

Appendix 1 – List of Urgent Executive Decision made by the Leader

Decisions from 1st April 2022 to 31st March 23

1. COUNCIL INTERVENTION IN THE LOCAL SUPPORTED HOUSING MARKET TO PROTECT RESIDENT WELLBEING

Status – Open Report with exempt appendices

Summary of Report:

Shepherds Bush Housing Association are disposing of supported housing property in the borough during February and March 2023. Disposals pose varying degrees of risk to the wellbeing of occupants who are both local residents and Council service users across Adult Social Care, Children’s Social Care and Community Safety.

In order to reduce the risks posed to occupants, each Council department affected has developed individual business cases to assess the feasibility/merits of acquiring the supported housing units affecting their service users. Work is underway to assess the financial viability for each service area and related property for sale and a case is established to acquire properties with implications for Children’s Social Care and Community Safety.

Recommendations:

1. To agree that Appendix 1 is not for publication on the basis that it contains information relating to the financial or business affairs of any particular person (including the authority holding that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).
2. To approve one off capital spend up to the agreed maximum value outlined in appendix 1 (and associated costs of borrowing) be delegated to the Strategic Director of Finance in consultation with the Cabinet Members for Finance and Reform, Children and Education and Social Inclusion and Community Safety.
3. To approve spend of possible GLA grant secured up to the agreed maximum value outlined in appendix 1 be delegated to the Strategic Director of Finance in consultation with the Cabinet Members for Finance and reform, Children and Education and Social Inclusion and Community Safety.
4. To delegate authority for the purchase of each property to the Strategic Director of Finance, in consultation with the Cabinet Members for Finance and Reform, Children and Education and Social Inclusion and Community safety and the Assistant Director, Legal Services.

Reasons for urgency:

The properties are due to go up for sale at the end of February as part of a wider portfolio of supported accommodation being divested by Shepherds Bush Housing Group (SBHG). Interested parties will then have six weeks to submit closed bids. A

decision is needed urgently in order to take these properties out of the portfolio prior to other parties having the opportunity to submit more competitive offers.

Date: 10/03/23

2. RESIDENTIAL LEASEHOLD BUILDINGS INSURANCE RENEWAL 2023/24

Status – Open Report with exempt appendices

Summary of Report:

The lease agreement between the Council and residential leaseholders requires the Council, as freeholder, to arrange building insurance to cover the re-instatement value of the leaseholder's asset. The current insurance provider, Avid indicated a renewal increase of 60% due to the claims experience and inflation. As this was deemed unacceptable, alternative quotation was sought.

Following the exit of all previous leasehold buildings insurers, Protector provide the only option available as no alternative market is available. Cover must be in place from 01/04/2023 as the lease arrangement requires the Council as Freeholder to arrange building insurance to cover the reinstatement value of the leaseholder's asset.

Recommendations:

1. To note that Appendix 1 is not for publication on the basis that it contains 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).
2. To direct award a contract to Protector for leasehold buildings insurance, including this within the main insurance programme for a period of one year with a £100 excess, effective from 01 April 2023, at a premium of £2,279,800.

Reasons for urgency:

The current Leasehold Buildings insurance is due to expire 31/3/2023. Cover must be in place for the period commencing 01 April 2023 or the leaseholders' assets will be uninsured and the Council will be in breach of its legal obligations under the leasehold agreements.

Date: 01/03/23

3. EMERGENCY DIRECT AWARD FOR MINIBUS TRAVEL CARE AND SUPPORT SERVICES (call-in waived by the Mayor)

Status – Open Report with exempt appendices

Summary of Report:

HCT Group (formerly CT Plus) holds the contract for home to school transport for eligible children with special education and complex needs and adults attending day centre provision in the borough. On 4 August 2022, HCT Group informed the Council that it will be unable to fulfil the contract with effect from 26 August 2022 owing to financial difficulties being experienced by Group. In order to ensure that this vital service maintained, this paper seeks to terminate the existing contract in mutual agreement with HCT Group and direct award to a new provider.

Recommendations:

3. That Appendix 1 and Appendix 2 to this report are exempt from disclosure on the grounds that they contain information in respect of which a claim to legal professional privilege could be maintained in legal proceedings under Paragraph 5 of Schedule 12A of the Local Government Act 1972.
4. To note that a termination of the existing contract with HCT Group effective from 26 August 2022 as they have notified the Council that they will cease services from this date.
5. To agree a contract direct award to HATS Group Ltd from the 27 August 2022 to 31 July 2024 for the provision of minibus transport services at an annual cost of £2.301m.
6. To agree the use of the policy contingency for 2022/23 (in consultation with and approval of the Cabinet Member for Finance and Reform) to fund £102,000 (including the one-off mobilisation payment of £75,385 to HATS Group Ltd). Future costs of £46,000 will be provisionally included in the base budget for 2023/24 subject to approval by Full Council in February 2023.

Reasons for urgency:

An urgent decision is required due to the mobilisation time required by the recommended supplier. This mobilisation time will ensure the provider has time to transfer the leases of vehicles, make the appropriate TUPE arrangements and mobilise provision in preparation for the commencement of the service on 27 of August 2022. It also ensures that the Council fulfils its statutory duty. Robust measures will continue to be in place to ensure the best possible quality of service is maintained, with council officers closely monitoring the contract, consulting regularly with service users, parents, carers, stakeholders, and key partners.

Date: 20/08/22

4. AWARD OF CONTRACT FOR THE COUNCIL'S LAND AND PROPERTY-BASED IT CASE MANAGEMENT SYSTEM

Status – Open Report with exempt appendices

Summary of Report:

This report seeks approval to award the Council's Land and Property-based IT case management system contract to commence operation no later than 20th March 2023 following a comprehensive and compliant procurement process.

Recommendations:

1. To note Appendix A is not for publication on the basis that it contains 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)
2. To approve the award of a contract to NEC SOFTWARE SOLUTIONS UK LIMITED previously known as Northgate Public Services UK Limited. The detailed costs are contained within exempt appendix A.
3. To approve one-off investment from the IT and Technology reserve for up to £0.946m for the one-off implementation costs. These costs are set out within exempt appendix A
4. To note on-going annual cost savings of £0.126m against current contract costs to be delivered once the procurement is complete and operational from 2024/25.

Reasons for urgency:

To ensure continuity of the planning and regulatory services reliant on this new IT system, it is essential to ensure there is sufficient time to complete the migration to the new supplier before the existing contract expires. The contract needs to be awarded urgently to enable this complex migration work and system testing to commence. Following the cancellation of the April Cabinet meeting, delaying the decision until the next Cabinet meeting would place the programme under significant risk.

Date: 22/04/22