

<b>COUNCIL</b>	<b>DATE</b> 24 July 2024	<b>ITEM NO</b> 18
<b>TITLE</b> Decisions on Executive Functions taken under Urgency Procedures	<b>WARDS</b> All	
<b>CHIEF OFFICER</b> Chief Executive	<b>CABINET MEMBER</b> Leader of the Council	
<b>DECISION CLASSIFICATION</b> Information report	<b>IS THE FINAL DECISION ON THE RECOMMENDATIONS IN THIS REPORT TO BE MADE AT THIS MEETING?</b> This report is for noting only	

1. **Decision Required**

Council is requested to;

- 1.1 Note the decisions taken under urgency procedures at Section 4 of the report.

2. **Links to Our Greenwich missions**

- 2.1 This report does not relate to the Council's agreed missions as it is an administrative item.

3. **Purpose of Report and Executive Summary**

- 3.1 Part 4, Schedule B (Overview and Scrutiny Procedure Rules) Procedure Rule Para B10 (a) states that the call-in procedure in the Overview and Scrutiny Procedure Rules does not apply where the decision being taken is urgent. A decision is urgent if any delay likely to be caused by the call in process would prejudice the Council's or the public interest. The Chief Executive or his/her nominee must agree both that the decision proposed is reasonable and to it being treated as a matter of urgency. Decisions taken as a matter of urgency under this paragraph must be reported to the next available meeting of the Council, together with the reasons for urgency.

4. **Decisions taken under urgency procedures**

- 4.1 The Director of Housing and Safer Communities on 8 July 2024 took a decision that was classified as urgent and was not available for call in, as detailed below:

**Title:**

Contract Award: Theori Housing Management Services Ltd (Company Registration number 04048450 for Block booking the Radisson RED hotel for use as emergency overnight accommodation temporary accommodation

**Decision:**

- 1 Agreed a direct award of contract to Theori Housing Management Services Ltd (Company Registration number 04048450) for accommodation services at Radisson RED hotel (228 Tunnel Ave, London SE10 0PL) in accordance with CSO 23.1 on the grounds that competition is absent for technical reasons. The initial contract cost will be £2,144,240 for a period of 9 months.
- 2 Agreed that the contract term can be extended by up to a maximum of 4 extensions of 3 months each, subject to the demand for temporary accommodation. If all 4 extensions are utilised, the maximum cost will be £5,005,840.
- 3 Noted that this decision is exempt from Call in for the reasons set out in paragraph 3 of the report.

**Reasons for Urgency:**

The Council's General Fund budget for temporary accommodation is forecast to overspend by a sum in the region of £6,000,000 by the end of this financial year 2024/2025. Urgent remedial action that commenced in Autumn 2023 successfully reduced a forecast overspend of more than £13,000,000 in 2023/24 to an out-turn of around £10,000,000. The majority of this overspend results from the Council's use of chain hotel rooms, with around 230 such rooms in use on any given night at present. After income the Council loses around £70 per night per room on these hotel rooms. The majority of these rooms are not in our borough, placing additional stresses and strains on homeless families. This is unsustainable and places unacceptable risk on the Council's finances and its ability to manage the provision of temporary accommodation. It is therefore essential that the Council takes urgent steps to addressing the situation. One of those steps is to increase the temporary accommodation rents to align with anticipated 2024/25 Local Housing Allowance (LHA) levels.

As the report sets out, an opportunity for a block booking agreement with a hotel provider has arisen that could lead to an annualised saving of between £25,000 and £535,000 (annualised), with a prospective saving of around £300,000. There is a concern that the providers of the hotel concerned are able to secure an agreement with another borough quickly and therefore the Council must act quickly so as not to lose this opportunity to secure financial savings and provide better temporary accommodation for the Council's homeless families.

Any delays in securing this agreement would cost the Council from £480 to £10,288 per week, with £5,769 a likely weekly potential saving. The need for immediate responses to the Council's financial position and the impact it is likely to have on the Council's ability to effectively discharge its duties to homeless individuals (the council is receiving increasing numbers of legal challenges and complaints due to placing families in hotels away from our borough) to whom it owes a statutory duty are clear grounds for urgency and it would not be prudent, nor practical or in the public/taxpayer's interest to wait for either:

- 28 days' notice to be given for a key decision
- 5 clear days' notice to be given before the decision is taken
- call in to expire.

This block booking agreement, if approved, would assist the Council to implement its Temporary Accommodation Cost Reduction Programme, which was established in September 2023. The focus of the programme is to reduce the overspend on temporary accommodation, ensure that the Council maximises its income in order to achieve budget neutrality as soon as possible. The programme also seeks to improve our homeless customers' experience. Therefore, any delay in implementing those initiatives/proposals will only result in a worsening of the Council's financial position and its ability to discharge its statutory duty. For the reasons set out above, the Chief Executive has, on 2 July 2024, agreed both that the decision proposed is reasonable and is to be treated as a matter of urgency because any delay in the decision process would prejudice the public interest.

Given that the decision is urgent and cannot be reasonably deferred, the agreement of the Chair of Overview and Scrutiny Committee was obtained on 1st July 2024 under paragraph D16 of the Overview and Scrutiny

Procedure Rules in the Constitution that the decision be taken without giving the notice referred to in the paragraph above.

5. **Available Options**

5.1 To note the report.

6. **Preferred Option**

6.1 Not applicable. The report is for noting only.

7. **Reasons for Recommendations**

7.1 Not applicable. The report is for noting only.

8. **Consultation Results**

8.1 Not applicable.

9. **Communication and Implementation of the Decision**

9.1 The decision will be published on the Council's website.

10. **Cross-Cutting Issues and Implications**

<b>Issue</b>	<b>Implications</b>	<b>Sign-off</b>
<b>Legal</b> including Human Rights Act	<p>The Local Government Act 2000 makes provision for the discharge of functions by local authorities with executive arrangements.</p> <p>The Constitutional procedures around call-in and urgency are set out in section 3 of the report.</p> <p>Part 3 of the Constitution delegates to the Chief Executive the power to act on behalf of the Leader, Cabinet Member, Cabinet or Chief Officer in respect of any</p>	Azuka Onuorah, Interim Director of Legal & HR, July 2024

	of their functions on a matter which in her opinion is urgent.	
<b>Finance</b> and other resources including procurement implications	There are no financial implications arising from this report.	Damon Cook, Director of Finance July 2024
<b>Equalities</b>	The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no apparent equality impact on end users.  This report as an information report has no impact the Council's Equality and Equity Charter and the Council's Equality Objectives 2020-2024.	Veronica Johnson, Head of Corporate and Democratic Services 9 July 2024
<b>Climate change</b>	The decisions recommended in the report have low relevance to or impact on climate change or the Councils carbon reductions commitments.	Veronica Johnson, Head of Corporate Governance & Democratic Services 9 July 2024
<b>Risk Management</b>	This is an administrative item therefore there are no key risks associated with the proposals in this report.	Nassir Ali Corporate Governance Manager 9 July 2024

## II **Background Papers**

Decision: [Contract Award: Theori Housing Management Services Ltd \(Company Registration number 04048450 for Block booking the Radisson RED hotel for use as emergency overnight accommodation temporary accommodation\)](#)

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