to appoint six contractors through a mini competition to cover: mechanical; electrical; display energy certificates (DECs); energy performance certificates (EPCs); building fabric/minor works; legionella monitoring and maintain assets as listed in the appendix list 2 excluding Building 1000 Dockside; and

iii) To utilise the same framework, Fusion 21, to procure one contractor through a mini competition to provide the above services at Building 1000 Dockside

**Alternatives considered**

1. **Newham Repairs and Maintenance Services (RMS)**

   They primarily specialise in dealing with housing stock. The Newham portfolio covers commercial properties which at present RMS are unable to meet the demand /requirement of e.g. air conditioning, commercial boiler maintenance. RMS is rebuilding its portfolio of trades it will deliver through directly employed staff and would be able to offer a full maintenance service in the next 18 to 24 months. RMS would provide backup support if the need arises.

2. **Local Suppliers**

   Local suppliers are considered for works under £24,999, however the demand from our clients, occupants and the build stock are such that it is unlikely to be feasible to award a term maintenance contract for individual requirements. Splitting the work across a disparate range of local suppliers would also result in more onerous contract management. Hence may not be cost effective. However local suppliers could be used further down the supply chain.

3. **OJEU**

   Should a suitable framework not be identified and contract value is over the public procurement thresholds then an OJEU procurement process to be conducted, this process can be time consuming can take up to 9 months.
Fusion 21 was chosen as the preferred option as they can accommodate all LBN requirements via one framework provider. Due to the labour intensity of this procurement, Fusion 21 to be commissioned to undertake the tender process for this particular project using London Borough of Newham’s e-tendering system in accordance with requirements. The fee for performing this process would be 3.5% paid for by suppliers.

13. **Pre-procurement services for Citizen Data and Transactional Services Project**

Cabinet considered a report, which concerned the procurement of design and implementation services for a new customer records management (CRM) system

Councillor Paul introduced the report informing Members that procurement of CRM software was the first step towards better engagement with residents. A further report would be brought back once a suitable supplier had been identified.

**Decision**

For the reasons set out in the report Cabinet *RESOLVED* to *AGREE*

To commence the tendering process for the *Design and Implementation Services for a new CRM System*, in accordance with EU procurement rules and treaty principles and the Council’s Contract Standing Orders (CSO). The contract would be for a period of 18 months

**Alternatives considered**

1. **Alternative Procurement Routes** - The Procurement Team undertook some soft market testing of a range of procurement routes, in order to establish best value for money. The options explored were: Council run its own OJEU tender, Joint procurement with Havering and G-Cloud framework.

2. **Council run OJEU tender**: This option would be a lengthy process, which would delay the start of the project and substantially increase the risk of not completing the project before the existing CRM system goes out of support.

3. **Joint procurement with Havering** – The Citizen Data and Transactional Project in Havering has a very different scope, timeline, programme delivery strategy and benefits profile. Furthermore, waiting for the Havering programme to commence procurement would push the timeline for Citizen Data and Transactional Project back significantly. As a result, any joint procurement exercise with
14. **Procurement Review of Evaluation Weightings**

Cabinet considered a report, which proposed a new approach to procurement evaluation weighting. The suggested alternative was the outcome of a review that was triggered by concerns that the existing required contract award criteria under the Council’s contract standing orders did not always lead to a satisfactory outcome within a tender process.

Councillor Paul introduced the report informing Members that to deliver better outcomes it was intended to establish a matrix approach that would also work with the community wealth building strategic intent and enable the organisation to be more flexible. The report would be taken forward to Council.

**Decision**

For the reasons set out in the report Cabinet **RESOLVED** to **AGREE**

i) To recommend to Full Council, the replacement of the current 70/30 price/quality split within the Contract Standing Orders (CSOs) be modified to a more strategic and proportionate approach ensuring adequate scrutiny is undertaken in selecting the appropriate price/quality mix in line with the framework for future procurement activities; and

ii) A review of the new approach to be subsequently undertaken with findings reporting back to Cabinet at a later date.

15. **Renewal and Extension Ballot for Stratford Business Improvement District and Expansion**

Cabinet considered a report, which concerned a request for a ballot from Stratford Original for the renewal of Business Improvement District (BID) arrangements based on the current BID area.

The Head of Economic Regeneration introduced the report informing Members that under the BID framework a renewal ballot was required to be undertaken every 5 years. Funding granted through the scheme was used to invest in business in the BID area.

**Decision**

For the reasons set out in the report Cabinet **RESOLVED** to **AGREE** to:
i) Direct that the Returning Officer as “ballot holder” hold a ballot as required by the statutory framework noting the intention to commission Electoral Reform Services for this at an estimated cost of £1,930;

ii) Delegate authority for the Corporate Director for Resources to vote on behalf of the Council in favour of the BID proposal in the renewal ballot; and

iii) Authorise the Director of Legal and Governance to complete the necessary legal agreements required for the operation of the BID Levy, Ballot and service arrangements and any other necessary matters for the proposed BID in consultation with the appropriate officers.

Alternatives considered

1. The Council is statutorily bound to consider the BID’s proposals and hold a ballot of their businesses on its behalf upon receipt of proposals and prescribed information. As amended BID proposals have not yet been received, the Council may defer the instruction to the ballot holder. This would have the effect of delaying the BID ballot as there would not then be time to instruct the ballot holder. This is not a recommended option as the BID has already publicised the renewal ballot date to its members and has undertaken that amended proposals will be provided by 19th September 2019.

2. Officers have discussed the option of delaying the renewal ballot, with the BID, giving notice to the Secretary of State of a new BID arrangement (the new BID to cover both the old and new/ expansion BID area) and holding a ballot for that new BID after the required 84 days post-notice have elapsed. The BID has declined this option on the basis that it has already publicised the renewal ballot date to its members and considers that a delay would have a negative reputational and organisational impact.
1 Executive Summary

1.1 At Full Council on the 17th of June the Mayor made a commitment to create a Taskforce that brought together stakeholders to develop a long term solution to the Homelessness and rough sleeping community in Newham.

1.2 On the 9th of July 2019 a report was submitted to Cabinet detailing the following recommendations:

- To note the Mayor's commitment to establishing a Homelessness Taskforce which will help to identify strategic priorities to tackle homelessness and rough sleeping in the borough with an initial focus on Stratford Mall chaired by the Deputy Mayor – Cllr John Gray.

- To note the draft terms of reference for the Homelessness Taskforce and acknowledge full membership was yet to be finalised. This has been completed and will be published following this Cabinet meeting (Appendix 1).

- To receive an update on the Taskforce's progress at the October Cabinet meeting with emerging themes and initial proposals for a sustainable approach to homelessness for reducing rough sleeping, including any...
associated impact and next steps identified.

- To note the context and the measures identified within the report to continue to support vulnerable individuals that are currently rough sleeping.

1.3 This report is the first update to Cabinet on the progress of the Taskforce. A further update with recommendations will be presented to Cabinet in December 2019. This will also include a request to approve the Homelessness and Rough Sleeping Strategy and Stratford Action Plan in addition to the recommendations that will be evidenced through the work of the Taskforce to address the complex challenges across the borough in relation to rough sleeping.

1.4 Any immediate improvements or opportunities to address the challenges ahead of the December Cabinet will be implemented in an agile manner with sign-off from the Deputy Mayor and the Corporate Director of Adult Social Care to ensure that positive progress can be made in a timely manner.

2. Recommendations

2.1 To note the Homelessness Taskforce activity and the agreed Terms of Reference (Appendix 1).

2.2 To note the Governance arrangements (Appendix 1)

2.3 To note that a further update will be provided to Cabinet in December 2019

3. Background

3.1 Newham is ranked as the third highest in London for its rough sleeping population. This remains the same as the previous year. A total of 612 instances of rough sleeping were reported in the borough in 2018/19. This represents a 46% increase of instances when compared to 2017/18.

2.2 Newham has started from a very low base and for a period of time did not have dedicated resources to assist rough sleepers with their complex needs or any suitable accessible accommodation. Rough sleeping was addressed primarily through enforcement officers with a crime and anti-social behaviour approach. Therefore, a significant investment of time has been required to start building trust with our rough sleeping population and other stakeholders to agree to work in partnership with Newham Council and combine efforts to address the situation. This work is still in its infancy but huge inroads have been made since the establishment of the Taskforce.

2.3 Accommodation for single people in Newham is limited and the private rented
sector is often unaffordable for most of our local residents. The borough only has one hostel type accommodation. Local Housing Allowance (LHA) rates fall short of meeting current market rents significantly, for example, an average single room (shared accommodation) in Newham costs £150 per week and the maximum (LHA) rate is £83.67, the difference therefore of £66.33 per week. Another example is that a 1 bedroom apartment will cost approximately £300 per week but the maximum LHA rate is £192.87 per week, with a difference of £107.13 per week.

2.4 Lack of suitable assessment accommodation, supported housing and move on accommodation has been a constant issue and seeking this accommodation remains challenging.

2.5 The Stratford Centre has been used as a place of shelter for a number of years, although in recent months, this has become a growing concern due to the sharp increase in rough sleepers. There is also a visible detrimental impact on the environment and on the health and wellbeing of our vulnerable rough sleeping population. Further concerns have also been expressed by residents, visitors of the area and local businesses.

2.6 In May 2019, action was taken to remove a number of people who had taken residence in a private office development in Stratford (Stratford Office Village) which has largely attributed to the increase in the numbers bedding down in and around the Stratford area. Many of whom are vulnerable due to poverty, mental health, drug and alcohol dependencies.

2.7 Rough sleepers are at high risk of being exploited and it is well evidenced the negative impact this has on their health and wellbeing. It is known circa 50 people currently bed down each night in the Stratford Centre and surrounding area.

2.8 Since the new administration came into office the area of homelessness and rough sleeping has been given the much needed attention and focus with a mandate to address the challenges with compassion and care.

2.9 Working with the Ministry for Housing, Communities and Local Government (MHCLG) Newham was able to secure funding of £1.6m to implement a series of initiatives which will provide provision up till 2020. Historically, the Council has not prioritised investment into services for rough sleepers. However, there is an opportunity future investment to be considered as part of the budget setting process and proposals will be presented as part of that process in February 2020 detailing the requirements.

2.10 A new Newham Street Population Team was created with a dedicated outreach service using funding secured through the MHCLG. This consists of a Street Population Manager and four outreach staff.

4 Taskforce update
4.1 The first meeting of the Taskforce was held on the on the 5th August 2019,
chaired by Cllr Gray.

4.2 The Taskforce meeting was well attended and included Members from Stratford New Town, Crime and Enforcement, Housing, Adult Social Care. Partner agencies also attended such as MHCLG, Crisis, ELFT, CCG, Police and Local Charities.

4.3 The first meeting agreed the;

4.3.1 Membership, including all partners and stakeholders for the Taskforce.
4.3.2 Finalised Terms of Reference (Appendix 1)
4.3.3 Governance structure including the appropriate workstreams and working groups. (Appendix 1)
4.3.4 Commitment to the principles that Newham’s approach will be predicated on compassion, treating people with dignity and ensuring that Newham’s plan is well informed through consultation and evidence.
4.3.5 That ‘not helping the homeless’ is not an option regardless of their needs.
4.3.6 Requirement to continue providing support to rough sleepers across the borough in parallel with the activity of the Taskforce. Where immediate actions and improvements are identified this will be implemented in an agile manner and fed back to the Taskforce to include in the longer term proposals.
4.3.7 Requirement that all residents must be protected from exploitation or any criminal behaviour through appropriate statutory means including where necessary enforcement.
4.3.8 Principles that partnership working across the borough with residents, Members, 3rd Sector and other statutory services is paramount to the success of achieving positive results for our rough sleeping population.
4.3.9 Focus on the Stratford Mall and surrounding area will take priority but notwithstanding the need to address the rough sleeping crisis borough wide.

4.4 The Taskforce is made up of five workstream, all of which are attended by external stakeholders, partner agencies including the voluntary sector, business leads, Councillors and residents with current or previous lived experience of rough sleeping. The five workstreams and their responsibilities are as follows;

4.4.1 **Strategy and Policy;** Chaired by the Lead Commissioner for Homelessness and Rough Sleeping. Responsible for:
- Developing the “Stratford Strategy” and associated action plan, which include preventing further rough sleeping in the borough
- Development of the Rough Sleeping Strategy
- Development of Policies and Protocols required with the above

4.1.1 **Data and Evidence;** Chaired by the Director of Public Health. Responsible for:
- Developing a rough sleeper needs assessment by evidence
gathering and profiling the current rough sleepers in Stratford including their health and housing support needs.

- Overseeing consultation & engagement with key stakeholders on any plans that require wider assurance or appropriateness.
- Inform any necessary EqIA

4.1.2 Rough Sleeping Pathway; Chaired by the Cabinet Lead and Corporate Director of Adult Social Care. Responsible for:

- Development of the short term pathway to address the Stratford Action plan
- Development of the long term pathway and solution which address the challenges of starting engagement from the street, support through the assessment process and interventions through to long term accommodation, including the sustainment of a tenancy.

4.1.3 Accommodation; Chaired by the Deputy Mayor and Cabinet Lead for Housing and the Corporate Director of Adult Social Care. Responsible for:

- Understanding the current provision the Council has available
- Sourcing and supplying accommodation in accordance with the needs identified through the Rough Sleeper Pathway and Strategy

4.1.4 Mobilisation and Implementation; Chaired by the Director of Operations. Responsible for:

- Delivering on activity and implementing the key deliverables from across all of the workstreams
- Multiagency meetings will be used as a conduit to support this activity
- Feeding back to each of the workstreams on any challenges, issues or opportunities identified in implementation

4.5 All of the workstreams give consideration to the following themes; Strategy and Policy, Finance, Communications and Operations.

4.6 Each workstream has met a number of times ahead of the 2nd Taskforce meeting held on the 5th of September. These have initiated and started to develop key intelligence to ensure deliverables are identified from an informed position.

4.7 Through these meetings the following activity and actions have been undertaken:

- Daily recording through LBN outreach of the rough sleeping population in the Stratford area to gather health and support needs of those currently not willing to be supported into accommodation, but willing to engage from the streets
- Removal of abandoned items on the streets left by previous rough sleeping activity
- MHCLG have approved for Newham to be included in a Health Needs Audit which will run for 2 weeks at the end of October
A number of “hard to engage” individuals that have been living on the streets of Newham for several months have been successfully supported into accommodation and engaging with support services.

- Regular cleaning of the streets around encampments has commenced
- Draft procedure to work with those not willing to engage with service
- Draft procedure for removal of tents and bedding
- Draft Target Operating Model for rough sleepers
- Identification of accommodation requirements

4.8 The second Taskforce meeting was held on the 5th September 2019, chaired by Cllr Gray. This meeting was also well attended and included additional agencies such as Liberty, Greater London Authority and Frogmore.

4.9 The meeting acknowledged and discussed the emerging themes that were born through the collation of all the evidence collected from residents, businesses, crime statistics, national statistics and local outreach work to build a current picture of the complexities, challenges and concerns regarding the situation in Stratford. This data although much richer than previously understood, still has some work to ensure all recommendations are thoroughly researched and evidenced.

4.10 This information will be used to inform the rough sleeping strategy and hone the tailored approach to address the health and wellbeing needs of our rough sleeper population based on evidence. The information will also inform any action to address the concerns or our local residents, businesses and visitors of Stratford.

4.11 A proposed rough sleeper pathway has been designed that details from referral through to maintaining a tenancy with appropriate levels of support to increase the opportunities of breaking the cycle of rough sleeping. This model has been designed ambitiously - taking proven models of excellence and tailoring it to meet the needs of our local rough sleepers. The model is also predicated on giving rough sleepers dignity and support when they are willing to engage and streamlining the process to ensure that effective outcomes are not delayed.

4.12 The additional requirements for accommodation, including day centres, assessment hub and interim accommodation and long term accommodation has been detailed based on current evidence and planning and financial implications understood.

5 Key Considerations & Proposals

5.1 The key themes that have been identified through the taskforce are as follows:

- Shortage of suitable interim/emergency accommodation to undertake a full comprehensive assessment of a rough sleeper's needs and coordinate support.
- Shortage of suitable accommodation for ‘move on’ when an individual is prepared to live independently.
- 64% of rough sleepers were seen bedded down for only one or two nights within a year in Newham. This highlights the transient nature of rough sleepers.
sleepers or the possibility they are able to return to access accommodation through other means.

- Lack of a clear pathway of support rough sleepers from the point of referral through to achieving successful outcomes of breaking the cycle of rough sleeping
- Significant number of the rough sleeper population in Stratford have NRPF, this poses significant and complex issues in gaining access to accommodation and funding housing support.
- Lack of protocols locally and nationally on how to tackle issues surrounding rough sleeping e.g. protocols for non-engagement, encampments, storage of belongings
- The need to develop the referral process to enable a rapid response and provide services
- The need to strengthen the preventative pathway and offer for single adults threatened with homelessness
- Residents, Businesses, visitors of Stratford and those that have been Rough Sleeping in Newham for a long time no longer feel safe in the Stratford Centre
- Residents, Businesses and visitors of Stratford are concerned about the public health risks associated with the level of poor sanitation and waste materials attributed to the rough sleeping population

5.2 The Taskforce will be addressing each of these themes and developing proposals and solutions in consultation with relevant stakeholders. These proposals will be detailed and presented back to Cabinet in December with a number of various options to address the challenges.

6 Policy Implications & Corporate Priorities

6.1 Newham has a firm commitment to reduce levels of ‘rough sleeping’ and provide support and assistance to those in need and who are most vulnerable both as a matter of principle and in accordance with its various legal duties.

7 Alternatives considered

7.1 Not applicable as part of this update. However, this will be included as part of any future proposals

8 Consultation

8.1 The Taskforce membership includes key stakeholders associated to Stratford Mall, surrounding area and at a borough level. Full details of membership can be seen in the Terms of Reference in Appendix 1.

8.2 This report is due to be considered by Overview and Scrutiny on the 25th September 2019.
9 Implications

9.1 Financial Implications

9.1.1 The grant funding from Central Government is time limited, with allocations announced for 2019/20 only. Further announcements for future years grant funding is expected later in the year, however, no details have been provided as yet.

9.1.2 Any costs arising from the recommendations of the Homelessness Taskforce will need to be considered as part of the Councils Budget setting process and ongoing discussions will be held with Cabinet lead for Finance and the Corporate Director of Resources.

9.1.3 Initial costings, based on benchmarking analysis and unit costing, has been carried out to identify the total funding required to develop and implement a pathway for the strategy. These costings are at an early stage with further evidence gathering being carried out and which will be presented to Cabinet and senior officers as part of the Budget Strategy for 2020/21 onwards.

9.1.4 Future years’ budgets are subject to review given the substantial reductions in Local Authority Funding over the next three years. Any commitments against future years’ budgets may pre-empt funding decisions that may be required in the context of savings elsewhere in the budget.

9.2 Legal Implications

9.2.1 The work that will be undertaken by the taskforce will relate to the legal duties the Local Authority has in relation to homelessness which are principally set out in Part 7 of the Housing Act 1996, the Homelessness Reduction Act 2017 and the Homelessness Code of Guidance for Local Authorities. This is the legal background against which the Taskforce will develop strategies and set priorities.

9.2.2 The Homelessness Reduction Act 2017 sets out specific duties about the steps that a Local Housing Authority where they are satisfied that a person is threatened with homelessness and eligible.

9.2.3 The report makes reference to the provision of long term accommodation. The Council must maintain an Allocation Scheme relating to how preference for allocation of social housing is determined. The legal framework for this is within Part 6 Housing Act 1996 as amended by the Homelessness Act 2002 and Localism Act 2011. Any strategy to deal with reduction of homelessness and provision of long term accommodation will likely require consideration of the Allocation Scheme.

9.2.4 Where individuals do not have recourse to public funds, they may be precluded under legislation from accessing housing or benefit support provided by the Local Authority and so there may need to be
consideration of what, if any, support can be provided in those circumstances.

9.2.5 As identified in the report, the taskforce and officers dealing with rough sleepers may be faced with individuals with complex needs. In addition to statutory functions relating to housing and homelessness, the Local Authority may also need to consider other statutory obligations, for example under the Care Act 2014.

9.3 Equalities Implications

9.3.1 Under section 149 of the Equality Act 2010, the Council has a duty when exercising its functions to have “due regard” to the need to eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act and advance equality of opportunity and foster good relations between persons who share a protected characteristic and persons who do not. This is the public sector equality duty. The protected characteristics are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

9.3.2 There are no equalities implications at this stage. The measures outlined within this report are intended to support vulnerable individuals within the borough. Depending on the future options arising from the Homelessness Taskforce these may be subject to an Equality Impact Assessment.

9.4 Other Implications relevant to this report: N/A

10 Background Information used in the preparation of this report

10.1 Rough sleeping in London (CHAIN reports)
This page is intentionally left blank
HOMELESSNESS TASKFORCE
Terms of Reference

General

The Mayor has placed reducing homelessness amongst one of the top priorities for Newham during her term. This gives the Council and partners the mandate to collectively work together and ensure all services are coordinated to deliver the best outcomes for our residents and our rough sleepers.

The Taskforce has been explicitly established to focus on addressing the challenges around rough sleeping, however, acknowledge that a holistic approach and one of partnership working is fundamental. Therefore, the work of the Taskforce will undertake will compliment the wider homelessness and housing strategy.

Objectives

1. To find innovative and practical opportunities to prevent and reduce homelessness, and develop solutions that can holistically support Newham’s rough sleepers off of the streets by understanding ‘what needs to be different’, based on an assessment of needs and what’s in place to meet these needs.

2. Work in collaboration with the community, collating and examining local evidence, receiving expert witness information and using desk research to develop a Stratford specific solution.

3. Listen and act on experiences of people who are impacted by rough sleeping

4. Map all accessible services for rough sleepers and people that need support and assistance to ensure they adequately get the support they need.

5. Develop plans to deliver change across systems, sectors and services, and professions, drawing on evidence of ‘what works’, and the strengths and assets of those in the borough.

6. Establish appropriate pathways in place to meet the wide variety of complex needs that impact on this specific cohort of people that are appropriate, accessible, timely, flexible and deliver quality value for money services.

7. Create a shared ambition to end rough sleeping

8. Develop recommendations, then to move to an implementation phase that ensures services are seamless, coordinated and the impact can be evaluated.
Actions and Aims

- Focus on action and solutions for both immediate and long-term change for vulnerable individuals and the Rough Sleeping community with an initial focus on Stratford Mall and the surrounding area.
- Receive expert witness/evidence to inform the development of long-term sustainable recommendations for change.
- Seek and suggest improvements in the quality of services for rough sleepers and maximise opportunities for homelessness prevention.
- Encourage the development of different housing options to meet the needs of economic and socially disadvantaged groups within Newham, including those who find it difficult to access housing services.
- Foster effective partnership working to maximise available resources and avoid duplication of effort and resources.
- Ensure stakeholder and user involvement and consultation in the development of strategies and services for those threatened with homelessness and those already suffering homelessness.
- Ensure homelessness issues are reflected in relevant local plans and strategies through contribution and representation on forums, networks and internal mechanisms.
- Influence commissioning decisions about services for those threatened with homelessness and those already suffering homeless.
- Support the production and implementation of a new Rough Sleeping and Homelessness Strategy.
- Monitor subsequent action plans and strategies as required.
- Identify emerging issues for review and consideration during the lifecycle of the taskforce

Principles

The Task Force will ensure that they tackle tasks in the context of the following principles:

- Nothing is ruled in and nothing ruled out in terms of recommendations. Except whatever the outcome is, it must be done with care and compassion.
- Act quickly, bringing evidence and ideas to the very first meeting and taking work on as necessary in between meetings to ensure rapid progress.
- Inspire and drive change and improvement.
- Draw on evidence, including direct personal experience of homeless and formerly homeless people.
- Ensure change leads to improvement throughout the system and this can be measured and evidenced.
- Lead across the whole system working with and through a wide range of partners.
- Maintain momentum at hot spots throughout the Borough in particular within the Strafford area.
- The Group will bring their different viewpoints together with the evidence to form joint recommendations. In the case of differences of opinion, the Group will ensure these are surfaced, addressed and do not get in the way of rapid work to set out solutions.
- Understand experiences of adversity result in trauma and this requires an environment of physical and emotional safety and a strengths-based approach in service delivery.
Membership

Chair

Councillor John Gray  Deputy Mayor and Cabinet Lead Member for Housing

Programme Team

Rochelle Paisley  Programme Manager
Xolani Annakie  Business Change Project Support

Councillors

Councillor Firoza Nekiwala  Deputy Cabinet Member – Health and Adult Social Care
Councillor James Beckles  Cabinet Member for Crime and Community Safety
Councillor Joshua Garfield  Stratford and New Town Ward
Councillor Nareser Osei  Stratford and New Town Ward
Councillor Shaban Mohammed  Deputy Cabinet Member – Housing Services
Councillor Zulfiqar Ali  Cabinet Member for Health and Adult Social Care
Councillor Terrence Paul  Stratford and New Town Ward

Council and Government Officers

Ajitha Sajeev  Street Population Manager,
Colin Ansell  Corporate Director, Adults and Health
Jason Strelitz  Director, Public Health
Margaret Gates  Strategic Lead, Homelessness Prevention and Advice, Housing Needs
Sheila Roberts  Director of Enforcement
Tony Jobling  Director of Operations, Adult Social Care
Annie Mulhall  Communications
Thomas Wilkinson  Senior Research Officer, Policy and Performance
Peter Smith  MHCLG
Karl Henson  Commissioning Lead for Rough Sleeping
David Eastwood  Greater London Authority

Partners and Stakeholders

Anchor House  Metropolitan Police
Bonny Downs  NewDay
Business Improvement District  NHS Newham Clinical Commissioning Group
Carpenters Café  Renewal
Docklands Settlement  Shelter
East London Foundation Trust  Single Homelessness Project
Frogmore  St Mungo’s
Home 4 Newham  Stratford Center (Stratford Mall)
Liberty  ThamesReach
Lola’s Homeless  Transition Practice
Governance / Roles and Responsibilities

Frequency of Meetings:

The taskforce will meet on a monthly basis and will be responsible for producing a **detailed project plan**, with clearly defined work streams.

Each **work stream** will have a lead and product will be feedback to the Taskforce (Project Board) for comments and approval. The workstreams and governance structure was agreed at the 1st Taskforce meeting held on the 5th of August 2019.

Minutes and an action log will be produced for each work stream and for the project board – The **Programme Manager** for the taskforce will ensure these are clearly synched together. A risk and issues log will be managed by the project manager and monitored by the Taskforce.

The **Chair of the taskforce** will work closely with the Chair of Overview and Scrutiny and enable sufficient time for recommendations and emerging evidence to be reviewed by Scrutiny in a timely manner and will be integral to the production of reports.

The terms of reference will be reviewed on an annual basis.
Engagement and Consultation

The Taskforce will develop an engagement and consultation plan which enables all parties to voice their opinions on Rough Sleeping and help shape future recommendations of the Taskforce and include exploring the use of Citizen Assemblies, Specific Forums, Surveys and full resident and member engagement.

The input from all stakeholders will be vitally important and cannot be underestimated, a collaborative approach with all parties will be undertaken including Members, Scrutiny, Local businesses, Voluntary organisations, Police, Central Government, Public Health, Transport for London, Home Office, DWP, residents and the homeless community with lived experiences.

Resource Plan

A dedicated Programme Manager and administration resource will be made available for the Taskforce.

A Consultation and Engagement expert will be identified to lead on this specific work stream.

Existing resource from within the Council will be identified to work on specific work streams. The project manager will matrix manage these resources as part of a project management approach.
This page is intentionally left blank
Executive Summary

1.1 On the 5th March 2019, Cabinet approved the Smarter Newham Programme and agreed to fund the first year of the programme. The remaining funding will be requested from Cabinet in March 2020. This will follow the completion of a post implementation review for the first phase of the programme.

1.2 In July 2019 the Pre-Procurement Report for the programme was approved by Cabinet in order to commence the procurement activity for items required to deliver the programme. Officers now seek contract award against the first tranche of the programme for the purchase of devices.

1.3 In the meantime, to assure the timeline of the Smarter Newham Programme, the items required for Tranche 1 have been procured independently, within the scheme of delegation, using the routes to procure articulated in the aforementioned Cabinet Pre-Procurement report. This included the purchase of user devices and peripherals, for the first tranche, to value of £338,744.

1.4 Based upon forecasting, the total value of spend for the remaining tranches (excluding Tranche 1) of the programme for devices and peripherals is £2,003,296.

- £962,389 for the first year of the programme (excluding Tranche 1).
• **£1,040,907** for the second year of the programme.

1.5 As the aggregate expenditure for devices and peripherals for the first year of the programme, including Tranche 1, exceeds the £1 million pound threshold for an officer key decision, as set out in the Newham Council’s Scheme of Delegation, the programme is returning to Cabinet to award the contract for the remaining devices and peripherals for the first year of the programme.

1.6 In line with the established procedure and to provide full transparency, the programme seeks approval to award the call-off contract for the purchasing of user devices and peripherals for the first year of the programme (excluding Tranche 1) to XMA Ltd at a value of **£962,389**.

1.7 As outlined above, the programme only has its first year of funding approved at this stage. In line with the July 2019 Pre-Procurement Report, the contract award for the devices and peripherals for the second year of the programme will be awarded by Cabinet in March 2020 to assure that devices can be procured in advance of the expiry of the Crown Commercial Services Framework CCS National Aggregated call off (EA16) from RM1054 Lot 1.

2 Recommendations

2.1 For the reasons set out in the report and its appendices, Cabinet is recommended to agree to:

2.1.1 Award the contract for further devices and peripherals for the first year of the Smarter Newham programme to XMA Ltd, as per the terms and conditions of the Crown Commercial Services Framework, CCS National Aggregated call off (EA16) from RM1054 Lot 1. The Lot 1 call-off contract for the purchasing of devices and peripherals will commence on 10th October 2019 and expire 31st May 2020, and cost **£962,389**.

3 Background

3.1 On the 5th March 2019, Cabinet approved the Smarter Newham Programme and agreed to fund the first year of the programme.

3.2 The Council is embarking on an ambitious change programme to facilitate improved employee mobility, better use of our assets and implement a new, more flexible, way of working and supporting culture.

3.3 The Smarter Newham programme will introduce new, and smarter, ways of working across the council, and through doing so, will consolidate our office portfolio. The programme will deliver a number of technology products that will transform our workforce and the way the work. The programme is rolling out in 9 tranches from December 2019.
3.4 In July 2019, a Pre-Procurement report was approved by Cabinet to commence the procurement activity of items required to deliver the Smarter Newham Programme.

3.5 In order to assure the timeline of the Smarter Newham Programme, the purchase of devices and peripherals required for Tranche 1 have been ordered following the approval of a Non Key Decision taken on 15th August 2019 to the value of £338,744.

3.6 This Cabinet Report however seeks to agree to award the contract to purchase the rest of the devices and peripherals required to deliver the remaining tranches within the first year of the programme.

3.7 In preparation for this, a Checkpoint 2 Report was submitted to Checkpoint Board for the contract award to the value of £962,389 for the purchase of the remaining devices and peripherals for that first year of the programme. This report was approved by Checkpoint Board on 02/09/19.

3.8 As background to this decision, in 2016, Crown Commercial Service (CCS) undertook a collaborative Further Competition process known as ‘EA16-NFC39’ to put in place aggregation call off utilising the Technology Products Framework Agreement - RM1054 Lot 1 for items such as desktops, laptops, monitors, windows tablets, hybrid tablets and thin clients. This further competition procurement process was managed by Crown Commercial Service and tendered via the CCS E-sourcing Portal System on behalf of all 30 plus participating Local Authorities during March 2016.

3.9 As a result of the further competition exercise, on behalf of local authorities, individual contract(s) for Laptops, Monitors, and Tablets were awarded to XMA Limited. This report recommended to award a contract to XMA Limited via the London wide call off that CCS have put in place on the local authority’s behalf.

3.10 A benchmarking exercise run by oneSource has been undertaken to demonstrate that the proposed contract with XMA Limited from the EA16-NF39 call off offers best value to the Council. The London wide call off contract and associated prices with XMA Limited will end 31st May 2020.

3.11 As the aggregate expenditure value for the first year of the programme, including the £338,744 approved by the Non Key Decision taken on the 15th August 2019, exceeds the £1 million pound threshold for an officer key decision, as set out in the Newham Council scheme of delegation, the programme is returning to Cabinet to award the contract for devices and peripherals for the first year of the programme.

3.12 The funding for the second year of the Smarter Newham Programme will be requested from Cabinet in March 2020. This will follow the completion of a post implementation review for the first phase of the programme and at this point we will seek approval to award the contract for the purchase of the remaining devices from Crown Commercial Services Framework CCS National Aggregated call off (EA16) from RM1054 Lot 1 in May 2020, at an expected value of £1,040,907.
4 Key Considerations & Proposals

4.1 Following on from Cabinet Approval of the pre-procurement report on 2nd July 2019, the programme has worked closely Procurement, Legal, Policy and Finance teams to initiate procurement activity for the programme.

4.2 As previously mentioned, to ensure the timeline of the Smarter Newham Programme was not compromised all the items required for Tranche 1 were procured independently, within the scheme of delegation, using the routes to procure agreed within the aforementioned Pre-Procurement Report.

4.3 This Cabinet Report seeks to agree to award the contract to purchase the rest of the devices and peripherals required to deliver the remaining tranches within the first year of the programme.

4.4 The procurement activity is funded through the unallocated General Fund Capital Resources and the HRA Capital Programme. Confirmation of this funding is also outlined in the Smarter Working Programme Cabinet Report approved at March 2019 Cabinet.

4 Policy Implications & Corporate Priorities

In order to meet the Mayor’s priorities and ensure that as a Council, we are putting people at the heart of everything we do, we need to have systems and processes that enable staff to work efficiently and effectively. A challenging financial context which includes unprecedented cuts to our budget, makes this even more essential: Central to this is:

- Having responsive systems including our digital infrastructure
- Empowering our workforce to focus on improving outcomes for our residents
- Improving channels of communication between residents and the Council

Furthermore, The Smarter Working Programme is closely aligned to the delivery of Priority 6 (An efficient and effective Council: making Newham Council work better for everyone) in the Council’s Corporate Plan, by modernising our systems to support smarter ways of working and supporting the delivery of better outcomes for our residents.

5 Alternatives considered

5.1 Alternative Procurement Routes - The Procurement Team has undertaken some soft market testing of a range of alternative available external
Frameworks for the purchase of devices and Crown Commercial Services Framework CCS National Aggregated call off (EA16) from RM1054 Lot 1 has been confirmed as providing the best value for the Council.

5.2 **Joint procurement with Havering** – The Smarter Working Programme in Havering has a different scope, timeline, programme delivery strategy and benefits profile. Furthermore, waiting for the Havering programme to commence procurement would push the timeline for Smarter Newham back significantly resulting in a longer programme pay back. The subject of this report relates to the purchase of devices. The cost for those purchases offer no opportunity for economies of scale in any joined up effort. As a result, any joint procurement exercise with Havering has been discounted.

6 **Consultation**

6.1 Cabinet were consulted on the details of this report at a briefing meeting on Thursday 12th October – there were no comments to note.

7 **Implications**

7.1 **Financial Implications**

1. The report seeks approval to award the contract for the purchasing of devices and peripherals for the first year of the Smarter Newham Programme.

2. The cabinet meeting held on the 5th March 2019 approved the release of an initial £5.442m of funding to support the delivery of the first year of the programme.

3. A further paper will be presented to Cabinet in March 2020 to outline the programme’s procurement strategy for the second year, lessons learned from the programme’s first year of delivery and requesting the release of the remaining earmarked funding to complete the programme, which is costed at £4.616m.

4. The estimated cost of this procurement in year 1 is £0.962m, which will be funded from the £3.178m capital programme allocation for the first year.

5. There will be an option to utilise the framework in order to procure the £1.601m required for year 2. This will also be funded from the capital allocation for the second year of £1.88m which is subject to cabinet approval.

6. All costs associated with the procurement and delivery of the contract will be met from within the overall Smarter Working programme.

7. The costs of this contract will need to be regularly monitored against the available resources to ensure that maximum VFM is achieved.
7.2 Legal Implications

1. The report seeks the approval of the Cabinet to award a call-off contract to XMA Ltd, following the evaluation of the quotes by the Procurement unit and the client department. The recommendation for the award is based upon the evaluation of the quotes on a MEAT criterion as per the terms and conditions of the Crown Commercial Services Framework CCS National Aggregated call off (EA16) from RM1054 Lot 1, and in accordance with EU procurement rules and treaty principles and the Council’s Contract Standing Orders (“CSO”) 22.

2. The Council has the general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do, together with the power under section 111 of the Local Government Act 1972 to do anything ancillary to or which facilitates any of its functions. The contract may be procured in accordance with these powers.

3. The proposed contract value is above the EU threshold for Service/Supply contracts; therefore accordingly, the procurement exercise needed to comply with the full EU Directives and PCR 2015.

4. With the assistance of the Procurement unit, the client department has undertaken a procurement process which is allowable under the Public Contracts Regulations 2015 (“PCR 2015”) and the Council’s CSO, including the award selection using the MEAT criterion. The most economically advantageous tender (MEAT) criterion enables the contracting authority to take account of criteria that reflect qualitative, technical and sustainable aspects of the tender submission as well as price when reaching an award decision.

5. The Council’s CSO 3 provides that a contract may only be awarded if the expenditure has been included in approved revenue or capital estimates or has been otherwise approved by, or on behalf of the Council. The body of this report confirm the relevant financial implications arising from the Council’s award of the contract.

6. Cabinet will be aware of the Public Sector Equality Duty (PSED) set out in section 149 of the Equality Act 2010. At each stage, in exercising its function (and in its decision making processes) the council must have due regard to the need to:

   a) eliminate discrimination, harassment, victimisation or other prohibited conduct;
   b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
   c) foster good relations between person who share a relevant protected characteristic and those who do not share it.

The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and
sexual orientation.

7. The Legal and Governance officers are available to assist the client department in finalising the terms and conditions of the contract.

7.3 **Equalities Implications**

7.3.1 The recommended supplier has an existing contract with the London Borough of Newham so quality checks have been carried out to ensure they do not unlawfully discriminate against staff deliver against their Equality, Diversity and Inclusion policy.

7.3.2 Access needs and specialist training requirements for staff will be identified as part of the data collection process and be delivered directly via the Smarter Newham Programme.

7.4 **Other Implications relevant to this report:**

7.4.1 **Procurement Implications**

7.4.1.1 This report recommends the Council award a contract to XMA Limited for the supply of user devices and peripherals as part of the Smarter Newham Programme.

7.4.1.2 In 2016, Crown Commercial Service (CCS) undertook a collaborative Further Competition process known as ‘EA16-NFC39’ to put in place aggregation call off utilising the Technology Products Framework Agreement - RM1054 Lot 1 for items such as desktops, laptops, monitors, windows tablets, hybrid tablets and thin clients. This further competition procurement process was managed by Crown Commercial Service and tendered via the CCS E-sourcing Portal System on behalf of all 30 plus participating Local Authorities during March 2016.

7.4.1.3 As a result of the further competition exercise, on behalf of local authorities, individual contract(s) for Laptops, Monitors, and Tablets were awarded to XMA Limited. This report recommends to award a contract to XMA Limited via the London wide call off that CCS have put in place on the local authority’s behalf.

7.4.1.4 A benchmarking exercise has been undertaken to demonstrate that the proposed contract with XMA Limited from the EA16-NF39 call off offers best value to the council.

7.4.1.5 The London wide call off contract and associated prices with XMA Limited will end 31st May 2020
7.4.1.6 This contract supports the Mayor Priority 6: An efficient and effective Council: making Newham Council work better for everyone, within the Newham Council Corporate Plan.

7.4.1.7 Should the decision to award the contract be agreed, the council will be required to publish an Award Notice in Contracts Finder.

7.4.1.8 The Strategic Procurement Unit will continue to work with the service to conclude the award of contract subject to the recommendations within this report being agreed

8 Background Information used in the preparation of this report

8.1 Statutory requirement to list

8.2 None
# LONDON BOROUGH OF NEWHAM

## CABINET

### Report title
Request to Award Adults Shared Lives Services Contract

### Date of Meeting
Cabinet - 1st October 2019

| Lead Officer and contact details | Helen Murphy  
Senior Commissioner  
Mobile: 07580782870 | Noorjahan Begum  
Commissioner – Mental Health  
Mobile 07976717144 |
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Director, Job title</td>
<td>Colin Ansell - Director of Adults and Health (DASS)</td>
</tr>
<tr>
<td>Lead Member</td>
<td>Councillor Zulfiqar Ali, Cabinet Member, Health and Adult Social Care</td>
</tr>
</tbody>
</table>
| Key Decision?                 | Yes  
Reasons: Incurs expenditure above £1,000,000 |
| Exempt information & Grounds  | Yes  
Appendix A is exempt by virtue of Ground 3 of the Council’s Access to Information Procedure Rules, as set out in the Constitution pursuant to Schedule 12A of the Local Government Act 1972, as amended, as it contains commercially sensitive information the release of which would prejudice the Council and those bidding in future procurement exercises and ground 10 of 12A of the Local Government Act 1972 - Ground 10 states the identity of the authority (as well as of any other person, by virtue of Paragraph 7 above) as the person offering any particular tender for a contract for the supply of goods or services. Paragraph 7 being Information relating to the financial or business affairs of any particular person (other than the authority). |
| Wards Affected                | All Wards |
| Appendices                    | A. Evaluation Summary (Exempt) |

### 1 Executive Summary & Key Decision

1.1 On the 2nd of April 2019 Cabinet agreed to extend the existing contract for 6 months and to commence the procurement exercise for a Shared Lives Service.

1.2 This report advises Cabinet of the outcome of the procurement exercise and the recommendation for contract award.

### 2 Recommendations

2.1 For the reasons set out in the report and its appendices, Cabinet are recommended to agree:

2.1.1. The recommendation for contract award for the Adults Shared Lives Services to Bettertogether, for a period of two years with the option to extend for up to a
maximum of a further three years (2+3) at the discretion of the Director of Adults and Health (DASS) with Lead Members.

3 Background
3.1 The Council have a contract in place for the provision of Shared Lives Services until the 19th December 2019.

3.2 Shared Lives is an adult “fostering placement” service for adults with eligible social care needs including mental health, physical disability, learning disability, cognitive impairment, sensory and other conditions. Shared Lives can provide both long term and short term respite placements, in the Shared Lives Carers own home. This is a highly personalised and tailored service allowing individuals to live in the community within a family home environment.

3.3 As well as discharging the Council’s statutory requirements, the Shared Lives model of care:

- Supports the principle of prevention, personalisation, partnership and safeguarding as well as promoting social inclusion, equality and justice
- Provides a value for money alternative to residential care or supported accommodation
- Promotes customer independence in a family environment, in the community and increases choice and control

4 Key Considerations & Proposals

4.1 Following the open tender process, four bids were received. One was submitted past the deadline and rejected. Another did not meet the qualifying requirements and did not progress. The remaining two bids were evaluated by the Evaluation Panel. Both bids were of a good standard.

4.2 Given the value of the Contract, it was necessary for the Contract to be procured in accordance with the Public Contract Regulations 2015, to the extent to which they apply to services of this nature. The Lead-Commissioner in consultation with Corporate Procurement determined that the most appropriate procurement process would be the Open Procedure.

4.3 On the 9th May 2019, an advert for the Contract was published in the Official Journal of the European Union and Contracts Finder in accordance with the requirements of the Regulations. The advert invited organisations with relevant skills and experience to tender for the Contract via the Council’s e-procurement portal: CapitalEsourcing.

4.4 Bettertogether received the highest overall score: scoring highest within the pricing envelope and first within the Technical Ability envelope demonstrating a clear understanding of the service required.

5. Policy Implications & Corporate Priorities

5.1 In addition to meeting statutory obligations under the Care Act 2014, The Homelessness Reduction Act 2017, The Mental Health Act 1983, The Mental Capacity Act 2005, the Shared Lives Service addresses the Council’s Priority 5: Quality of life - improving our health and social care system so it works for Newham residents

- Improve health outcomes in Newham
- Improve quality and accessibility of local services
Increase resident satisfaction with adult care services for both users and carers

6. Alternatives considered

6.1 Of the four tenders received, two were valid. Both passed the requirements of the Qualification Envelope, which was a pre-requisite to being considered for the Contract. These tenders were then each fully evaluated by a multi-disciplinary Evaluation Panel, comprising of LBN officers and a service user in accordance with the pre-advertised Evaluation Criteria of Price, 70% and Technical Ability and Quality, 30%.

6.2 The anonymised breakdown of the evaluation result is provided in the table below:

<table>
<thead>
<tr>
<th>Bidder</th>
<th>Commercial Score</th>
<th>Technical Score</th>
<th>Total Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bidder A</td>
<td>64.61/70.00</td>
<td>16.20/30.00</td>
<td>80.81/100.00</td>
</tr>
<tr>
<td>Bidder B</td>
<td>70.00/70.00</td>
<td>21.30/30.00</td>
<td>91.30/100.00</td>
</tr>
</tbody>
</table>

6.3 It is therefore recommended that the winning bidder B: Bettertogether is awarded the contract for the provision of Shared Lives Services in Newham.

7. Consultation

7.1 Name of Lead Member consulted: Cllr Susan Masters (Lead Member at the time of consultation).

Position: Lead Member Health & Adult Social Care Date: 12th February 2019, 1st April 2019 and 29th July 2019

8. Implications

Financial Implications

8.1.1 The cost of the contract will be £1.3 m per annum, or £6.5 m over the five-year Contract period (including a three-year extension after the initial two-year period). This overall figure is made up of two components: service delivery costs of £290,000 per annum and customer placement payments to carers, funded via Adult Social Care.

8.1.2 The London Living Wage (LLW) will apply to any move-on floating support provision which will be paid at the hourly Independent Living Support Service (ILSS) rate. Shared Lives officers are and will be paid above the LLW. Shared Lives Carers receive a weekly fixed placement allowance which is based on the service users assessed level of need. In addition, a weekly service administration fee is paid to the provider for each service user in a placement.

8.1.3 The procurement of Shared Lives will provide better outcomes and efficiencies for individuals needing support and accommodation. Whilst the recommended provider's
service delivery costs are slightly higher than previous years, as part of the wider packages and placements strategy, Shared Lives provides a value for money alternative to costly provision such as Residential Care or Supported Living, whilst maximising independence and maintaining people in the Community. The new service will ensure extra value for money by having a more targeted service, with greater focus on outcomes including increased move on planning and support. In addition the new service will be working with a wider group of customers including those with complex needs and behaviour that challenges.

**Legal Implications**

8.1.4 The recommendation is to award the contract to Bettertogether for a period of two years, with an option to extend the contract for up to three years. Making the total potential contract term of five years. The annual service value is circa £1.3 million per annum.

8.1.5 The report sets out the Council’s statutory requirements to provide the services, which are outlined in the Care Act 2014. The Council has a general power under s111 Local Government Act 1972 to do anything which is calculated to facilitate, or is conducive or incidental to the discharge of its function. The Council is also empowered to enter into contracts for the discharge of its powers under the Local Government (Contracts) Act 1997. These powers can be coupled with the Council’s general power of competence under s1 Localism Act 2011.

8.1.6 Provision of the Shared Lives Services is classified as ‘Light Touch Services’ and come within Schedule 3 of the Public Contracts Regulations 2015 (the 'Regulations'). The regime which applies to Light Touch Services over the contract value of £625,278, requires the Council to advertise the Service either by a contract notice or PIN in the Official Journal of the European Union (‘OJEU’) and on Contracts Finder, also to make the results of the award known by a contract award notice (section 75 of the Regulation). The value of this contract exceeds the threshold therefore the procurement will have to comply with Regulations.

8.1.7 The Local Government Act 1999 requires the Council to make arrangements to achieve best value in the exercise of its functions. The tenders received were evaluated with accordance with CPR 18.4 against a predetermined best price-quality ratio of 70% price and 30% quality. Officers are satisfied that the successful bid represents the most economically advantageous tender for the Council overall.

8.1.8 The operation of a contract for social care is likely to raise personal data issues under the General Data Protection Regulations and the Data Protection Act 2018.

8.1.9 Legal considers any risk of challenge low risk and the decision can proceed if the Council is otherwise satisfied with the content of the report.

8.1.10 This decision is subject to the call-in procedure under 22.7.1 of the Contract Standing Orders whereby an award through a decision by the Mayor and or Cabinet at least 5 working days after the publication of the decision/minutes of the meeting to allow for the scrutiny “call in period” unless the pre-decision scrutiny process has been undertaken and published so that it can be implemented immediately.

**8.2 Equalities Implications**

8.2.1 An EqIA was completed in February 2019 and concluded that there will be no negative
impact on any protected groups as a result of this procurement.

8.2.2 No adverse impacts concerning the procurement in relation to environment issues were identified.

8.2.3 The Equality Act 2010 has been considered throughout the development of the service. As the Shared Lives Service composition and customer groups will remain the same on the whole, there is minimal negative impact anticipated.

8.3 Other Implications relevant to this report:

8.3.1 TUPE will not be applicable to this Contract award decision as the successful bidder is the incumbent provider.

9 Background Information used in the preparation of this report
The following information was used to prepare this report:

A. Checkpoint 01 Report – 13.02.2019
B. Cabinet Report – 02.04.2019
C. DMT & Checkpoint 2 Report – 01.08.2019
D. Service Specification

Appendix A is stipulated (exempt information) and attached. If further information required, please contact Noorjahan.begum@newham.gov.uk or helen.murphy@newham.gov.uk
Executive Summary

1.1 A programme of fire risk assessments (“FRAs”) in the Council’s housing blocks has identified a significant number of non-compliant or minimum standard flat entrance doors recommended as requiring replacement. An extensive programme to replace these doors with FD30S doors is required to ensure compliance with fire safety standards and keep residents safe from the risk of fire.

1.2 This report seeks approval for that programme of works to be carried out together with approval of the proposed procurement process for the supply and installation of replacement doors through the London Housing Consortium (LHC) Framework Agreement to appoint a single supplier to undertake the works.

Recommendations

2.1 For the reasons set out in this report, Cabinet is recommended to agree:

2.1.1 the replacement of all non-compliant or minimum standard flat entrance fire doors in Council housing blocks as identified and recommended in the FRAs undertaken at those blocks so as to ensure the Council’s
compliance with fire safety standards and legislation;

2.1.2 to delegate authority to the Acting Director of Housing to implement and execute the necessary programme of works and actions to achieve such compliance;

2.1.3 that the supply and installation of the replacement fire doors be procured by way of call-off for the works made from the LHC Framework following a mini-competition process amongst the providers appointed to that Framework; and

2.1.4 to delegate authority to the Acting Director of Housing, following consultation with the Mayor and the Lead Member for Housing, to award the final contract and to finalise all relevant contract documentation, arrangements, activities, procurement and financial procedures in relation to that award.

3 Background

3.1 Under the Regulatory Reform (Fire Safety) Order 2005 the Council is required as a landlord to undertake FRAs to the communal parts of the residential blocks it owns and manages. A programme of FRAs in all the Council’s housing blocks was undertaken between August 2018 and July 2019.

3.2 The FRAs identified approximately 3500 flat entrance doors as either non-compliant or meeting only the minimum standard and recommended their replacement. Any doors fitted within or adjacent to communal areas or in an area that may be passed in the course of escaping from fire must have a fire resistance of not less than 30 minutes when tested in accordance with British Standard BS 476: Part 22:1987 (or equivalent European Standard). Glazing in any fire resisting door, wall, partition or screen should comply with British Standard Published Document PD6512: Part 3:1987.

3.3 The majority of doors identified as requiring replacement belong to flats let to the Council’s secure tenants. For leaseholders, under the terms of their lease the responsibility for flat entrance doors rests with the leaseholders themselves. Evidence of compliance will be requested and if not provided the Council may seek to undertake the works in default and recharge.

3.4 The procurement process proposed is for the supply and installation of the replacement doors to be procured through the conduct of a mini-competition under the LHC Framework Agreement to appoint a single supplier to undertake the works. The framework was established to assist social housing providers to meet their legal obligations. It is an OJEU and Public Contract Regulations 2015 compliant and pre-qualified framework agreement. The relevant Lot is (C7) for the supply and installation of Entrance Doorsets and Associated Products. The Framework affords participating authorities with an option to either directly award a contract or to use a call-off process involving a mini-competition with appointed companies that have declared an interest in the project. All products available under the framework meet relevant British and European standards. The award weighting criteria are set out in the Framework for pricing, essential requirements, sustainability and quality although the Framework allows these to
be modified to support the buyer’s individual needs.

3.5 It is proposed to commence the first tranche of 900 replacement flat entrance fire door works in 2019/20. All 900 properties are occupied by the Council’s secure tenants. It is anticipated that, subject to Cabinet approval of the recommendations in this report, these works can commence by the end of this calendar year with a duration of approximately 6 months.

3.6 Future tranches of work comprise a programme of approximately 1500 properties in 2020/21 and a further 500 properties in 2021/22 (with the remaining works to approximately 500 properties being carried out during void works or the execution of other capital improvement programmes).

4 Key Considerations & Proposals

4.1 The programme of works and associated procurement is proposed in order to allow the Council to continue to deliver its commitment to ensure resident safety.

4.2 The properties where works will be carried out are held in the Housing Revenue Account. Accordingly, the cost of replacing flat entrance fire doors will fall to the HRA.

4.3 Funding has been identified and is within the approved budget allocation for Fire Safety Works as part of the HRA Capital Programme. It is anticipated that the approximate cost of each door replacement will be in the region of £1000. A total budget of £3m for fire door replacements has been approved for both the current and next two financial years, of which £1m was assumed to be spent in 2019-20, £1.5m in 2020-21 and £0.5m in 2021-22.

4.4 LHC frameworks are well established and used by publicly funded contracting authorities for the procurement of works, goods and services to construct, refurbish and maintain social housing, schools and public buildings.

4.5 The successful tenderer will fully undertake this work without sub-contracting any element.

4.6 The LHC has approved the use of the Council’s own pre-defined evaluation criteria. Following approval by Full Council on 16 September 2019 of the recommendations in the Procurement Review of Evaluation Weightings Report introducing the new approach to be taken to the price/quality split, it is considered appropriate to treat fire door procurement as falling within the Strategic category of procurement. The installation of 3500 compliant fire doors is a key residential service and of paramount importance to fire safety. Using the greater discretion permitted for a range of weightings under the Strategic category of procurements, it is proposed to adopt a 50/50 weighting for this project.

5 Policy Implications & Corporate Priorities

5.1 Achievement of value for money.

5.2 Reduced expenditure

5.3 The replacement of flat entrance doors will increase the thermal efficiency of
residential buildings. In turn, this supports energy efficiency measures and the Council’s Climate Change strategies.

6 Alternatives considered

6.1 The Council’s in-house repair and maintenance team, RMS, does not have the capacity to undertake a project of this nature.

6.2 A full OJEU procurement process has been considered. Many of the suppliers in the market capable of undertaking these works have been appointed to the LHC framework already and this process would attract additional costs and time with no added benefits.

7 Consultation

7.1 Name of Lead Member consulted: Councillor John Gray

Position: Cabinet Member, Housing Services and Deputy Mayor (Statutory)

7.2 All residents affected by the works will be consulted prior to commencement of the work.

7.3 In addition, Lead Members will be consulted throughout the progression of this project.

8 Implications

8.1 Financial Implications

8.1.1 This report seeks approval to utilise the LHC managed framework for the fire door replacement programme.

8.1.2 The estimated value of the proposed programme of works is £3m; the cost is based on identified doors being replaced at a cost of approximately £1k each with fees of approximately 5%.

8.1.3 Accessing a framework is a more cost-effective solution than undertaking an OJEU procurement. As an existing member of the LHC framework, the Council is offered the opportunity for a rebate to be provided dependant on the value of framework call-offs across the Council within a yearly period and therefore the potential benefit cannot be predicted at this stage.

8.1.4 Through undertaking the works as a larger scale project compared to ad-hoc door replacement works, there are economies of scale savings that can be achieved.

8.1.5 The funding of this scheme is within the approved budget allocation for Fire Assessment Works as part of the HRA Capital Programme. This will be monitored as part of the budget monitoring and capital monitoring process.
8.2 Legal Implications

8.2.1 The key statutory requirement in relation to fire safety in residential buildings is the Regulatory Reform (Fire Safety) Order 2005. Landlords must take such general fire precautions as may be reasonably required to ensure that premises are safe (Reg.8). General fire precautions include measures to reduce the risk of fire and the risk of spread of fire on the premises (Reg 4). For the purpose of identifying the general fire precautions necessary to comply with the duties imposed by the Fire Safety Order, landlords are required to undertake regular assessments by a competent person of the fire safety risks of a residential block of flats (Reg 9).

8.2.2 Recommendation (1) in this report (approval to replace non-compliant flat entrance fire doors) is consistent with the satisfactory discharge of the duties imposed on the Council by the Fire Safety Order.

8.2.3 The Housing Revenue Account (HRA) specifically accounts for spending and income relating to the management and maintenance of council-owned housing stock. The works to be procured under this contract will be used in respect of HRA-owned properties as set out in section 74 of the Local Government and Housing Act 1989.

8.2.4 The LHC Framework is compliant with the Public Contracts Regulations 2015. The Contract Award Notice (OJEU Ref: 2016/S 048-079105) was dispatched on 4 March 2016 and the Framework Agreement was executed on 1 March 2016. Participating authorities therefore have until 29 February 2020 to call-off a supplier from this Framework.

8.2.5 The Council’s Contract Standing Order 19.2 requires officers to hold a (mini) tender exercise where the Framework Agreement being used has a number of contractors and has provision for the conduct of competitive tendering with all or selected Framework Contractors (subject to any specific requirements of the Framework).

8.2.6 The LHC Framework affords participating authorities with an option to either directly award a contract or hold a mini-tender. As set out in this report above, officers propose to conduct such a mini-competition in accordance with CSO 19.2.

8.2.7 As the contract value exceeds £250,000 the contract must be executed as a deed by the affixing of the Council's seal. The call-off contract must therefore be sent to Legal Services to be executed.

8.3 Equalities Implications

8.3.1 LHC frameworks are based on regional lots enabling a diverse range of organisations to apply including SMEs. However, the Entrance Doorsets and Associated Products (C7) Framework comprises specialist manufacturers; the number of new entrants to the market is low and the majority of suppliers appointed to the framework are long-established, larger organisations.
8.3.2 As part of the pre-qualification stage of the framework procurement undertaken by LHC, tenderers were required to provide evidence that they meet the requirements of the positive equality duties of the Equalities Act 2010.

8.4 Other Implications relevant to this report:

8.4.1 The Strategic Procurement Unit is working closely with the service to ensure the works are delivered at the best value to the Council.

9 Background Information used in the preparation of this report

9.1 Checkpoint 1 report with panel comments 10\textsuperscript{th} June 2019
By virtue of paragraph(s) 3 of Part 4.2, Paragraph 11 of the Constitution.