

## Officer Decision Record – Executive Decision

**If Key Decision: Decision Ref. No.**

**B156/23**

***If not a Key Decision write n/a above***

### OFFICER DECISION RECORD <sup>i</sup>

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

**Subject:** Proposed provision of support and accommodation for adults experiencing homelessness and multiple disadvantage for Welwyn and Hatfield

**Type of Decision:** Executive

**Key Decision (Executive Functions only):** Yes

**Executive Member/Committee Chairman:** Cllr Tony Kingsbury

**Portfolio (Executive Functions only):**

Executive Member, Adult Care, Health & Wellbeing

**Officer Contact:** Helen Gledhill

**Tel:** 01438 843617

## 1. Decision

To approve the award of a contract under Regulation 32(b)(ii) of the Public Contract Regulations 2015 Negotiated Procedure without prior publication of a Contract Notice to One YMCA and Hightown Housing for the provision of support and accommodation for adults experiencing homelessness and multiple disadvantage in **Welwyn and Hatfield**.

## 2. Reasons for the decision

The Strategic Partnerships Team have worked closely with SPG and Legal colleagues, to determine an appropriate procurement solution for this portfolio of contracts.

The providers contracted are from the third/charity sector and funding from HCC plays a substantial part of their revenue streams. Providers have also organically developed, strong links within their local communities and provide a significant amount of social value.

There were substantial property risks identified as part of this process. Although HCC do not fund the accommodation elements of these services, there are a number of interdependent property arrangements, where the buildings are either owned by incumbent provider(s) or District/Borough Councils, to form the single homeless pathway. The support element of services that HCC are procuring, is integrated with the accommodation.

The Pre Procurement Market Engagement (PPME) exercise to assess the availability within the market to respond to the indicative accommodation requirements was completed in August 2023.

Following the exercise 46% of respondents in the market are unable to bring any existing units of accommodation to the process. Therefore, conducting a procurement would utilise a large amount of HCC and provider resources, for an unidentified gain at this time.

There is consensus from engagement sessions with Local Housing Authorities before that a countywide competitive process would risk destabilising local provision, as this is also part funded by the District/Borough council.

**In summary:** Evidence acquired from the PPME and engagement with Local Housing Authorities, led to SPG and legal services advising direct awards to be the most proportionate, stable and pragmatic option. This would also enable HCC and partners to ensure specialisms and added value already embedded in communities are retained.

## 3. Alternative options considered and rejected

A competitive process

Taking on board the strategic and market feedback and through discussions with legal and SPG, it was determined that conducting a procurement would utilise a large amount of HCC and provider resources, for an unidentified gain at this time.

With a high risk of destabilising the market, and HCC losing significant added social value that the provider has developed.

**4. Consultation**

**Was any Councillor consulted?            Yes**

**If yes:**

(a)    Comments of Executive Member, Cllr Tony Kingsbury,  
Executive Member for Adult Care, Health and Wellbeing:

On 11 July 2023, the rationale for a direct award taking into account the risks, was supported in principle. Recognising that it is the third sector that would be significantly affected and the Service users or other greater gains or benefits would be lost.

**5. Any conflict of interest declared by a councillor who has been consulted in relation to the decision**

N/A

**6. Following consultation with the Executive Member I am proceeding with the proposed decision**

Signed: Chris Badger  
Title: Executive Director, Adult Care Services  
Date: 14/12/2023

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.<sup>ii</sup>

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## Summary of Requirements to Inform/Consult Councillors

<b>Significance of Proposed Action</b>	<b>Controversial</b>	<b>Relevant Councillor(s) to be Consulted</b>
Technical/Professional/ Routine	No	No need to inform or consult councillors
Technical/Professional/ Routine	Yes	<b>Executive Functions:</b> Consult relevant Lead Executive Member and, where appropriate, Local Councillor <b>Non-Executive Functions:</b> Relevant Committee Chairman and, where appropriate, Local Councillor
Local	No	<b>Executive Functions:</b> Inform Lead Executive Member and Local Councillor <b>Non-Executive Functions:</b> Inform Local Councillor
Local	Yes	<b>Executive Functions:</b> Consult Lead Executive Member and Local Councillor <b>Non-Executive Functions:</b> Consult Local Councillor
General or County-wide	No	<b>Executive Functions:</b> Consult relevant Lead Executive Member (s) <b>Non-Executive Functions:</b> Consult relevant Committee Chairman
General or County-wide	Yes	<b>Executive Functions:</b> Consult relevant Lead Executive Member (s) and the Leader of the Council <b>Non-Executive Functions:</b> Consult relevant Committee Chairman/Leaders all Political Groups