

London Borough of Hammersmith and Fulham Record of Officer Decision

The call-in has expired and this decision can be implemented.

- ❖ Draft Decision List published on: 15 November 2023
- ❖ Confirmed Decision List to be published on: 20 November 2023

1. **TITLE: Contract Award of Capital Works for Connected Person's**

2. **DECISION MADE BY:** Director Children's Services

3. **DECISION:**

1. To note that Exempt Appendices 1 to 3 are not for publication on the basis that they contain information relating to the financial or business affairs of any particular person (including the authority holding that information) as set out in paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).

That the Strategic Director of Children's Services in consultation with the Assistant Director of Legal Services:

2. Approves the Council entering into the deed of legal charge relating to the property, protecting the Council's interest.
3. Approves the Council entering into a licence to occupy and carry out works at the property.

That the Strategic Director for Finance and the Cabinet Member for Finance:

4. Approves the required budget as outlined in the Financial Impact to enable the contract to be awarded.

That the Strategic Director of Children's Services in consultation with the Cabinet Member for Children and Education:

5. Approves the award of the contract to Etec Contract Services Ltd for the completion of the works (subject to the deed of legal charge application having been submitted to the land registry for registration).

4. **REASON FOR DECISION:**

By awarding this contract, works can commence that will support and enable the permanency of these placements.

5. **ALTERNATIVE OPTIONS CONSIDERED:**

Option 1: Approve the contract award to enable works to start (Recommended)

Although there is substantial initial outlay for this work, the investment continues to represent best value for the Council and remains in the best interest of the children. The cost of the works will be significantly less than paying for long term alternative care and will provide long-term stability and security for the children within a family setting.

The children have been settled with their family, attending local schools with regular contact with their family network. Social care has reported that the children are thriving and no longer require the ongoing support of the Children Looked After team.

The family however remain living in an overcrowded environment and permanency cannot be sought within the current living arrangements (as advised by the family courts). Therefore, even with the increased costs, proceeding with the works is the recommended option.

The award is subject to a deed of legal charge between the Council and the social landlord being agreed and registered. The purpose of the charge is to outline the agreement to commence the works and provide protection over the Council's investment.

Option 2: Do not agree to award the contract

Although consideration was taken over whether the council could seek 'better value' via a third procurement exercise, officers are not confident that works could be procured at a lower price. A third procurement exercise would delay works from commencing which would have adverse impact.

If a decision was taken not to proceed with the works alternative homes for the children will need to be sought. As corporate parents this is not in the best interest of the children as well as being more costly to the local authority.

There is no guarantee that the children will not return to our care in the future. If this were to happen our investment in the property to mitigate future savings would be negated. Social Care do however feel confident in the current placement and its ongoing security.

6. **CONFLICTS OF INTEREST DECLARED AND DISPENSATIONS GRANTED:**

None

Date of Decision

15 November 2023