

URGENT DECISION

Thursday, 30th April, 2020, 9.00 am

Member: Councillor Joseph Ejiofor – Leader of the Council

1. APOLOGIES FOR ABSENCE

2. DECLARATION OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

3. AGREEMENT TO ENTER INTO A CONTRACT TO RENT 104 ROOMS AT FINSBURY PARK TRAVELODGE FROM MAY 15TH (OR AS SOON AS IS PRACTICABLE AFTER THIS DECISION IS MADE) UNTIL 30 JUNE 2020 AND GENERAL UPDATE ON PROVISION TO HOUSE SINGLE HOMELESS DURING THE COVID-19 CRISIS (PAGES 1 - 10)

The Chair of Overview and Scrutiny has further agreed that the call-in procedure shall not apply to this urgent decision. This is because the decision is urgent and any delay in implementation caused by the call-in procedure would seriously prejudice the Council's or the public's interests due to the fact that this is a National emergency and the Council must ensure that it is in the best possible place to continue to provide services, particularly in relation to support to the vulnerable, and address public health issues. These decisions will ensure that there is accommodation for homeless people and they are able to access accommodation as soon as possible. Accordingly, the Chair of Overview and Scrutiny Committee has agreed that the decision is both reasonable in all circumstances, and that it should be treated as a matter of

urgency. This is in accordance with Part 4, Section H, and Paragraph 18 (a) and (b) of the Council Constitution.

4. EXEMPT APPENDICES (PAGES 11 - 18)

The appendices of this report contain exempt information as defined under paragraph 3 , Part 1, schedule 12A of the Local Government Act:

Information relating to the financial or business affairs of any particular person (including the authority holding that information).

Ayshe Simsek
Democratic Services and Scrutiny Manager

Tel – 0208 489 2929
Fax – 020 8881 5218
Email: ayshe.simsek@haringey.gov.uk

Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
River Park House, 225 High Road, Wood Green, N22 8HQ

Wednesday, 29 April 2020

Report for: Leader Decision, 30 April 2020

Title: Agreement to enter into a contract to rent 104 rooms at Finsbury Park Travelodge from May 15th (or as soon as is practicable after this decision is made) until 30 June 2020 and general update on provision to house single homeless during the Covid-19 crisis

Report authorised by: Mark Baigent, Director Housing, Regeneration and Planning

Lead Officer: Emma Williamson, Assistant Director for Planning, Building Standards and Sustainability, emma.williamson@haringey.gov.uk (x5507)

Ward(s) affected: All

**Report for Key/
Non Key Decision:** Key decision

1. Describe the issue under consideration

- 1.1 At the beginning of the Covid-19 crisis the Government asked Councils to take an expansive view of housing the homeless.
- 1.2 Due to Covid-19 officers have been using the Council's discretion to accommodate people who would otherwise be expected to make their own arrangements. This includes rough sleepers, and people at risk of rough sleeping regardless of local connection, immigration status, eligibility or priority need.
- 1.3 Officers have provided for 216 individuals with hotel provision so far, with 58 spaces coming on-line in Red House and Cranwood in the coming weeks, we expect the need to continue up to at least a further 160 individuals.
- 1.4 An urgent decision is required to secure these 104 rooms until June 30 2020 to ensure the council is still able to meet this commitment.

2. Cabinet Member Introduction

N/A.

3. Recommendations

- 3.1 That the Leader of the Council agrees:
 - 1) To waive the Contract Standing Orders 9.01 to 9.07 of the Constitution.
 - 2) To the Council entering into a contract to rent 104 rooms at Finsbury Park Travelodge until end June 2020 at a total cost set out in Part B of the report for the purposes set out in paragraph 1.4 of this report.

- 3) To note the amount already spent or committed to in the provision of 240 units and the likely forecast in order to meet this need going forward.
- 4) To approve the virement of £2m from the Emergency Response Contingency in the General Fund, in order to meet the cost of the additional Covid-19 related housing pressures up to the end of June, including the initiative proposed in this report.

4. Reasons for decision

- 4.1 Due to Covid-19 officers are using the Council's discretion to accommodate people who would otherwise be expected to make their own arrangements. This includes rough sleepers, and people at risk of rough sleeping regardless of local connection, immigration status, eligibility or priority need. This is in line with the Government's request to councils at the beginning of this crisis.
- 4.2 Officers have provided 216 individuals with hotel provision so far and expect the need to continue up to at least a further 160 individuals. This contract with Travelodge is needed in order to continue to meet need until the Covid-19 situation improves.

5. Alternative options considered

- 5.1 One alternative option would be to rent rooms in a number of additional smaller hotels. However, this is not desirable because the supply is drying up and it is more expensive and difficult to provide support in a number of additional locations.
- 5.2 Another alternative option would be to convert an existing building to a hostel. However, the lead in time for this would be too long to meet existing need.
- 5.3 Another alternative option would be to not house the single homeless at this time. However, this is not considered to be acceptable.

6. Background information

- 6.1 By letter dated 26th March 2020 issued at the beginning of the Covid-19 crisis, the Government asked Council's to take an expansive view of housing the homeless. A copy of the letter is at Appendix One to this report.
- 6.2 The homelessness legislation provides the statutory framework to determine which households the Council has a duty to assist. In addition to confirming that someone is actually homeless, the Council would ordinarily also assess their eligibility for assistance (relating to immigration status), whether they have a 'priority need', their local connection and whether they had done anything to cause their own homelessness.

- 6.3 Due to Covid-19 officers are exercising the Council's discretion to accommodate people who would otherwise be expected to make their own arrangements. This includes rough sleepers, and people at risk of rough sleeping regardless of local connection, immigration status, eligibility or priority need. Whilst the vast majority of these households will comprise of a single person, there will be some couples, families with non-dependent children and families who may otherwise have been considered ineligible or to have made themselves intentionally homeless.
- 6.4 Households are receiving letters that inform them that the Council is using its discretion to assist due to the exceptional circumstances but that this discretion will end at some point in the future when it is safe to do so.

Single homeless

- 6.5 As at 23 April 2020, officers have placed 216 single homeless individuals since the beginning of the Covid-19 crisis. These individuals are placed in a variety of accommodation including 10 commercial hotels including Travelodge Edmonton Green in partnership with Enfield Council, the Green Rooms and Cranwood. Some of these hotels are out of borough. As at 23 April 2020, officers have secured 240 hotel rooms and had 24 spaces. Two of these individuals have already been moved on to more settled accommodation and this process will be ongoing. There is a need to have some capacity in the system given the continuing demand and the likely need to separate symptomatic individuals from non-symptomatic individuals.
- 6.6 Officers are predicting that we will still need to find places for 40 individuals per week ie 160 people for the next month. These individuals are a mixture of rough sleepers, those who were sofa surfers but cannot do this currently and young people who are being sent away from the family home as they are refusing to obey social distancing.
- 6.7 Officers have begun work to convert the Red House and this should be operational by week commencing Monday May 4th. This will provide 45 places and is expected to be operational for a maximum of 4 months.
- 6.8 The existing provision at Cranwood is being extended gradually. Three further rooms have come on stream to date, and more will come on stream gradually up to around 20 additional rooms over the coming weeks.
- 6.9 The re-opening of the Finsbury Park Travelodge to provide 104 rooms would increase capacity for future cases as well as provide an opportunity to bring individuals that have been placed in hotels far way from the borough closer to the borough. In addition, this brings the accommodation more in control of the borough. The draft contract is attached at Appendix Two[Exempt] to this report.
- 6.10 Initial work looking at the number of people that the Council would have an ongoing duty to indicates that we will likely have a duty to 75% of those currently being provided for.
- 6.11 Approximately £550,000 has been spent, or committed so far, on accommodation (including conversion costs for Red House). There are also

associated subsistence and welfare costs and a projection of these is currently being worked on. Officers anticipate that the total cost of meeting the short term will be in the region of £1.7-£2 million.

- 6.12 Officers are beginning to plan for recovery, looking at the medium/long term and at the potential for a modular solution for supported housing for at least a year. Officers are also liaising with other boroughs via London Councils to ensure a consistent approach to recovery / exit strategy. Officers do not yet have a preferred solution but are planning on a range of 20-40 rooms.

Family Homeless

- 6.13 Less families are presenting as homeless currently given the ban on evictions and repossession proceedings. Provision for these families is being managed through the usual channels. Additionally some of the shared accommodation the Council has for families will be partly decanted, to allow for easier social distancing, through moving some families to ex-IBSA properties being made available through Haringey Community Benefit Society. This is predicted to begin week of 27 April 2020, with one additional block coming on-line each week.
- 6.14 Given that at some point the ban on evictions and repossession proceedings will be lifted, officers are also considering a recovery strategy for families. One option would be a modular family solution and site options would be the same as for the single homeless (not on the same site).

7. Contribution to strategic outcomes

- 7.1 The recommendations are in line with Borough Plan Priority One: Housing and in particular objective 2.

8. Statutory Officers comments (Chief Finance Officer (including procurement), Assistant Director of Corporate Governance, Equalities)

Finance

- 8.1 The council has committed £550,000 to date in securing 240 units of hotel accommodation, with 216 individuals placed. Additional 58 accommodation spaces are being made available through the temporary works at Red House and Cranwood. The total cost, including running cost, of these works is £300,000.
- 8.2 It is estimated that the total cost to be spent providing accommodation to these groups during these periods will be between £1.7m to £2m.
- 8.3 It is anticipated that these accommodations alongside Red house and Cranwood accommodations will be enough to accommodate the current projection of intakes of 40 individuals per week for the next four weeks.
- 8.4 There is an expectation that the Council's responsibility for a large number of these individuals will not cease after this period. Thus creating further financial pressure on the homelessness budget.

- 8.5 Government announced that Rough sleepers, or those at risk of rough sleeping will be supported by £3.2 million of initial emergency funding. The funding will be available to all local authorities in England and they will be reimbursed for the cost of providing accommodation and services to those sleeping on the streets to help them successfully self-isolate.
- 8.6 It is estimated that Haringey's proportion of this funding will be about £25,000. This is no where near the level of cost being incurred by the Council in this respect.
- 8.7 Government's Budget of 11 March 2020 also announced £1.6bn un-ringfenced emergency funding to Local Authorities. This was followed by an announcement of a further £1.6bn on 18 April 2020.
- 8.8 To date the government has notified the Council that it will receive £8.094m of this funding and the COVID-19 Financial Intervention and Measures Report of 6th April 2020 agreed that this be placed in an Emergency Response Contingency in the Council's General Fund budget.
- 8.9 It is recommended that the total estimated cost as set out in this report be met from this contingency. Any further requirements above this value will need to be subject to a further report.
- 8.10 It should be noted that, based on our forecasts, this grant funded contingency will not as it stands be adequate to cover all the Covid19 funding implications on the Council.

Procurement

- 8.11 The Council will be utilising regulation 32 of the Procurement Contract Regulations to directly award a contract to Finsbury Park Travelodge to accommodate the requirement to provide temporary accommodation in light of the Covid 19 pandemic. This follows the cabinet Procurement Policy guidance note that details the pandemic as justification for using this regulation for such requirements.
- 8.12 This direct award is compliant with clause 9.01.2g of the Contract Standing Orders.

Legal

- 8.13 The Assistant Director of Corporate Governance has been consulted in the preparation of this report, and makes the following comments.
- This report seeks authority to enter into a contract to rent 104 rooms at Finsbury Park Travelodge until the end of June 2020 at a total cost set out in Part B.
 - The rooms will be used to house those to whom the Council may have a duty to accommodate under the Housing Act 1996 as amended by Homelessness Reduction Act 2017, and those who may be ineligible for

assistance, but whom the Government – via a letter dated 26th March 2020 sent by the Ministry of Housing, Communities and Local Government - has nonetheless asked the Council to help find temporary accommodation during the Covid-19 pandemic.

- In addition, the Council can also assist people who are **not eligible** for homelessness assistance through their Localism Act 2011 section 1 (4) (c) General Power of Competence.
- The current public health crisis requires that the Council make accommodation placements available even in cases involving persons who may not be eligible or in priority need for housing assistance on a discretionary basis under ordinary circumstances.

8.14 The Leader has the authority under paragraph 10.01.1 of Part Four Section J of the Constitution to waive the Contract Standing Orders on the basis that the proposed award are covered by a relevant legislative exemption. Entering into a contract for the renting of room does not fall within the Public Contracts Regulations 2015.

8.15 The Leader is also able to make the decision to award the Contract under paragraph 16.02 of Part Four Section J of the Constitution.

Equality

8.16 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.
- Advance equality of opportunity between people who share those protected characteristics and people who do not.
- Foster good relations between people who share those characteristics and people who do not.

8.17 The three parts of the duty applies to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

8.18 The proposed decision is to enter into a contract to rent rooms at Finsbury Park Travelodge for three months to accommodate people who are homeless during the Covid-19 crisis. The objective of the proposed decision is to safeguard the health and wellbeing of both these vulnerable individuals and the wider community. By providing accommodation in which social distancing and isolation can be practiced, the decision helps to prevent transmission of Covid-19 in the community.

8.19 Those affected by the decision include people sleeping rough. We know that BAME communities, and Eastern European communities in particular, are overrepresented among rough sleepers. In addition, a disproportionate number of rough sleepers have disabilities and/or long-term health conditions. As such,

the decision represents a measure to mitigate the extent to which the Covid-19 crisis may exacerbate existing inequalities.

- 8.20 Moreover, we know that older people and people with pre-existing health conditions are most vulnerable to Covid-19. The decision will help to prevent community transmission of the virus and therefore represents a measure to protect the health of these protected groups.

9. Use of Appendices

Appendix One – Ministry of Housing, Communities and Local Government letter dated 26th March 2020.

Appendix Two - Draft contract - this is in part B of the report. Exempt under 1972 Act Schedule 12 part 3 - Information relating to the financial or business affairs of any particular person (including the authority holding that information).

10. Local Government (Access to Information) Act 1985

None.

This page is intentionally left blank



Ministry of Housing,
Communities &
Local Government

Luke Hall MP

*Minister for Local Government and
Homelessness*

**Ministry of Housing, Communities
& Local Government**

4th Floor
Fry Building
2 Marsham Street
London
SW1P 4DF

www.gov.uk/mhclg

26 March 2020

Dear Local Leaders,

Thank you for your continuing work in response to the COVID-19 crisis. This scale of the challenge we all face is unprecedented. I know this is a particularly challenging time and that you and your staff are going above and beyond to help support your communities at this time.

Last week, the Government asked Dame Louise Casey to lead the Government's response to COVID-19 and rough sleeping to help make sure that we bring everyone in. It is our joint responsibility to safeguard as many homeless people as we can from COVID-19. Our strategy must be to bring in those on the streets to protect their health and stop wider transmission, particularly in hot spot areas, and those in assessment centres and shelters that are unable to comply with social distancing advice.

This approach aims to reduce the impact of COVID-19 on people facing homelessness and ultimately on preventing deaths during this public health emergency. Given the nature of the emergency, the priority is to ensure that the NHS and medical services are able to cope and we have built this strategy based on NHS medical guidance and support.

The basic principles are to:

- focus on people who are, or are at risk of, sleeping rough, and those who are in accommodation where it is difficult to self-isolate, such as shelters and assessment centres
- make sure that these people have access to the facilities that enable them to adhere to public health guidance on hygiene or isolation, ideally single room facilities
- utilise alternative powers and funding to assist those with no recourse to public funds who require shelter and other forms of support due to the COVID-19 pandemic
- mitigate their own risk of infection, and transmission to others, by ensuring they are able to self-isolate as appropriate in line with public health guidance

This should be done by taking the following programme of actions:

1. Convening a local coordination cell to plan and manage your response to COVID and rough sleeping involving the local authority (housing, social care and public health) and local NHS partners together. This would then report in to wider local COVID structures.

2. Seeking to stop homeless people from congregating in facilities such as day centres and street encampments where there is a higher risk of transmission
3. Urgently procuring accommodation for people on the streets if you have not already done so – MHCLG will support you to do so if you are struggling to procure sufficient units
4. Triaging people where possible into three cohorts driven by medical advice:
 - those with symptoms of COVID19;
 - those with pre-existing conditions but without symptoms; and
 - those without any of the above.

Attached to this letter is additional guidance on the approach that agencies should be taking to triaging agreed with NHS England and Public Health England.

5. Getting the social care basics such as food, and clinician care to people who need it in the self-contained accommodation. It is likely that you will need to utilise your commissioned homeless services to provide support to people in this accommodation and we urge you to work with the commissioned and non-commissioned sector to make sure there are adequate levels of support provided.
6. If possible, separating people who have significant drug and alcohol needs from those who do not.

In the longer term it will of course be necessary to identifying step-down arrangements for the future, including the re-opening of shelter-type accommodation.

Given the Prime Minister's announcement on Monday night that the public should be staying in their homes wherever possible, it is now imperative that rough sleepers and other vulnerable homeless are supported into appropriate accommodation by the end of the week. Dame Louise is spearheading all of our efforts to get everyone in. As she has said 'it won't be perfect but all of us together will do our best'.

We know that this requires funding. Last week, the Government announced £1.6bn for local authorities to respond to other COVID-19 pressures including for services helping the most vulnerable, including homeless people. This grant will cover all costs incurred in the first phase of the response, but we will keep future funding need under review. To support our understanding of what authorities or additional funding is likely to be required we will be working with local authorities to develop an ongoing assessment of costs.

Thank you very much for everything you are doing to save lives and provide care for some of the most vulnerable in our society.



Luke Hall MP

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is exempt

This page is intentionally left blank

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

Document is exempt

This page is intentionally left blank