

Borough Council of
**King's Lynn &
West Norfolk**



Cabinet

Agenda

Tuesday, 7th January, 2020
at 3.30 pm

in the

**Council Chamber
Town Hall
Saturday Market Place
King's Lynn**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200

CABINET AGENDA

DATE: CABINET - TUESDAY, 7TH JANUARY, 2020

VENUE: COUNCIL CHAMBER - TOWN HALL, SATURDAY
MARKET PLACE, KING'S LYNN PE30 5DQ

TIME: 3.30 pm

As required by Regulations 5 (4) and (5) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 - No items will be considered in private.

1. MINUTES

To approve the Minutes of the Meeting held on 12 November 2019 (previously circulated).

2. APOLOGIES

To receive apologies for absence.

3. URGENT BUSINESS

To consider any business, which by reason of special circumstances, the Chairman proposes to accept, under Section 100(b)(4)(b) of the Local Government Act 1972.

4. DECLARATIONS OF INTEREST

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

5. CHAIR'S CORRESPONDENCE

To receive any Chair's correspondence.

6. MEMBERS PRESENT UNDER STANDING ORDER 34

To note the names of any Councillors who wish to address the meeting under Standing Order 34.

Members wishing to speak pursuant to Standing Order 34 should inform the Chair of their intention to do so and on what items they wish to be heard before a decision on that item is taken.

7. CALLED IN MATTERS

To report on any Cabinet Decisions called in.

8. FORWARD DECISIONS (Pages 6 - 9)

A copy of the Forward Decisions List is attached

9. MATTERS REFERRED TO CABINET FROM OTHER BODIES

To receive any comments and recommendations from other Council bodies which meet after the dispatch of this agenda.

10. COUNCIL TAX SUPPORT - FINAL SCHEME FOR 2020-2021 (Pages 10 - 17)

11. CORPORATE BUSINESS PLAN (Pages 18 - 25)

12. CONTRACT STANDING ORDERS - UPDATE (Pages 26 - 81)

13. VACANT BUILDING CREDIT (Pages 82 - 88)

14. HOMELESSNESS STRATEGY STRATEGY TO COME (Pages 89 - 139)

To: Members of the Cabinet

Councillors R Blunt, I Devereux, P Gidney, P Kunes, A Lawrence, B Long (Chair), G Middleton and E Nockolds

For Further information, please contact:

Sam Winter, Democratic Services Manager 01553 616327
Borough Council of King's Lynn & West Norfolk
King's Court, Chapel Street
King's Lynn PE30 1EX

FORWARD DECISIONS LIST

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
7 January 2020						
	Corporate Business Plan	Key	Council	Leader Chief Executive		Public
	Council Tax Support Scheme 2020/2021 – Final Scheme for Approval	Key	Council	Housing S151 Officer		Public
	Homelessness and Rough Sleeper Strategy Consultation	Non	Council	Housing Chief Executive		Public
	National Planning Policy Framework – Vacant Building Credit	Non	Cabinet	Development Exec Dir G Hall		Public
	Review of Contract Standing Orders	Non	Council	S151 Officer Leader		Public

9

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
4 February 2020						
	Notice of Motion – Climate Change	Non	Council	Environment Exec Dir G Hall		Public
	Budget	Key	Council	S151 Officer Leader		Public
	Capital Programme	Key	Council	S151 Officer Leader		Public
	King’s Lynn Area Transport Study	Non	Cabinet	Development Exec Dir – G Hall		Public

	Major Housing Project 2	Key	Council	Project Delivery Exec Dir - C Bamfield		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Update to the Major Project Board Terms of reference	Non	Cabinet	Leader Asst Dir – M Henry		Public
	Notices of Motion – Hardings Way	Non	Council	Development Asst Dir – M Henry		Public
	Review of Standing Orders	Non	Council	Leader Chief Executive		Public
7	Scrutiny and the Executive Protocol	Non	Council	Leader Chief Executive		Public
	Nora 4	Key	Cabinet	Project Delivery Exec Dir – C Bamfield		
	Strategic Property Acquisition	Key	Cabinet	Corporate Projects and Assets Exec Dir - C Bamfield		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Development Options - Hunstanton	Key	Council	Project Delivery Exec Dir - C Bamfield		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)

	Hunstanton Coastal Management Plan	Key	Cabinet	Environment Exec Dir – G Hall		Public
	Treasury Management Strategy for 2020/21 and Prudential Indicators for 2019/20 to 2022/23	Key	Council	Leader S151 officer		Public
	Future High Streets – Stage 2 bid for funding	Key	Cabinet	Business Development Exec Dir – C Bamfield		Public
	Towns Fund – Town Deal Board	Non	Cabinet	Business Development Exec Dir – C Bamfield		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
17 March 2020						
∞	Capital Strategy	Key	Council	Leader Deputy Chief Executive		Public
	Major Housing Phase 3 – Enabling Work for Lynnsport 1	Key	Council	Project Delivery Exec Dir - C Bamfield		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Salters Road, King's Lynn	Key	Cabinet	Project Delivery Exec Dir – C Bamfield		Private - Contains exempt Information under para 3 – information relating to the business affairs of

						any person (including the authority)
	CIL Governance	Key	Council	Development Exec Dir – G Hall		Public

Date of meeting	Report title	Key or Non Key Decision	Decision Maker	Cabinet Member and Lead Officer	List of Background Papers	Public or Private Meeting
April 2020						
6	Parkway – Accelerated Construction Scheme	Key	Council	Project Delivery Exec Dir – C Bamfield		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)
	Southend Road and Hunstanton Bus Station	Key	Council	Project Delivery Exec Dir – C Bamfield		Private - Contains exempt Information under para 3 – information relating to the business affairs of any person (including the authority)

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Mandatory	Be entirely within Cabinet's powers to decide		NO	
		Need to be recommendations to Council		YES	
		Is it a Key Decision		NO	
Lead Member: E-mail: Cllr Adrian Lawrence Cllr.adrian.lawrence@west-norfolk.gov.uk		Other Cabinet Members consulted:			
		Other Members consulted: Corporate Performance Panel			
Lead Officer: Jo Stanton, Revenues and Benefits Manager E-mail: joanne.stanton@west-norfolk.gov.uk Direct Dial:01553 616349		Other Officers consulted:			
Financial Implications YES	Policy/ Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES If YES: Pre-screening only	Risk Management Implications YES	Environmental Considerations NO
If not for publication, the paragraph(s) of Schedule 12A of the 1972 Local Government Act considered to justify that is (are) paragraph(s)					

Date of meeting: 7 January 2020

COUNCIL TAX SUPPORT: FINAL SCHEME FOR WORKING AGE PEOPLE FOR 2020/2021

Summary

The council must review and agree its 2020/2021 Council Tax Support (CTS) scheme for working age people by January 2020. It must first consult with the major preceptors then publish a draft CTS scheme for public consultation. The draft CTS Scheme was agreed by delegated decision and the public consultation ran from 7 October 2019 to 15 November 2019. The final CTS Scheme must then be agreed by full Council.

This report details the results of the consultation and the recommended final CTS scheme for working age people for 2020/2021.

Recommendation

Cabinet recommend to Council that the draft CTS scheme for 2020/2021 which went to public consultation is adopted as the final CTS scheme for 2020/2021.

Reason for Decision

To ensure a CTS scheme for working age people for 2020/2021 is agreed by Council by 11 March 2020.

1. Background

- 1.1. Council Tax Support (CTS) is a reduction awarded to people on low incomes to help with the cost of their council tax bill. The council must review and agree a CTS scheme for working age people in its area each year. The CTS Scheme for 2020/2021 must be agreed by full Council by 11 March 2020, although in practice it needs to be agreed by January 2020 as it forms part of the taxbase and budget setting process.
- 1.2. The council has to review, consult on and agree its CTS scheme for working age people for each financial year. The CTS scheme for 2020/2021 is currently under consideration.
- 1.3. The draft CTS scheme was agreed by delegated decision earlier in the year and has been open to public consultation. The final CTS scheme must be agreed by full Council. This report details the results of the consultation, the comments made and the recommended final CTS Scheme for 2020/2021.
- 1.4. Details on the CTS scheme can be found on the council's website at https://www.west-norfolk.gov.uk/info/20019/council_tax_support.

2. Council Tax Support Scheme 2019/2020

- 2.1. The principles of the current CTS scheme for 2019/2020 are included at Appendix B.
- 2.2. The CTS scheme uses the same calculation method as the old Council Tax Benefit scheme (which ended in 2013) and the CTS scheme for pension age people. A person's total household income is assessed against an allowed amount which is based on their circumstances. If their income is less than the allowed amount, they receive the maximum amount of CTS payable under the scheme. If their income is more than the allowed amount, the maximum CTS is reduced by 20p for every £1 over the amount allowed.
- 2.3. There are a number of people who are in a protected group and receive a higher amount of CTS due to their circumstances, including those receiving a Disability Premium, Carer's Allowance or who are responsible for a child under the age of five. Pension age people are paid under a national set of rules and are unaffected by any changes to our CTS scheme.

3. Proposed Changes for 2020/2021

- 3.1. The CTS scheme for 2020/2021 is a continuation of the 2019/2020 scheme with some minor changes to keep it in line with other welfare reform amendments, both of which are beneficial to customers. The changes are:

- disregarding any income from the Windrush Compensation scheme, and
- disregarding any lump sum payments from the Windrush Compensation scheme

3.2. The draft CTS scheme was open for consultation between 7 October 2019 and 15 November 2019. The consultation responses are reviewed at section 4.

4. Council Tax Support Consultation

4.1. The CTS Consultation was primarily available via the council's website and as a paper form if requested. Online responses were encouraged as data can be electronically logged and collated. A CTS entitlement calculator was included so people could calculate the impact of the proposals on their own CTS award if appropriate.

4.2. The consultation opened on 7 October 2019 and was publicised as below:

4.3. The link to the CTS Consultation webpage was emailed to all Parish Clerks so they could encourage their residents to respond;

- An article was included in Members' Bulletin;
- A press release was issued;
- An article appeared in the Lynn News on 22 October 2019;
- The link was tweeted and included in the Council's 'Stay Updated' email;
- A piece was included in Internal Affairs.

4.4. The consultation closed on 15 November 2019. 8 responses were received, down from 14 responses last year. The responses are included in full at Appendix C. There were no comments made about the scheme in any of the consultation responses and the majority of people felt we should make the proposed changes to the scheme.

4.5. The proposed final CTS Scheme and consultation responses were considered by the Corporate Performance Panel at their meeting of 26 November 2019. The Panel supported the recommended scheme and no changes are proposed as a result of the Panel meeting or the consultation responses.

5. Policy Implications

5.1. The CTS Scheme for working age people for 2020/2021 is a continuation of an existing policy. It supports Corporate Priority 1 – Provide important local services within our available resources.

6. Financial Implications

- 6.1. CTS is a discount and reduces the council's taxbase. Because of this the CTS scheme must be agreed before the final taxbase can be agreed, and the council's budgets finalised.
- 6.2. As at 1 October 2019 the overall cost of the CTS scheme for 2019/2020 is £9,360,386. This cost is split between the preceptors in proportion to their share of the council tax demand.
- 6.3. CTS reduces the council's taxbase by 5,187 band D equivalent properties. The current Band D charge for 2019/2020 is £116.87, so the reduction in income for the borough council for 2019/2020 is £606,205. £322,911 of this reduction is due to the CTS scheme for pension age people, paid under the national regulations. We have no powers to alter this element of the scheme or the associated costs.
- 6.4. 9,903 people claim CTS, of which 5,109 are of pension age (so are unaffected by changes to our local scheme) and 4,794 are working age. The number of people claiming CTS, and therefore the cost of the CTS scheme, are gradually declining.
- 6.5. The taxbase impact of the CTS scheme for 2020/2021 is within the projections in the Financial Plan 2018/2023.

7. Personnel Implications

- 7.1. None

8. Environmental Considerations

- 8.1. None

9. Statutory Considerations

- 9.1. The council is required to agree a CTS Scheme for the 2020/2021 financial year by 11 March 2020, although in practice it has to be agreed by January 2020 as it forms part of the council's taxbase and budget setting process.

10. Equality Impact Assessment (EIA)

- 10.1. The pre-screening Equality Impact Assessment (EIA) is included at Appendix A. A full EIA was completed as part of the Cabinet Report of 7 September 2016. As the changes to the scheme since then and for 2020/2021 are minor no further assessment has been required.

11. Risk Management Implications

- 11.1. The CTS scheme for 2020/2021 is designed to meet the taxbase projections as detailed in the Financial Plan 2018/2023. However any increases in demand, changes in the composition of the

caseload, for example an increase in the number of pension age claimants or a sudden economic shock, could represent a financial risk by increasing the cost of the CTS scheme and reducing the taxbase further.

11.2. The impact of the CTS scheme is, and will continue to be, reviewed monthly and is reported in the Members Bulletin in October each year.

12. Declarations of Interest / Dispensations Granted

12.1. None

13. Background Papers

13.1. None

Appendix A: Pre-Screening Equality Impact Assessment



Name of policy/service/function	Local Council Tax Support Scheme 2020/2021					
Is this a new or existing policy/service/function?	Continuation of, and updates to, an existing Policy					
Brief summary/description of the main aims of Policy being screened. Please state if this policy/service is rigidly constrained by statutory obligations	Council Tax Support is a discount given to residents on a low income to help with the cost of their council tax bill. The council is free to agree its own local scheme for the discount for working age people.					
Question	Answer					
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure	
	Age			√		
	Disability	√				
	Gender				√	
	Gender Re-assignment				√	
	Marriage/civil partnership				√	
	Pregnancy & maternity				√	
	Race				√	
	Religion or belief				√	
	Sexual orientation				√	
Other (eg low income)			√			
Question	Answer	Comments				
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No					
3. Could this policy/service be perceived as impacting on communities differently?	No					
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	There are protections for those who have a disability, caring responsibilities, children under 5 or are pension age.				
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	No	Actions:				
		Actions agreed by EWG member:				
Assessment completed by:	Joanne Stanton					
Job title	Revenues and Benefits Manager					
Date	26 November 2019					

Appendix B: Principles of the Current CTS Scheme

Our current CTS scheme assesses people's income against an allowed amount, called an 'applicable amount'. If their income is less than the applicable amount they receive full CTS, subject to a 25% contribution if they are working age and not in a protected group. If it is more than the applicable amount their CTS is reduced by 20p for every extra £1.

Our current CTS Scheme Principle:

An equal cut is made to everyone apart from those in a protected group.

The key points are:

- Working Age people have their CTS calculated based on 75% of their weekly CTS bill
- A weekly £10 deduction is made for each non-dependent regardless of their income
- The maximum amount of Capital allowed is £6,000
- No Tariff Income is assumed for capital under £6,000
- Self Employed people are assumed to have an income of at least the minimum wage
- There is no Second Adult Rebate

To fulfil the requirement to consider vulnerable groups, CTS will be paid based on the national, more generous scheme for the following groups:

- Those who have reached the qualifying age for State Pension Credit
- Households with at least one child under the age of 5
- Those entitled to the Disability Premium as part of their needs calculation
- Those in receipt of Carer's Allowance
- Those in the ESA Support group

The CTS scheme also includes incentives to find work. People are allowed to keep an extra £10 (above the national limit) before their CTS is affected. This is known as a disregard and the amounts are:

- | | |
|-----------------------|-----|
| • Single | £15 |
| • Couple | £20 |
| • Disabled or a Carer | £30 |
| • Lone Parent | £35 |

We also have a local income disregard as below:

- War Pensions will be fully disregarded in the income calculation

General CTS Scheme Rules

- In all other areas the CTS Scheme rules will follow the rules for working age Housing Benefit claims

Appendix C – Council Tax Support 2020/2021 Consultation Responses

Question	Responses	Comments/Alternatives												
Should we keep the current Council Tax Support scheme?	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>4</td> <td>1</td> <td>8</td> </tr> <tr> <td>38%</td> <td>50%</td> <td>13%</td> <td></td> </tr> </tbody> </table>	Yes	No	Don't Know / Blank	Total	3	4	1	8	38%	50%	13%		No comments were made
Yes	No	Don't Know / Blank	Total											
3	4	1	8											
38%	50%	13%												
Should we disregard any income received from the Windrush Compensation Scheme?	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>4</td> <td>1</td> <td>8</td> </tr> <tr> <td>38%</td> <td>50%</td> <td>13%</td> <td></td> </tr> </tbody> </table>	Yes	No	Don't Know / Blank	Total	3	4	1	8	38%	50%	13%		No comments were made
Yes	No	Don't Know / Blank	Total											
3	4	1	8											
38%	50%	13%												
Should we disregard any lump sums received from the Windrush Compensation Scheme?	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>3</td> <td>4</td> <td>1</td> <td>8</td> </tr> <tr> <td>38%</td> <td>50%</td> <td>13%</td> <td></td> </tr> </tbody> </table>	Yes	No	Don't Know / Blank	Total	3	4	1	8	38%	50%	13%		No comments were made
Yes	No	Don't Know / Blank	Total											
3	4	1	8											
38%	50%	13%												
Do you think that we should make the changes proposed to the CTS scheme?	<table border="1"> <thead> <tr> <th>Yes</th> <th>No</th> <th>Don't Know / Blank</th> <th>Total</th> </tr> </thead> <tbody> <tr> <td>4</td> <td>3</td> <td>1</td> <td>8</td> </tr> <tr> <td>50%</td> <td>38%</td> <td>13%</td> <td></td> </tr> </tbody> </table>	Yes	No	Don't Know / Blank	Total	4	3	1	8	50%	38%	13%		No comments were made
Yes	No	Don't Know / Blank	Total											
4	3	1	8											
50%	38%	13%												
Any other comments	No comments were made													

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide		NO	
	Discretionary /	Need to be recommendations to Council		YES	
	Operational	Is it a Key Decision		YES	
Lead Member: Cllr Brian Long E-mail: cldr.brian.long@west-norfolk.gov.uk		Other Cabinet Members consulted: All Cabinet members			
Lead Officer: Ged Greaves E-mail: Ged.Greaves@West-Norfolk.gov.uk Direct Dial:01553 616804		Other Members consulted: 3 policy development panels and via Members Bulletin			
Other Officers consulted: Management Team and Extended Management Team					
Financial Implications NO	Policy/ Personnel Implications NO	Statutory Implications NO	Equal Impact Assessment YES If YES: Pre-screening/ Full Assessment	Risk Management Implications YES	Environmental Considerations YES

Date of meeting: 7 January 2020

CORPORATE BUSINESS PLAN 2020-2024

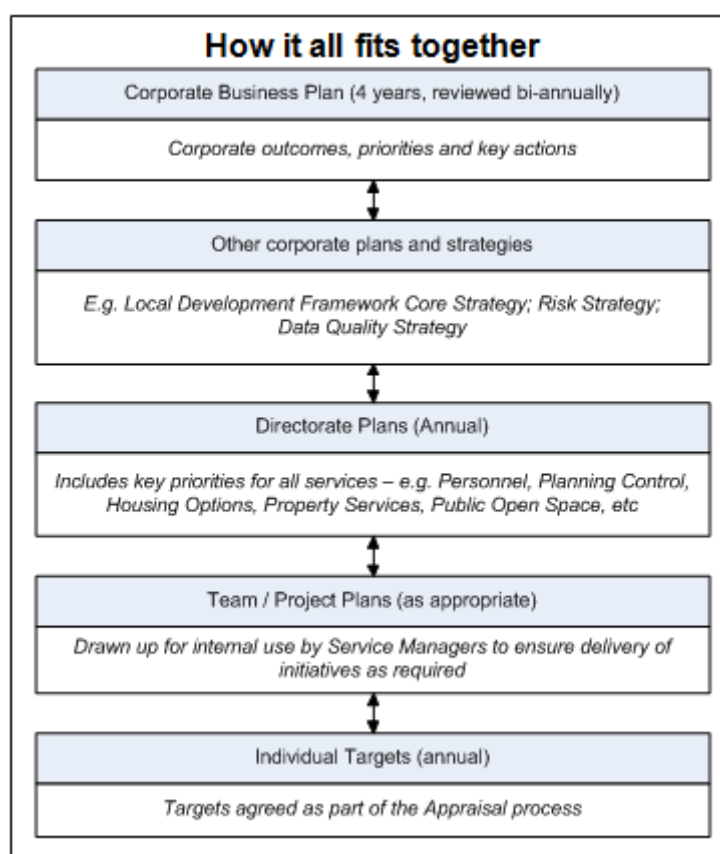
<p>Summary This report appends the new corporate business plan for the period to the next local elections in 2023. It sets out the priorities of the current administration and how the achievement of these priorities and objectives will be monitored.</p> <p>Recommendation That the attached corporate business plan is adopted.</p> <p>Reason for Decision To establish the council's policy framework for the term of the current administration, showing how the council will focus its resources over the next four years.</p>
--

1 Background

- 1.1 This corporate business plan covers the four-year administrative term 2019/20 to 2023/24. It has been informed by several rounds of consultation with the council's policy development panels.
- 1.2 It has been developed in the focused format used in the current corporate business plan as much of the detail underpinning this plan already exists in other strategies and documents or will be derived from developing work such as climate change, Future High Streets Fund, etc. There is a short narrative which sets out the direction of travel and the context within which the council operates. In broad terms, the six priority areas cover the council's focus on the following issues:

<i>Issue</i>	<i>Corporate business plan priority</i>
Service delivery	Focusing on delivery.
Economic issues	Delivering growth in the economy and with local housing.
Environmental issues	Protecting and enhancing the environment including tackling climate change.
Social issues	Improving social mobility and inclusion. Creating and maintaining good quality places that make a positive difference to people's lives. Helping to improve the health and wellbeing of our communities.

- 1.3 The outline Corporate Business Plan is appended at Appendix A. It is a high level document and is supported by a framework of plans, strategies and targets as shown in the diagram below:



- 1.4 The plan will be monitored via the 'Corporate Business Plan Monitoring Report' which is prepared quarterly and formally presented to the Corporate Performance Panel on a six monthly basis.
- 1.5 Work will also be undertaken, where possible, to align corporate performance targets to the priorities outlined in the corporate business plan. In addition, the priorities outlined in the plan will underpin annual directorate and service plans, which in turn will be cascaded into annual performance targets for employees, through the council's performance management scheme.

2 Options Considered

2.1 None.

3 Policy Implications

3.1 This document sets the council's policy framework for the next four years and as such is the council's primary policy document. All other documents and plans will need to take account of this new policy framework when they are being prepared or refreshed.

4 Financial Implications

4.1 There are no direct financial implications of this plan as its implementation is through the existing services, programmes and budget provisions already in place.

5 Personnel Implications

5.1 None.

6 Environmental Considerations

6.1 The corporate business plan includes a specific priority focused on protecting and enhancing the environment including tackling climate change.

7 Statutory Considerations

7.1 None.

8 Equality Impact Assessment (EIA)

8.1 None – see attached pre-screening report.

9 Risk Management Implications

9.1 There are risks that without the benefit of a coherent corporate business plan the work of the council could lack a clear focus and sense of direction. This plan provides clarity to our work and a rationale for our activities whilst aligning the work of the council with local and national political priorities.

9.2 The corporate risk register will be reviewed to ensure it is aligned with the new corporate business plan.

10 Declarations of Interest / Dispensations Granted

10.1 None.

11 Background Papers

11.1 None.

Appendix A – Corporate Business Plan 2020-2024

The borough we serve

The Borough of King's Lynn and West Norfolk extends from the north Norfolk coast, along the eastern side of The Wash, through the Marshlands, Fens and Brecks to the borders of Lincolnshire, Cambridgeshire and Suffolk. King's Lynn is a service centre and economic driver to a sub-region with in excess of 200,000 population. It is the fourth largest district in England covering an area of some 550 square miles (142,879 hectares) with a population of 151,900 (2017 estimate). The main population centre is King's Lynn (41,590) though the borough also includes the market town of Downham Market (9,994), the coastal resort of Hunstanton (4,210) and more than 100 villages of varying sizes.

By 2036 some 29% of the population will be over retirement age, with 17% of residents aged over 75; while the proportion of those under 25 will be below the national average.

Main transport routes include the A47(T) trunk road (Leicester to Lowestoft), three principal roads (A10, A17 and A134), a direct electrified rail service to Cambridge and London, sea links to northern and eastern Europe and an extensive system of navigable waterways.

The Borough has a large rural area with a diverse landscape. Tracts of unspoilt coast, attractive countryside and numerous historic settlements and buildings form major attractions to the area and there are many examples of national and internationally important designations protecting aspects of the built and natural environments.

West Norfolk has extensive tracts of high quality and productive agricultural land, meaning agriculture is a key sector in the Borough's economy. A low-wage economy stemming from relatively low skills levels and associated low aspiration levels is a significant economic challenge. Pockets of isolation and deprivation are real issues, both in King's Lynn and in some of the more rural parts of the borough. Nevertheless, the economic base is changing and the borough is now home to world-leading businesses in pharmaceuticals, precision and aerospace engineering and advanced manufacturing sectors including commercial refrigeration, robotics, electronics and specialist chemicals. The key employment sectors now fall within advanced engineering and manufacturing, added value food activity and tourism.

Access to high quality communications technology is important for our communities. However, the borough currently lacks consistent access to quality broadband services, even in urban areas, such as King's Lynn.

The coastal areas of the borough are a major asset in terms of providing tourism, employment, homes, recreation, and habitats for species. Nevertheless these assets also introduce significant challenges in the management of visitor related development, environmental and ecological assets, and physical processes including erosion.

The services we provide

The Council provides a wide range of services to residents, businesses and visitors. We have a legal duty to provide many of these services such as community safety, elections, emergency planning, environmental health, housing and homelessness, internal audit, licensing, planning control, planning policy, revenue and benefits and waste collection and recycling.

In addition to our statutory services, we provide a comprehensive range of discretionary services to help meet and support community needs such as business operations, corporate projects, economic development, events, leisure, parks and open spaces, regeneration and tourism.

To support the effective delivery of our services we have corporate functions such as communications, the council information centre, democratic services, finance, information technology, legal, personnel, policy and performance, procurement and property services.

We continue to face ongoing financial challenges, demands and new pressures. Insightful planning, collaboration with partners, prioritization of core functions, innovation and the encouragement of commercial approaches have enabled us to maintain our services and will be necessary for the future.

Our corporate business plan is underpinned by key documents such as our Medium Term Financial Plan, directorate and service plans and a performance management framework.

Our vision

West Norfolk is a place where businesses and people can flourish; where communities are active and healthy; where residents and visitors can access fulfilling cultural, leisure and sporting activities; and where a good quality of life and environment are available to all.

As part of our vision, the council is committed to ensuring equality for all residents of and visitors to west Norfolk, and to its employees.

Our priorities and objectives

1. Focusing on delivery

- a) Delivery of value for money services.
- b) Enhancing governance.
- c) Ensuring the council's financial sustainability.

2. Delivering growth in the economy and with local housing

- a) Promote the borough as a vibrant place in which to live, to do business and as a leading visitor and cultural destination.
- b) Develop and facilitate the range and quality of business premises available.
- c) Promote, lobby and support infrastructure improvements across the district.
- d) Increase the supply of suitable housing in appropriate locations.

3. Protecting and enhancing the environment including tackling climate change

- a) Develop and implement the council's carbon reduction strategy and encourage our partners, communities and local businesses to reduce their environmental impact.
- b) Encourage sustainable living through our local plan and development policies.
- c) Work with partners and the community to improve our natural environment.
- d) Improve recycling levels.
- e) Support measures that protect our communities from flooding.

4. Improving social mobility and inclusion

- a) Continue to assist our residents to maximise their opportunities by accessing the support and services they are entitled to.

- b) Prevent homelessness, meet housing needs, improve housing conditions and ensure homes are accessible.
- c) Work with partners to improve education attainment levels and the skills of local people.

5. Creating and maintaining good quality places that make a positive difference to people's lives

- a) Protect, promote and enhance the borough's natural and built environment.
- b) Maintain accessible, clean, pleasant and safe public places and communities.

6. Helping to improve the health and wellbeing of our communities

- a) Provide early help support to communities and individuals who are vulnerable.
- b) Support our local communities to be healthy and more active.

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



Name of policy/service/function	Corporate Business Plan 2020-2024				
Is this a new or existing policy/service/function?	New (updated plan)				
Brief summary/description of the main aims of the policy/service/function being screened. Please state if this policy/service is rigidly constrained by statutory obligations	The corporate business plan sets the direction of the council and the priorities of the current administration. The plan reflects local need, local political priorities and the changing legislative and policy framework in which the council operates.				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			<input checked="" type="checkbox"/>	
	Disability			<input checked="" type="checkbox"/>	
	Gender			<input checked="" type="checkbox"/>	
	Gender Re-assignment			<input checked="" type="checkbox"/>	
	Marriage/civil partnership			<input checked="" type="checkbox"/>	
	Pregnancy & maternity			<input checked="" type="checkbox"/>	
	Race			<input checked="" type="checkbox"/>	
	Religion or belief			<input checked="" type="checkbox"/>	
	Sexual orientation			<input checked="" type="checkbox"/>	
	Other (eg low income)			<input checked="" type="checkbox"/>	

Question	Answer	Comments
2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?	No	
3. Could this policy/service be perceived as impacting on communities differently?	No	
4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?	No	
5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions? If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section	No	Actions:
		Actions agreed by EWG member:
<p>If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</p> <p>Not applicable.</p> <p>Decision agreed by EWG member: <i>B. Box</i></p>		
Assessment completed by:		
Name	Ged Greaves	
Job title	Senior Policy and Performance Officer	
Date	20 November 2019	

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Mandatory	Be entirely within cabinet's powers to decide		NO	
		Need to be recommendations to Council		YES	
		Is it a Key Decision		NO	
None					
Lead Member: Cllr Brian Long E-mail: cllr.brian.long@west-norfolk.gov.uk			Other Cabinet Members consulted:		
			Other Members consulted:		
Lead Officer: Tony Hague, Procurement E-mail: tony.hague@west-norfolk.gov.uk Direct Dial: 01553 616791			Other Officers consulted: Extended Management Team and Procurement Team		
Financial Implications NO	Policy/Personnel Implications YES	Statutory Implications YES	Equality Impact Assessment YES If YES: Pre-screening	Risk Management Implications YES	Environmental Considerations NO

Date of meeting: 7th January 2020

REVIEW AND UPDATE OF CONTRACT STANDING ORDERS

Summary

Since the current version of Contract Standing Orders was approved by Council on 24 September 2015 there have been several changes in procurement policy. These changes take account of the Council's current Procurement Strategy adopted in April 2018, the transition to electronic tendering and the focus on social value. Contract Standing Orders have been reviewed and amendments are proposed that include measures to take account of the changes mentioned above.

Recommendation

It is recommended that Cabinet accept the new version of Contract Standing Orders and that they recommend acceptance by full Council. It is also recommended that Delegated Authority is granted to the Leader and Chief Executive, in consultation with the Monitoring Officer, to make minor changes from time to time to make CSO consistent with legal requirements, changes in Council structures and personnel and best practice; and that Delegated Authority is granted to the Leader, appropriate Portfolio Holder, and the Chief Executive, to add a section on compliance with the Council's Environmental Policy, when that policy has been completed and adopted.

Reason for Decision

To ensure that the Council's purchasing and disposal procedures continue to reflect best practice in order to obtain best value and to guard against corruption, discrimination and breaches of public procurement regulations.

1. BACKGROUND

1. The current version of Contract Standing Orders was approved by Council on 24th September 2015. In April 2019 a review commenced, with the object of bringing Contract Standing Orders up to date with the uses of new technology and policy changes and at the same time create a more user friendly document. There has also been a strong focus on the impact assessments of the following: Data Protection; Equality in Procurement and Safeguarding. The updated version of Contract Standing Orders includes simple, easy to use Pro Formas which are to be completed for each of these potential issues. Environmental Impact was also considered but is not ready to be included within Contract Standing Orders at this stage whilst a new Council Environmental Policy is in preparation.
2. The new draft of Contract Standing Orders has now been circulated amongst the Extended Management Team and a number of other key officers, and their views and suggestions have been incorporated into the document where appropriate.
3. The layout has changed so significantly that it is not possible to highlight particular paragraphs or items that have changed. However the main changes are as follows: -
 - a) Update of Officer Responsibilities highlighting the necessity of early Procurement involvement (CSO 15 and Appendix 10)
 - b) Inclusion of TUPE regulations (CSO 16-18)
 - c) Inclusion of information regarding Concession Contracts (CSO 31-32)
 - d) Updates to the Procurement Tender thresholds (CSO 34)
 - e) Major changes to short-listing reflecting new regulations banning Pre-Qualification Questionnaires altogether and being replaced by Standard Selection Questionnaires (CSO 37)
 - f) New section detailing the new Request for Quotation (RFQ) procedure (CSO 38-42)
 - g) Suggestion that price should not account for more than 70% of the evaluation criteria on any services or works contracts.
 - h) Major changes to Submission, Receipt and Opening of Tenders procedure regarding e-tendering and retention of documents (Appendix 2)
 - i) Improvement of Safeguarding Policies section (Appendix 11)
 - j) Addition of Equality in Procurement section with pro forma for Client Officers to complete (Appendix 12)
 - k) Addition of Data Protection Impact Assessment Pre-Screening Tool (Appendix 13)
 - l) Inclusion of a Template RFQ for Client Officers to use as a starting point when creating an RFQ document for their requirements. (Appendix 14)

2. Options Considered

We considered moving the tender thresholds up to £50,000 but we decided that this would increase the risk of not achieving the best value for money on contracts between £25,000 and £50,000.

3. Policy Implications

Contract Standing Orders dictate the Council's procurement policy and forms part of the Council's Constitution.

4. Financial Implications

There are no direct financial implications from the proposed changes although, of course, one of the main objectives of Contract Standing Orders is to obtain best value for the Council.

5. Personnel Implications

N/A

6. Environmental Considerations

Although there are no direct environmental implications as a result of this report, as mentioned in Item 1 above, this has been considered and the Recommendation of this report includes provision for reference to the Council's Environmental Policy to be added to Contract Standing Orders, once the policy is adopted by Council.

7. Statutory Considerations

The proposed changes in part take into account new law and Government guidance, and the Standing Orders refer to EU Procurement regulations and other statutory considerations.

8. Equality Impact Assessment (EIA)

Completed pre-screening form attached

9. Risk Management Implications

Potential costs to the Council could be substantial if regulations and guidelines are not complied with and, as a result, a successful challenge to a contract award is made. It is therefore vital that Contract Standing Orders are kept up to date and the compliance with those Orders is promoted by Members and senior Officers.

10. Declarations of Interest / Dispensations Granted

N/A

11. Background Papers

Proposed new version of Contract Standing Orders

Current version of Contract Standing Orders (2016) – available on the website

<https://www.west->

[norfolk.gov.uk/downloads/download/345/procurement_rules_documents](https://www.west-norfolk.gov.uk/downloads/download/345/procurement_rules_documents)

Pre-Screening Equality Impact Assessment

Borough Council of
King's Lynn & West Norfolk



Name of policy/service/function	Contract Standing Orders				
Is this a new or existing policy/service/function?	Existing				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>Controls on purchasing and disposals designed to ensure best value for the Council and to ensure that Public Procurement Regulations are complied with.</p>				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age			X	
	Disability			X	
	Gender			X	
	Gender Re-assignment			X	
	Marriage/civil partnership			X	
	Pregnancy & maternity			X	
	Race			X	
	Religion or belief			X	
	Sexual orientation			X	
	Other (eg low income)			X	

Question	Answer	Comments
<p>2. Is the proposed policy/service likely to affect relations between certain equality communities or to damage relations between the equality communities and the Council, for example because it is seen as favouring a particular community or denying opportunities to another?</p>	No	
<p>3. Could this policy/service be perceived as impacting on communities differently?</p>	No	
<p>4. Is the policy/service specifically designed to tackle evidence of disadvantage or potential discrimination?</p>	No	
<p>5. Are any impacts identified above minor and if so, can these be eliminated or reduced by minor actions?</p> <p>If yes, please agree actions with a member of the Corporate Equalities Working Group and list agreed actions in the comments section</p>	N/A	<p>Actions:</p>
		<p>Actions agreed by EWG member:</p> <p>.....</p>
<p>If 'yes' to questions 2 - 4 a full impact assessment will be required unless comments are provided to explain why this is not felt necessary:</p> <p>N/A</p> <p>Decision agreed by EWG member:</p>		
<p>Assessment completed by:</p> <p>Name</p>	<p>James Hawes</p>	
<p>Job title</p>	<p>Trainee Procurement Officer</p>	
<p>Date</p>	<p>7th November 2019</p>	

Borough Council of
**King's Lynn &
West Norfolk**



CONTRACT STANDING ORDERS

Under Section 135, Local Government Act 1972

November 2019

Contents

Purpose and Scope	3
Securing Competition	4
Estimating Contract Values	4
Demonstrating Value for Money	4
Officer Responsibilities	4
Transfer of Undertakings (Protection of Employment)	5
Advertising	6
Framework Agreements	6
Concessions Contracts	7
Disposals	7
Inviting Tenders	8
Pre-Selection and Short-listing	9
Request For Quotation	9
Invitation to Tender	9
Specifications	10
Submission of Tenders	11
Evaluation, Post-Tender Negotiations and Contract Award	11
Exemptions	12
Further Advice and Officer Responsibilities	13
Appendix 1: Definitions	14
Appendix 2: Tender Processes	17
Appendix 3: Presentations and Interviews as part of the selection process	21
Appendix 4: Insurances	22
Appendix 5: Contract and other formalities	24
Appendix 6: Contract Management, Monitoring and Evaluation	26
Appendix 7: Land and Property Transactions	27
Appendix 8: Exemption Form	29
Appendix 9: Social Value Form	30
Appendix 10: Officer Roles and Responsibilities	31
Appendix 11: Safeguarding Policies	35
Appendix 12: Equality in Procurement	38
Appendix 13: DPIA Screening Tool	42
Appendix 14: Template RFQ	44

Purpose and Scope

1. The Council is required by Section 135 of the Local Government Act 1972 to make standing orders in respect of contracts for the supply of goods and services or for the execution of works.
2. This Act requires that these Contract Standing Orders (CSO):-
 - a) **secure competition**; and
 - b) regulate the manner in which **tenders** are invited.
3. In addition, the Act allows for exemptions to these CSO.
4. Over and above the Act's requirements, these CSO incorporate Council standards for contracting conduct, specifically:-
 - a) that all contracts be able to demonstrate **value for money**;
 - b) requisite **behaviours** are shown in terms of integrity, fairness and exposure to risk; and
 - c) contracts support Corporate and Service **aims and policies**.
5. CSO apply to all contracts awarded by the Council or any wholly owned subsidiary companies for works, services and supplies irrespective of the source of funding. They equally apply to contracts awarded by any person, firm or body on behalf of the Council. Exceptions are those listed in 6 below.
6. CSO do not apply to contracts for the:
 - (a) lending or borrowing of money; or
 - (b) employment of an individual as a direct employee of the Council.
 - (c) artistic works or performances
7. These CSO are part of the Council's Constitution and must be complied with together with the Council's Financial Regulations. They should be read in conjunction with the Council's Procurement Strategy. They take precedence over the delegated powers of Members and Officers. **Non-compliance may result in disciplinary action.**

Securing Competition

Estimating Contract Values

8. Before advertising any contract, an Officer with appropriate budgetary authority must estimate its value. The value estimated will determine the appropriate procurement route to use whether this be under these CSO or EU Directives / Public Contracts Regulations.
9. The estimated contract value must not be calculated in a way that is designed to avoid exceeding threshold values whether these are CSO or EU thresholds.
10. Accurate estimation of the contract value is vital to obtaining competition as many Suppliers query the viability of overly low estimations.
11. For the purpose of these CSO, the value of a contract is the expected amount of money that will be received by the contracted person or organisation over the life of the contract and must take into account similar purchases from different Service areas across the Council. Where some of the funding is provided by another organisation, this funding must also be taken into account when estimating the contract value.

Demonstrating Value for Money

12. Every procurement process and contract must be designed to achieve Best Value for the Council.
13. In these CSO, Best Value means the optimum combination of whole-life costs and benefits to meet the Council's requirement. This should be illustrated in the split between price and quality evaluation criteria.
14. Before undertaking a new procurement process or awarding a new contract the appropriate Officer of the Senior Management Team or Lead Officer must establish whether the Council's requirement can be met through any existing contract, and ensure that the estimated value can be met from the appropriate budget (capital or revenue).

Officer Responsibilities

15. Before beginning a contract-letting process, the Officer **must**:
 - (a) appraise the need for the expenditure and its priority;
 - (b) ensure there is budgetary provision for the contract;
 - (c) define the objectives of the contract;
 - (d) identify whether there is an existing Framework Agreement that can be used;
 - (e) assess the risks associated with the contract and how to manage them;
 - (f) for contracts including design or architectural services, ensure compliance with CDM Regulations;
 - (g) in conjunction with the Corporate Procurement Unit select the most appropriate procurement method that is most likely to achieve the Council's objectives. This may include considering whether the procurement can be provided by the Council's own staff and resources although value for money considerations will still apply;
 - (h) consult users as appropriate about the proposed procurement method,

- contract standards, and also performance and user satisfaction monitoring;
- (i) consider the whole-life costs of the contract;
 - (j) ensure that evidence that the above has been undertaken is available to either the Monitoring Officer or auditors upon request.
 - (k) Where the contract contains an element of ICT, consult with the ICT Manager to determine whether the requirement is compatible with our current systems in place.
 - (l) Where the contract is for the provision of services and the value is above EU thresholds complete the Social Value Form (Appendix 9) and include its considerations in the procurement planning.
 - (m) Where the contract is for services or works, complete the Safeguarding Risk Assessment (Appendix 11) and take the appropriate action.
 - (n) For any type of contract, complete the Equality in Procurement Pro Forma (Appendix 12).
 - (o) For any contract that could potentially involve risks of data protection, complete a Data Protection Impact Assessment (DPIA) Screening Tool (Appendix 13).

Transfer of Undertakings (Protection of Employment) Regulations 2006

16. The Transfer of Undertakings (Protection of Employment) Regulations 2006, commonly known as the TUPE Regulations, should be presumed to apply in any procurement process involving the contracting out of a service area with a discrete budget and staff assigned to it. For the avoidance of doubt this will include any UK Legislation transcribing TUPE or equivalent into domestic legislation. The exception to this is if there are genuine exceptional reasons for TUPE not to apply. These could be where:
- A contract is for the provision of both goods and services, but the provision of services is ancillary in purpose to the provision of the goods.
 - The matter being contracted is essentially new or a one off project.
 - Services or goods are essentially a commodity bought “off the shelf” and no grouping of staff is specifically and permanently assigned to a common task.
 - The features of the service or function subject to the contracting exercise are significantly different from the features of the function previously performed within the Council, or by an existing supplier such as a function to be delivered electronically and in a way that requires radically different skills, experience and equipment.
17. Where appropriate Invitations to Tender must state that staff will transfer pursuant to TUPE and sufficient information should be provided to enable potential suppliers to cost the effect of TUPE applying and staff transferring to them. Human Resources will deal with the provision of the appropriate information as necessary. Advice on the applicability of TUPE and the clauses to be inserted in Invitations to Tender and contracts should be sought in the first instance from the Chief Financial Officer or the Council’s Legal Officers.
18. TUPE should also be presumed to apply to a procurement process when an external contract is to be re-let where there are staff involved. Invitations to Tender should state that staff are to transfer pursuant to TUPE and information relating to pay, bonus payments, allowances, holiday entitlement and pension details should be obtained from the incumbent supplier to enable potential suppliers to cost the effect of staff transferring to them.

Advertising

19. Where the total value of the contract is less than £25,000 the Officer may identify potential Candidates using the most cost-effective and reasonable methods. This may include referring to advertising, catalogues, business directories, internet searches, proven track records, advice from Procurement etc.
20. Unless selecting candidates from a Framework Agreement, all contracts over £25,000 must be notified to the Corporate Procurement Unit to be published on the Council's eProcurement portal (Delta) and will then be advertised on Contracts Finder and on the Council's web-site.
21. Where the total value of the contract is greater than £25,000 and it is considered that suitable suppliers will be difficult to find then tenders may also be invited by means of an advertisement in one or more trade journals as the Executive Director considers appropriate.
22. For all contracts for more than £25,000, Officers must allow at least four weeks from the date of advertising until the deadline for the submission of tenders, or Standard Selection Questionnaires (SSQ) when the Restricted Procedure is used. If the contract value is over the relevant EU Threshold the EU regulation time limits apply as a minimum.
23. Guidance on the requirements for advertising in the OJEU are available from the Corporate Procurement Unit. Whenever a Contract Notice is placed in the OJEU, the information to be provided in any other publication must not exceed that placed in the OJEU. Under the Public Contracts Regulations 2015, when a Contract Notice is to be placed in the OJEU, no other advert may be placed until at least 48 hours after the despatch of the OJEU Notice. Provided the tender is managed via Delta this requirement will be managed automatically. ***N.B. if the UK leaves the EU it is expected that the OJEU advertising requirement will be replaced by a new UK national tender portal to be called National Tender Service (NTS).***

Framework Agreements

24. Framework Agreements are a formally-tendered arrangement where general terms and conditions are agreed that will apply to individual contracts let during the Framework period. The purpose of a framework is to provide a degree of flexibility and to avoid the need for repeated tenders of a similar nature.
25. As there are specific rules that need to be followed for Framework Agreements, all Frameworks must be let in conjunction with the Corporate Procurement Unit.
26. The Corporate Procurement Unit maintains a central record of internal Framework Agreements, and will monitor compliance with them. Where a Framework Agreement exists, all Council staff are required to obtain goods or services from the agreed contractor(s)/ supplier(s) on the terms and conditions contained in the Agreement.
27. Contracts based on existing Framework Agreements may be awarded by either:
 - 27.1. applying the terms laid down in the Agreement (where such terms are sufficiently precise to cover the particular call-off) to any or all of the suppliers specified within the Agreement without further competition; or

- 27.2. where the terms laid down in the Agreement are not sufficiently precise or complete for the particular call-off, by holding a further competition in accordance with the following procedure:-
- 27.2.1. inviting all those suppliers within the Agreement that are capable of undertaking the requirements of the contract to submit written quotations;
 - 27.2.2. fixing a time limit which is sufficiently long to allow quotations for each specific contract to be submitted, taking into account factors such as the complexity of the proposed contract;
 - 27.2.3. awarding each contract to the supplier who has submitted the best quotation on the basis of the award criteria set out in the original tender for the Framework Agreement.
28. Frameworks established by a Public Buying Organisation (PBO), such as ESPO or the Crown Commercial Service (CCS), are considered as a legitimate procurement route. Indeed, any framework established by a compliant tender procedure, which specified in the relevant OJEU Contract Notice that the framework would be open to our authority or a group of authorities of which we are a part, is a compliant procurement route.
29. To enable the PBO that established the framework to monitor its use, as they are required to do under Public Contracts Regulations, it is essential that we notify the “owner” of an external framework when we intend to use it. Some PBOs will require us to sign an Access Agreement prior to using their framework agreement.
30. Further Competitions conducted through Framework Agreements should be managed by the Corporate Procurement Unit using the Quick Call section of Delta.

Concession Contracts

31. In some instances it may be appropriate for the type of contractual agreement to be a concession. This is where the company we are contracting with are permitted to run and exploit the works or services that they are asked to carry out, therefore reducing both the Council’s costs and risks. An example of this is having a company host a Local Lottery on behalf of the Council.
32. The Procurement threshold for a concessionary contract to be openly advertised under the Concessions Contracts Regulations 2016 is £4,733,252 as from the 1st of January 2020. If the requirement is under this threshold it is still advisable for the Client Officer to approach multiple companies in the hope of achieving the best value possible.

Disposals

33. Where the disposal of a Council asset is required the Officer must demonstrate that best value is obtained for the asset(s) involved. The use of a public auction is the preferred method.

Inviting Tenders

34. Where the total value of a purchase is within the values in the first column below, the award procedure in the second column must be followed. At any time, Portfolio Holders may oversee and scrutinise any part of the quotation or tender process. The numbers stated are the minimum requirement. Lower value contracts may be advertised when the Officer has difficulty finding enough suitable Contractors.

Total Value	Advertising Process	Award Procedure
Up to £5,000	At least one written or electronic quotation. If price is obtained by a catalogue or website, evidence of this price must be recorded and retained.	Officer and, if desired, the relevant Executive Director.
£5,000.01-£25,000	At least three written or electronic quotations against a formal specification (see Request For Quotations below)	Officer and, if desired, the relevant Executive Director. Quotes are to be approved by the Procurement Team, before award the Procurement Team may request for additional Quotes
£25,000.01-£100,000	Tender conducted via Delta and advertised on both the Council's web site and on Contracts Finder.	Opened on Delta with an Officer with appropriate authority within the register of officer financial authorisation levels, the relevant Executive Director or a nominated deputy and evaluate together with a member of the Procurement Team.
Above £100,000	Contract advertised as above.	Opened on Delta with the Monitoring Officer or nominated Deputy present and evaluated by the Officer and appropriate Executive Director together with the Procurement Team.
Above EU Threshold	Contract advertised as above and a Contract Notice placed in OJEU.	Opened on Delta with the Monitoring Officer or nominated Deputy present and evaluated by the Officer and appropriate Executive Director together with the Procurement Team.

35. Where it can be demonstrated that there are insufficient suitably qualified candidates to meet the competition requirement outlined in the above table, all known suitably qualified candidates must be invited.

36. Where the total value exceeds the EU Threshold, the Officer must consult the Corporate Procurement Unit to determine the appropriate EU Procedure to conduct the purchase and the time-scales involved.

Pre-Selection or Short-listing

37. The use of Pre-Qualification Questionnaires is now prohibited. They have been replaced by the SSQ which is a standardised Government document in order to reduce red tape for SMEs. In most cases, the “Open” Tender procedure must be used to encourage fair and healthy competition.

Request For Quotation

38. The Request For Quotation (RFQ) must state that the Council is not bound to accept any quotation.
39. The RFQ must include the criteria that will be used for the evaluation of quotations and for making the contract award decision. In some cases the criteria will be a mix of price and quality factors. Whenever possible whole life costs of the contract should be evaluated rather than simply any initial capital outlay. Quality criteria must be as objective as possible and the RFQ must be clear about how each criterion will be measured.
40. The RFQ must include a specification as per CSO 49 – 52.
41. All candidates invited to quote must be issued with the same information at the same time and subject to the same conditions.
42. The RFQ must include a Quotation Response Form and a deadline must be provided for the completed form and other tender details to be returned by email to the Officer (A Template RFQ is provided at Appendix 14).

Invitation to Tender

43. The Invitation to Tender (ITT) must state that the Council is not bound to accept any tender.
44. The ITT must include the criteria that will be used for the evaluation of tenders and for making the contract award decision. In most cases the criteria will be a mix of price and quality factors. Whenever possible whole life costs of the contract should be evaluated rather than simply any initial capital outlay. Quality criteria must be as objective as possible and the ITT must be clear about how each criterion will be measured. Unless there is a fixed budget / price for the contract, price must account for a minimum of 30% of the evaluation. On services or works contracts the price criterion **should not** account for more than 70% of the evaluation.
45. The ITT must include a specification as per CSO 49 – 52.
46. All candidates invited to tender must be issued with the same information at the same time and subject to the same conditions. The ITT must provide a contact point for site visits where appropriate and care must be taken during any site visits or other direct contact with candidates to ensure that no information is provided verbally that is not provided to all candidates. All queries must be submitted through the Delta Message

Centre to allow the Procurement Team to liaise with client departments to provide suitable responses and then distribute those responses to all interested parties simultaneously.

47. The ITT must provide details of how to submit their Tender Responses via Delta. Any other type of Tender submission will be treated as invalid.

48. The ITT shall include the following:-

For all formal quotations over £5,000, candidates must sign the Non-Collusion/ Prevention of Corruption Certificate (As found in Appendix 14 – Page 50)	
Contracts between £25,000 and £100,000	Contracts over £100,000
Must state the award criteria in objective terms, in descending order of importance and, provide precise weightings.	Must state the award criteria in objective terms, in descending order of importance and, provide precise weightings.
Must include a Tender Response Form, and a Non-Collusion/ Prevention of Corruption Certificate.	Must include a Tender Response Form, and a Non-Collusion/ Prevention of Corruption Certificate.
Must include a warning regarding the Freedom of Information Act.	Must include a warning regarding the Freedom of Information Act.
Must either include the contract terms or state that a Purchase Order will be issued that will be subject to the Council's standard Conditions of Purchase available on the Council's website.	Must include the contract terms, or state that an industry standard contract such as JCT for building works, will be used.
Must include a warning that the Council will publish details of all payments over £500 and all contracts or purchase orders over £5,000 on its website.	Must include a warning that the Council will publish details of all payments over £500 and all contracts or purchase orders over £5,000 on its website.

Specifications

49. The specification must be fully prepared before the contract opportunity is advertised on Delta and appropriate technical advice must be obtained, when necessary, to ensure that the specification is clear and unambiguous.

50. A specification's purpose is to present prospective suppliers with an accurate and full description of the Council's needs and enable them to submit a tender that satisfies the Council's requirements. If a specification is unclear it can cause numerous queries to be raised during the tender process which can lead to the tender deadline having to be extended.

51. The requirements in the specification subsequently become incorporated in the contract with the successful supplier.

52. Specifications must not be discriminatory; distort potential competition or consist of non-commercial matters. Specific products, sources or processes must not be specified unless, below EU Thresholds and with agreement from the relevant Executive Director, it is deemed to be advantageous to do so in order to satisfy the Council's needs. Wherever appropriate, a non-discriminatory quality standard should be specified.

Submission of Tenders

53. There is a proscribed procedure for the submission, receipt and opening of tenders which can be found in Appendix 2 and which must be followed at all times.

Evaluation, Post-tender Negotiations and Contract Award

54. Appendix 2 also describes the procedure to be followed for evaluation of tenders, post-tender negotiations and contract award.

Exemptions

55. Exemptions from these Standing Orders are provided for in the Constitution. An exemption allows a contract to be placed by direct negotiation with one or more suppliers. Exemptions may be granted if they fall within one of the following categories:-
- 55.1. The work to be executed or the goods or services to be supplied constitute the first valid extension of an existing contract, which has been procured through a compliant tender exercise, provided that such an extension has received the necessary budget approval and does not exceed the value of the original contract or the next value threshold. Contracts must not be extended where the total value will exceed the EU Threshold unless originally tendered via an EU procedure and allowed for in the scope published in the original OJEU Contract Notice;
 - 55.2. The work to be executed or the goods or services to be supplied consist of repairs to, or parts for, existing proprietary machinery, where such repairs or parts are specific to that machinery OR upgrades to existing software packages;
 - 55.3. Works, supplies or services are urgently needed for the immediate protection of life or property, or to maintain the immediate functioning of a public service for which the Council is responsible. In such cases the contract must only last as long as is reasonably necessary to deal with the specific emergency;
 - 55.4. The Executive Director decides that special circumstances make it appropriate and beneficial to negotiate with a single firm or that a single tender be invited. This will include occasions when it can be established that there is only a single source available or where the Executive Director or his/her designate can demonstrate that best value for the Authority can be better achieved by not tendering.
 - 55.5. Legal services
56. Exemptions under these CSO **cannot** be granted if the EU Procedure applies. However, if you consider that there are legitimate reasons to defer a tender that is over the EU threshold then guidance must be obtained from the Monitoring Officer.
57. All exemptions, and the reasons for them, must be recorded using the form in Appendix 8. Exemptions shall be signed by the Officer's Executive Director and approved in writing by a Procurement Officer and by the Monitoring Officer.
58. The Monitoring Officer has the power to make technical amendments from time to time to make these CSO consistent with legal requirements, changes in Council structures and personnel and best practice, after consulting the Section 151 Officer, the Internal Audit Manager and the Corporate Procurement Unit.

Further Advice and Officer Responsibilities:

59. FURTHER ADVICE

Monitoring Officer:	Emma Duncan	01553 616270
Corporate Health & Safety Team:	Vicki Hopps	01553 616307
	Danielle Barrett	01553 616408
	Philippa Smith	01553 616333

CorporateHealthandSafety@West-Norfolk.gov.uk

Procurement Officers:	Tony Hague	01553 616791
	Allen Scholes	01553 616248
	James Hawes (Trainee)	01553 616538

procurementtenders@west-norfolk.gov.uk

60. OFFICER RESPONSIBILITIES

60.1. Officers

- a) The Officer responsible for purchasing or disposal must comply with these CSO, Financial Regulations and with all UK and European Union legal requirements.
- b) The Officer must keep the records demonstrating compliance with 60.1(a) above.
- c) Tender procedures must be conducted in accordance with CSO 34 – 54.
- d) Officers must ensure that agents or Consultants acting on behalf of the Council also comply with the requirements of these CSO. Such agents or Consultants must not make any decision as to whether to award a contract or whom a contract should be awarded to, they must only act in an advisory role when evaluating Tenders.
- e) Officers must take all necessary legal, financial and professional advice, including advice from the Corporate Procurement Unit.
- f) Officers must complete all Pro Formas included within Appendices 9, 11, 12 and 13 (if all are appropriate) before their tender requirement is considered.
- g) Consider whether and, if so, in what form it might be prudent to obtain a formal guarantee or warranty from the contractor.
- h) For contracts between £5,000 and £25,000, obtain approval from the Corporate Procurement Unit before awarding the contract.

60.2. Executive Directors

Executive Directors must:

- (a) ensure that their staff comply with these CSO.
- (b) keep a **register** of:
 - Tenders received for contracts valued between £25,000 and £100,000.
 - Exemptions recorded under Standing Order 55.

60.3. Further details about roles and responsibilities can be found in Appendix 10.

Appendix 1: Definitions

- "Candidate" - Any person or company who asks or is invited to submit a quotation or tender.
- "Code of Conduct" - Either the code regulating conduct of officers issued by the Chief Executive or Executive Director, Central Services or the Code of Conduct for Members as defined in the Council's Constitution.
- "Consultant" - Someone employed for a specific length of time to work to a defined project brief with clear outcomes to be delivered, who brings specialist skills or knowledge to the role, and where the Council has no ready access to the skills, experience or capacity to undertake the work.
Where a person is employed on a temporary employment contract via Personnel Services or is employed via an Agency, such a person would NOT normally be considered to be a Consultant for the purposes of Contract Standing Orders, but will be considered to be an Officer if the work they do concerns part or all of the contracting process.
- "Contracting Decision" - Any of the following decisions:
 - short-listing
 - award of contract
 - any decision to terminate a contract.
- "Council's Standard Contractual Terms" - A standard form of written contract (available from the Corporate Procurement Unit) or any other written contract approved by the Monitoring Officer. The terms will usually include: -
 - when the Council will have the right to terminate the contract;
 - that the contract is subject to the law as to prevention of collusion and corruption
 - any insurance requirements
 - data protection requirements (if relevant);
 - where agents are used to let or manage contracts, that agents must comply with the Council's Contract Standing Orders relating to contracts, as well as the Council's Financial Regulations;
 - a right of access to relevant documentation and records of the contractor for monitoring and audit purposes (if relevant).
 - details of whether variations to the specification are permitted;
 - that the contractor may not assign or sub-contract without prior written consent
 - The requirement for Contractors to pay Subcontractors within 30 days.
- "Delta" - The Council's eProcurement portal, used for all Tenders and Framework further competitions. All correspondence relating to each Tender or further competition must be sent via Delta so that a complete audit trail is maintained in the system.

- "EU Procedure" - The procedure required by the European Union procurement directives where the total value exceeds the EU Threshold. There are essentially five main means of seeking tenders using the EU Procedure: Open; Restricted; Competitive Procedure with Negotiation; Competitive Dialogue and Innovation Partnership. Guidance as to the different time-scales and procedures involved should be obtained from the Corporate Procurement Unit. If the UK leaves the EU it is expected that EU procedures will be replaced by very similar Government Procurement Agreement (GPA) and/or World Trade Organisation (WTO) rules.
- "EU Threshold" - The contract values at which European Union public procurement directives must be applied are currently £189,330 for the supply of goods or services and £4,733,252 for works contracts (NB figures are from 1 January 2020 and normally change every two years). If in doubt as to which threshold is appropriate or for more up to date thresholds, consult the Corporate Procurement Unit or the Monitoring Officer.
- "Irregular Tender" - A tender that is submitted in a manner that does not comply with the requirements specified in the ITT.
- "Monitoring Officer" - The designated Monitoring Officer, as defined in the Constitution. Currently the Legal Services Manager.
- "Non-Commercial Considerations":
- (a) any involvement of the business activities or interests of contractors with irrelevant fields of Government policy;
 - (b) the conduct of contractors or workers in industrial disputes between them or any involvement of the business activities of contractors in industrial disputes between other persons ("industrial disputes");
 - (c) the country or territory of origin of supplies to, or the location in any country or territory of the business activities or interests of, contractors;
 - (d) any political, industrial or sectarian affiliations or interests of contractors or their directors, partners or employees;
 - (e) financial support or lack of financial support by contractors for any institution to or from which the authority gives or withholds support;
 - (f) use or non-use by contractors of any technical or professional services provided by the Authority.
- "Officer" - The officer designated by the relevant Executive Director to deal with the contract in question. A contractor or any person, whether an employee of the Council or not (e.g. an appointed Consultant or agent) who has been designated to manage or supervise, in whatever capacity, on behalf of the Council, is deemed to be an Officer for the purposes of these Contract Standing Orders.
- "OJEU" - An abbreviation of the Official Journal of the European Union which is the advertising medium for the EU. Advertisements, or "Contract Notices" are placed in the publication each day, including weekends. In addition Contract Award Notices are published to inform interested parties of the details of the contract's award. If the UK leaves the EU, it is expected that OJEU will be replaced by a new national tender portal.

- "Open Procedure" - All candidates responding to the advertisement are invited to tender.
- "Parent Company Guarantee" - A contract which binds the parent of a subsidiary company as follows: If the subsidiary company fails to do what it has promised under a contract with the Council, the Council can require the parent company to do so instead.
- "Performance Bond" - An insurance policy: if the contractor does not do what it has promised under a contract with the Council, the Council can claim from the insurer the sum of money specified in the Bond (often 10% of the contract value). A Bond is intended to protect the Council against additional costs arising from the contractor's failure.
- "Preferred Bidder" - A participant in a tender exercise that comes top in the initial evaluation of the tenders. Further clarification of tender details or checks on the candidate's financial, health & safety or insurance position may be necessary prior to a contract award decision being confirmed.
- "Public Buying Organisations" - Network of public sector organisations that collectively procure framework agreements for the procurement of goods or services. For example, the Network of public sector buying organisations, Eastern Collective Purchasing Organisation, Central Buying Consortium of goods and services, Yorkshire Purchasing Organisation, Buy Well Solutions, Eastern Single Purchasing Organisation, Central Buying, the Public Buying Organisations Purchasing Organisation. Where appropriate, EU regulations must have been complied with by the buying Agency concerned and such bodies are themselves bound by EU Procedures in terms of their own procurement.
- "Quotation" - A written quotation of price and any other relevant matter for contracts valued at less than £25,000. They can be submitted in an informal manner such as a letter or email and can be received and opened by the Officer and, if appropriate, their Executive Director.
- "Record Book" - The log kept by the Executive Director to record details of tenders up to £100,000 relating to his or her service areas
- "Restricted Procedure" - Candidates responding to the advertisement are invited to complete and submit a Standard Selection Questionnaire and a "restricted" short-list is then created based on the evaluation of the questionnaire responses.
- "Section 151 Officer" - The designated Chief Finance Officer with legal responsibility for the Council's finances and providing financial advice to the Council.
- "Tender Record Book" - The log kept by the Monitoring Officer to record details of tenders over £100,000.

Appendix 2: Tender Processes

SUBMISSION, RECEIPT AND OPENING OF TENDERS

1. Candidates invited to respond must be given an adequate period in which to prepare and submit a proper tender, consistent with the urgency of the contract requirement. At least **four weeks** must be allowed for submission of tenders, therefore please bear this in mind when preparing the tender documentation. The EU Regulations lay down specific time periods depending upon which EU Procedure is used. If in doubt, consult the Corporate Procurement Unit. All candidates must be advised of the deadline date and time. This must be the same for all candidates for a contract.
2. All Tenders for any contract must be submitted via Delta. Any that are not submitted in this manner will be deemed as Irregular Tenders.
3. Where a tender has been received which is an Irregular tender, the Officer shall, before opening any of the tenders, submit a report to the Executive Director and the Monitoring Officer, giving details of the Irregular tender. If, having considered that report, the Executive Director and the Monitoring Officer both consider that the candidate submitting the Irregular tender has gained no advantage from its irregularity, they may determine to accept it. In this case, they may authorise that it be opened and evaluated together with any other tenders in accordance with Standing Orders 47 and 48. The Executive Director and the Monitoring Officer shall record in writing the reasons why each Irregular tender has been accepted or rejected and sign and date the record in either the Executive Director's, or Legal Services' Tender Record Book or as appropriate for the contract
4. No tender shall be opened until after the date and time appointed for the receipt of tenders for the proposed contract. Tenders must be opened at the same time, in the presence of at least two officers.
 - 4.1. For tenders up to £100,000 the two officers must be designated for the purpose by the Executive Director responsible for the contract to which the tender relates.
 - 4.2. For tenders over £100,000 the opening must be witnessed by the Executive Director responsible for the contract, to which the tender relates, and the Monitoring Officer or their nominated deputies.
5. Where tenders have been invited for any proposed contract that has been estimated to exceed £100,000, the relevant Portfolio Holder or their nominated representative must be invited to the tender opening.
6. Immediately upon the opening of tenders up to £100,000:
 - 6.1. The name of each person or firm from whom a tender has been submitted and the amount thereof must be entered in the Record Book. Each contract should be recorded on a separate page, with a heading briefly describing the proposed contract to which the tender relates;
 - 6.2. The relevant page in the Record Book will be ruled off below the last tender entered and the page signed by both of the nominated officers;
7. Immediately upon the opening of tenders over £100,000:
 - 7.1. The name of each person or firm from whom a tender has been submitted and the amount thereof must be entered in the Tender Record Book. Each contract should be recorded on a separate page, with a heading briefly describing the proposed contract to which the tender relates;
 - 7.2. The relevant page in the Tender Record Book will be ruled off below the last tender entered and the page signed by the two officers and countersigned by the relevant

Portfolio Holder, whenever the Portfolio Holder is present at the tender opening.

8. If documents are found to be missing from a tender submission, the appropriate candidate should be contacted and afforded the opportunity to submit the missing information via the Delta Message Centre within 48 hours of the tender being opened. Any candidate who then fails to supply the required information can be rejected on the grounds that they have failed to comply with the requirements of the specification.
9. If there appears to be an error or omission in a bid or supporting information, the candidate must be invited to confirm or withdraw the bid. Where the error relates to the tendered total sum as calculated from the submitted rates and variable quantities, the bid will be regarded as the total bid and the rate adjusted accordingly. The candidate will be invited to confirm or withdraw the bid and resulting rate. This is to ensure that the subsequent evaluations or Post-Tender Negotiations are undertaken on the basis that initial bids have been submitted on an even basis and to the same specification (but see paragraph 10 below).

CLARIFICATION PROCEDURES

10. After opening the quotation or tender submissions, it may be apparent that one or more of the companies that have submitted bids has misinterpreted the specification. If it is clear that this was as a result of an error or ambiguity in the specification, the Monitoring Officer must be consulted as to whether all contractors should be provided with a revised specification that identifies and corrects the error or ambiguity and provides them with the opportunity to amend their bid.

EVALUATION, POST-TENDER NEGOTIATIONS AND CONTRACT AWARD

Evaluations

11. Confidentiality of tenders and the identity of candidates must be preserved at all times. Information about one candidate's response must not be given to another candidate. This includes the situation where one part of the Council is a candidate that is being considered for a contract by another part of the Council. In such an eventuality, the two sides of the process must be clearly divided between candidate and client, with no advantage being passed to the internal candidate, in order to be able to demonstrate that the contract has been let on purely objective criteria.
12. Contracts must be evaluated and awarded in accordance with the award criteria notified in the ITT. The decision as to which contractor is successful must be made by an Executive Director or his nominated deputy. When required by the Council's Constitution, the relevant Portfolio Holder must be involved in the award decision.
13. If a presentation or interview is to be part of the evaluation process then the guidelines found in Appendix 3 should be followed.

Post-Tender Negotiations

14. Post-tender negotiation means negotiations with any candidate after submission of a tender and before the award of the contract with a view to obtaining an adjustment in price, delivery or content. It must not be conducted in an EU Procedure where this might distort competition particularly with regard to price, except where the EU Procedure permits this. For contracts being let using an EU Procedure, post-tender negotiations must not be conducted without the prior approval, in writing (email), of the Monitoring Officer.

15. Where post-tender negotiation results in a fundamental change to the specification, or the contract terms, the contract must not be awarded but must be re-tendered.
16. Post-tender negotiations must be conducted by a Procurement Officer, together with a representative nominated by the Executive Director responsible for the contract area.
17. Detailed notes must be kept of the meetings and these notes must be capable of being incorporated into the contract, to clarify what was meant in the specification.
18. Post-tender negotiation must only be conducted in accordance with the guidance set out in paragraphs 14 – 17 above.

Contract Award

19. All candidates must be notified simultaneously, and as soon as possible, of any contracting decision. For contracts where the total value exceeds £25,000:
 - 19.1. The notification must be in writing, via the Delta Message Centre
 - 19.2. In all cases the following information should be given to unsuccessful candidates:
 - 19.2.1. their overall score
 - 19.2.2. the name and overall score of the successful candidate
 - 19.2.3. the approximate value of the contract
 - 19.2.4. their score for the individual criteria used in the evaluation
 - 19.2.5. the score of the successful candidate for the individual criteria used in the evaluation
 - 19.2.6. the reasons for the individual scores
 - 19.3. It is good practice to provide Suppliers with the information in 19.2 above in all cases regardless of contract value.
 - 19.4. Unless authorised by the Monitoring Officer, no further information should be given to unsuccessful candidates.
20. For all contracts let using an EU Procedure, a statutory standstill period of at least 10 days must be provided for between communicating the contract award decision and the successful contractor signing the contract, in order to allow the decision to be challenged by unsuccessful candidates.

Retention of Documents

21. Where the Total Value is below EU Thresholds, the following documents must be kept (these documents may be stored in electronic format):-
 - 21.1. any relevant Exemption Forms;
 - 21.2. a copy of the advertisements placed on the Council's website and on "Contracts Finder";
 - 21.3. the Request for Quotation or Invitation to Tender, including the Specification and the Award Criteria;
 - 21.4. all quotations or tenders received;
 - 21.5. details of the evaluation of the quotations or tenders, demonstrating reasons if the lowest price is not accepted;
 - 21.6. minutes of any clarification or post-tender negotiation meetings;
 - 21.7. written records of communications with the successful contractor or an electronic record if a written record of the transaction would not normally be produced.
 - 21.8. A copy of the Contract Award Notice, if openly advertised.

22. Where the Total Value exceeds EU Thresholds the following documents must be kept, in addition to those listed in paragraph 21 above: -
- 22.1. a copy of the OJEU Contract Notice;
 - 22.2. a copy of the Social Value Form (for services contracts)
 - 22.3. a copy of the OJEU Contract Award Notice
23. Records required must be kept in accordance with the Council's Retention Policy.

Appendix 3: Presentations and Interviews as Part of the Selection Process

If a formal interview or presentation is to be sought from some or all the candidates:

- (a) Careful consideration needs to be given as to how the interview or presentation process will benefit and be incorporated into the evaluation methodology. Ordinarily a presentation stage should be explained in the ITT.
- (b) Consideration needs to be given as to how (or if) new information, not previously presented by the candidates, is to be incorporated into the evaluation model. The ITT must clearly state whether the presentation will account for a defined part of the evaluation scoring by itself or, whether information from the presentation may be used to modify initial scoring based solely on the written tender.
- (c) All candidates must be given **at least** a week's notice if they will be required to interview so please bear this in mind when timetabling your Tender requirement.
- (d) If the interview panel is to comprise Members, the Members concerned should be involved in the process of deciding upon the information required from the candidates involved. Careful consideration of the questions, and who is to put them to the Candidates involved is required.
- (e) Normally, at least two candidates should be invited to make presentations or attend interviews. If after the initial evaluation of tenders, it is decided not to interview some of the candidates, the unsuccessful candidates must be notified at the same time that those selected are invited.
- (f) They must be held before the contract is awarded.

Appendix 4: Insurances

Introduction

1. This Appendix gives guidance to staff when requesting insurance details in the SSQ.

The risks involved in a contract

2. The level of insurance should relate to the risks of the contract. The risks are the likelihood of an incident happening and the potential impact. The table below is intended as a guide to assessing the likely impact:

IMPACT		
	Property	People
High	Value of building and/ or assets are in excess of £5m and damage could affect more than 25% of the building or assets.	and/ or More than 5 people (members of the public and / or staff) would be put at risk of death or major injury.
Medium	Value of building and/ or assets are in excess of £2m and damage could affect more than 25% of the building or assets.	and/ or More than 2 people (members of the public and / or staff) would be put at risk of serious injury.
Low	Value of building and/or assets are in excess of £1m and damage could affect more than 25% of the building or assets.	and/ or One or no persons (members of the public and / or staff) would be put at risk of serious injury.
Trivial	Value of building and/ or assets are less than £1m.	and/ or No-one, other than the contractor, could reasonably be expected to be put at risk of injury.

The appropriate level of insurance

3. For Public Liability, the normal insurance that is required is £5m but contractors sometimes ask if a lower level is acceptable.
4. For Employer's liability it is a legal requirement for Contractors to have cover of £5m and a higher level of insurance should be considered for large contracts.
5. £10m may be required for larger projects such as major construction works.

6. Professional Indemnity cover should be requested from Architects or other Consultants providing professional advice or Contractors responsible for any element of design.
7. Using the simple risk matrix shown below the appropriate level of insurance can be decided:

		Likelihood		
		Remote	Unlikely	Could happen
I M P A C T	High	£5 million	£5 million	£10 million
	Medium	£2 million	£5 million	£5 million
	Low	£2 million	£2 million	£5 million
	Trivial	£1 million	£2 million	£5 million

Practical guidance

8. The usual contractor's insurance will be £5m. However where Executive Directors consider the risk to be high they should consult with the Accountant responsible for insurance to decide which level is appropriate taking into account the risk, likelihood and impact. If the Executive Director considers the risk to be low and warrants a reduced insurance level (£2 million or less), this will need to be agreed with the Accountant responsible for insurance.
9. The Executive Director and the Accountant will consider:
 - 9.1. Whether the proposed value of cover is appropriate
 - 9.2. The insurance is valid for the dates of the contract
 - 9.3. Any exclusions from the policy that might cause concern are considered
10. In the event of any dispute on the level of insurance to be taken, the final decision will rest with the Section 151 Officer.
11. The decision as to the level of insurance required needs to be taken early in the contract-letting process, in order to ensure that the subsequent documentation (e.g. SSQ, draft/specimen contracts) is consistent and refers to the agreed limit, as this may affect the prices included within the contract.

Appendix 5: Contract and Other Formalities

CONTRACT DOCUMENTS

1. Every purchase must have either an Official Order, created through the Council's POP system, or the Council's standard Form of Contract. For contracts with a total value over £100,000 a formal contract must be used and must be sealed and signed by the Monitoring Officer.
2. Procedural and legal advice of the Monitoring Officer must be sought for the following contracts:
 - (a) those involving leasing arrangements;
 - (b) those which are complex in any other way;
 - (c) when it is proposed to use the supplier's own terms or conditions.

Contract formalities

3. Contracts shall be completed as follows:

<u>Total Value</u>	<u>Method of Completion</u>	<u>By</u>
Up to £100,000	Evidenced in writing as described in 1 above	POP order authorised at the level appropriate to the value or, formal contract signed by the relevant Executive Director or by the Monitoring Officer.
Above £100,000, or below this amount if required by the Monitoring Officer.	In writing under seal	See below

4. For all contracts, no contractor or Consultant will commence work on a contract until they have met the following conditions, unless agreed otherwise in writing by the Monitoring Officer:-
 - 4.1. the contract has been concluded formally in writing in a form approved by the Monitoring Officer, except in exceptional circumstances, and then only with the written consent of the Monitoring Officer;
 - 4.2. Where relevant or required for the contract, the Monitoring Officer has received a Parent Company Guarantee or Performance Bond and Deed of Warranties in a form approved by the Monitoring Officer;
 - 4.3. The Monitoring Officer has received proof that the contractor has the necessary insurance cover;
 - 4.4. The Officer has obtained approval of the Contractor's Health and Safety Policy & Procedures from the Council's Corporate Health & Safety Team.
 - 4.5. Note: A Preferred Bidder letter or letter of intent is not considered to be a contract for the purpose of this clause. Such letters must state that their content does not amount to a formal acceptance of the tender and that there is no intention to create a legal relationship pending the execution of the formal contract. The letter must be approved by the Monitoring Officer.

Signature

- 4.6. The Monitoring Officer must ensure that the person signing for the other contracting party has the authority to bind it.

Sealing

- 4.7. Where contracts are completed by the Council adding their formal seal, the fixing of the seal must be witnessed by or on behalf of the Monitoring Officer or the Executive Director for Central Services, or otherwise in accordance with the Council's Scheme of Delegation. Every Council sealing will be consecutively numbered, recorded and signed by the person witnessing the seal. The seal must not be affixed without the authority of Cabinet, the Portfolio Holder or an Executive Director acting under delegated powers. A contract must be sealed where:

- 4.7.1. the Council may wish to enforce the contract more than six years after its end; or
- 4.7.2. the total value exceeds £100,000; or
- 4.7.3. the Monitoring Officer or Procurement Team requires that the contract needs to be sealed, where the amount is less than £100,000.

PERFORMANCE BONDS AND PARENT COMPANY GUARANTEES

- 4.8. The Officer must consult with the Section 151 Officer and the Monitoring Officer in respect of all tenders where the total value exceeds £1,000,000 as to whether a Performance Bond and/ or Parent Company Guarantee or other similar security is required.
- 4.9. A record must be kept of the decision made after the consultation referred to in 4.8 above.

PREVENTION OF CORRUPTION

- 4.10. The Officer must comply with the Code of Conduct and must not invite or accept any gift or reward in respect of the award or performance of any contract. Council members must comply with the Councillors' Code of Conduct.
- 4.10.1. High standards of conduct are obligatory. Corrupt behaviour will lead to dismissal or removal from office and is a criminal offence.
 - 4.10.2. If any Officer or elected Member of the Council, who is involved in any way with a procurement process, has an interest themselves or has a close family member who has an interest in a candidate for the Contract which is the subject of that procurement they must declare the interest in writing to the relevant Executive Director.
 - 4.10.3. Attention is drawn to the Council's Whistle-blowing Policy, which is incorporated into the Staff Handbook and is available on the Council's website and Intranet and applies to all staff, Members, contractors and consultants.
 - 4.10.4. Officers and Members must be aware of the Bribery Act 2010, which introduced four offences of bribery as detailed in Section 2.2 of the Anti-Fraud and Anti-Corruption Strategy.
- 4.11. All Candidates for any contract with a total value greater than £5,000 must sign the Council's standard Non-Collusion and Prevention of Corruption Certificate when submitting either a quotation or a tender, which can be found in Appendix 13.
- 4.12. The Non-Collusion and Prevention of Corruption Certificate must be appended to any formal contract and form part of the "contract documents".

Appendix 6: Contract Management, Monitoring and Evaluation

1. During the life of the contract the designated Officer must actively manage and monitor the contract/ contractor in respect of:
 - 1.1. performance
 - 1.2. compliance with the Specification and contract
 - 1.3. cost
 - 1.4. any requirements to improve Value for Money
 - 1.5. user satisfaction
 - 1.6. risk management including up to date site specific RAMS and insurance details
 - 1.7. and in accordance with any corporate guidance.
2. Where the total value of the contract exceeds £100,000 the designated Officer must produce a written Contract Management Plan covering, as a minimum, routine information flows between the Council and the Contractor, the frequency of operational and formal review meetings and the attendees for those meetings, Key Performance Indicators (KPIs) and the target levels for those KPIs.
3. Minutes should be kept of all contract review meetings along with a report of recent KPI levels. Particular attention should be given to any failure to fulfil the specification and, where default procedures are provided in the contract these should be used to encourage prompt rectification of service or quality failures.
4. In the case of long-term contracts the Officer must manage contract development. This may be changes to service requirements, working with the contractor to reduce costs or improve value for money or other amendments.
5. Where the total value of the contract exceeds £250,000, the Officer must make a written report evaluating the extent to which the purchasing need and the contract objectives were met by the contract and the contracting processes (including the application of these CSO). This should normally be done when the contract is completed and will provide feedback to officers and Members as to the success or otherwise of the contract and the contracting processes.
6. Where the contract is to be re-let, a provisional report should also be available early enough to inform the approach to letting the subsequent contract. Consideration should be given to necessary changes to the specification for the next contract and possible changes to the contract award criteria.
7. The Officer should aim, where practicable, to ensure that payments made by the principal contractor to sub-contractors are made on time. (NB It is a legal requirement that all Council contracts include a clause requiring sub-contractors to be paid within 30 days).

Appendix 7: Land and Property Transactions

1. This applies to acquisitions and disposals of property and land and to leases for a fixed term of more than seven years.
 - 1.1. All valuations and negotiations in respect of transactions shall be carried out under the supervision of the Property Services Manager or a properly qualified Member of the Royal Institution of Chartered Surveyors or equivalent appointed by the Council.
 - 1.2. All valuations prepared for the purpose of a transaction must be accompanied by evidence of the values of comparable properties in the locality.

Acquisitions

2. No freehold or leasehold interest in land may be negotiated or acquired until an Officer with delegated powers as defined in the Council's Scheme of Delegation has obtained:
 - 2.1. A description of the property or land;
 - 2.2. Any information which may affect the value of the property or land including, where appropriate, reports of structural or potential contamination;
 - 2.3. The proposed purchase price or rent level, supported by any relevant evidence of comparable transactions;
 - 2.4. Any other terms and conditions.

Disposals

3. Except as provided under paragraph 4 below land or buildings owned by the Council shall not be leased or sold other than on terms approved by persons with delegated powers as defined in the Council's Scheme of Delegation, setting out as appropriate in any particular case:
 - 3.1. an inspection report describing the property or land and its physical characteristics and development constraints;
 - 3.2. a report on title by the Monitoring Officer;
 - 3.3. any information from the Council's records or those of statutory undertakers which would affect the property or land's value or development potential, including any information concerning contamination or possible contamination resulting from the previous use of the land;
 - 3.4. an assessment of the potential for the use of the site or property by the Council;
 - 3.5. an assessment of the development potential of the property or land by the appropriate Council Planning Officer;
 - 3.6. an assessment of the value of the land or property being sold and a comparison between the assessed value and the price being sought from the potential purchaser, including details of any consideration, land exchange, or other pertinent fact as to the price or value of the land or property;
 - 3.7. recommendations on the following:

- 3.7.1.issues that need to be resolved before marketing the property or land can proceed;
 - 3.7.2.the method of disposal;
 - 3.7.3.the title to be transferred;
 - 3.7.4.the price the Council must receive along with the "asking" and "reserve price";
 - 3.7.5.whether legal and other costs must be recovered from the prospective purchaser and if so an estimate of their amount;
 - 3.7.6.the appointment of external advisers or agents;
 - 3.7.7.whether negotiations must proceed with a special purchaser.
4. These requirements shall not apply to the letting of the Council's industrial or commercial property or other short-term letting.
 5. All disposals of property or land owned or leased by the Council shall be by one of the following methods:
 - 5.1. Private Treaty
 - 5.2. Public Auction
 - 5.3. Formal Tender
 6. In the event that it is decided to dispose of property or land by way of a tender then so far as it is practicable the procedures laid down in CSO continue to apply.

Appendix 8: Exemption Form

RECORD OF THE EXEMPTION FROM OF THE REQUIREMENTS OF CONTRACT STANDING ORDERS

Contract name/ description:	
Name of Contractor:	
Contract Sum:	£
Anticipated date of Commencement of Contract:	
Anticipated date of completion of Contract:	
Contract Supervisor:	
Brief Contract Details:	
Reason(s) for being exempt from the requirements of Contract Standing Orders (i.e. details of which paragraph(s) in Standing Order 55 apply) :	
Signed _____ Executive Director	
Approved: _____ Procurement Officer Date:	Approved: _____ Monitoring Officer Date:

Appendix 9: Social Value Form

Public Services (Social Value) Act 2012

Procurement of

How could the services above contribute to improvements in the following aspects of the Council's area?	What action is necessary to encourage or achieve these outcomes?
Economic well-being?	
Social well-being?	
Environmental well-being?	
How could the procurement of this contract contribute to improvements in the following aspects of the Council's area?	What action is necessary to encourage or achieve these outcomes?
Economic well-being?	
Social well-being?	
Environmental well-being?	

Signed Date Officer's Name

In order to comply with the Act, the Officer responsible for the procurement must complete this form and retain it in the contract file. The Officer must also ensure that the actions listed are included in the procurement process.

Appendix 10: Officer Roles and Responsibilities

1. All Officers

All Officers involved in procurement and contract management activities are required to familiarise themselves with, and adhere to, the Council's CSO and financial regulations, ensuring that at all times:

- Public money is spent in a way that achieves value for money
- Procedures are followed consistently with the highest standards of integrity
- There is fairness, openness and transparency in the award of contracts
- All legal requirements are adhered to
- Non-commercial considerations do not influence any contracting decisions
- Decisions support the Council's corporate and service aims and policies
- Decisions comply with financial regulations, the Council's Procurement Strategy, health and safety requirements and competition requirements
- It can be demonstrated that the Council's interests have not been prejudiced nor exposed to unnecessary/unacceptable risks
- Comprehensive records are maintained
- Information is supplied to Procurement to enable compliance with Government transparency requirements
- Supplier entry requirements aren't too restrictive

All to attend the 'Introduction to Effective Procurement' course.

2. Procurement Team

Role:

The role of the Procurement Team is to provide a central contact/advice service to all Council Officers undertaking procurement activities. The team will provide professional advice and guidance, and practical assistance, on all aspects of the procurement process, in particular ensuring adherence to the CSO for contracts of a value in excess of £25k and to approve quotations between £5k and £25k obtained by the Client Department Officers. The role of the Procurement Officers is to provide a support service to Clients.

Key Responsibilities:

- **To provide advice on CSO and their application to varying scenarios presented by Clients. To include advice/guidance on the correct approach to be followed based on the value of the contract to be awarded, and on the type of contract that can be awarded in different situations.**
- **To assist the Client in producing documentation required during the procurement process (such as SSQs (if appropriate), ITTs, evaluation spreadsheets)**
- **To ensure that the requirements of CSO and EU tendering legislation is adhered to**
- **To determine whether the contract should be centrally managed by the Procurement Team.**

General Responsibilities:

- To ensure that the relevant departments are aware of any proposed tenders i.e. ICT
- To assist the Client with writing the specification for the product/service to be procured
- To work with the Client to determine the award criteria for the contract and appropriate weightings of each criterion.

- To place adverts/contract notices on Delta, the Council's web-site and Contracts Finder or OJEU (as appropriate)
- To send Delta links to relevant suppliers who may be interested in advertised opportunities.
- To receive and respond to queries from potential suppliers and Candidates via Delta, agreeing responses with client departments
- Assist with SSQ evaluations (when requested)
- To undertake the financial evaluation of SSQs
- To follow up references (as required)
- To organise tender opening, inviting the Monitoring Officer and Portfolio Holder for any contracts over £100k
- To support the Client Officer with other aspects of tender evaluation as may be required
- To organise, attend and produce minutes for, post-tender interviews/negotiations
- To notify successful and unsuccessful Candidates of the outcome of the tender exercise
- To pass relevant documentation to Legal Services to enable contracts to be drafted
- To ensure all post tender procedures are fully complied with (e.g. Responding to queries from unsuccessful Candidates)
- To keep records as appropriate within the Procurement Team
- To monitor expenditure on contracts once awarded
- To ensure compliance with framework contracts across the organisation
- For contracts in excess of £100k, to work with Contract Managers in discussions regarding contract variations to ensure CSO are adhered to

All to attend appropriate training courses to keep up to date with Public Contracts Regulations and professional best practice.

3. Client Officer

Role:

The role of the Client is to undertake a range of duties and provide specialist professional/technical knowledge to the procurement process to ensure that the Council achieves the best possible outcome when new service(s)/product(s) are procured. NB. These responsibilities are to be adhered to irrespective of the value of the contract.

Key Responsibilities:

- **To liaise with the Procurement Team as required to ensure all activities undertaken comply with the Council's CSO and financial regulations. To include seeking advice/guidance on the application of these policies as required**
- **To produce the documentation required during the tendering and evaluation process**
- **To undertake a thorough evaluation process together with the Procurement Team to ensure the selection of the best possible solution for the Council's requirements**

General Responsibilities:

For all contracts:

- To alert the Procurement Team at the earliest opportunity when the need for new contracts arise, to allow for sufficient advertisement and evaluation time. Ideally at least 2 months before the requirement.
- If required, to prepare and obtain agreement from the appropriate body for, the business case leading to a decision to procure a particular service/product(s). To include ensuring there is sufficient budgetary provision for the proposed expenditure
- To produce the detailed specification for the service/product(s) to be procured
- To determine the criteria upon which the tenders will be evaluated, with advice from Procurement if required

- To provide Procurement with project specific questions to include in the SSQ (if used) to help restrict competition to suitable contractors only.
- To work with the Procurement Team on the evaluation of SSQs (if it is a two-stage process) and tenders
- To lead selection interviews or a meeting with the preferred supplier (as appropriate)
- To keep an accurate record of decisions made at each stage of the tender process, including the records defined in CSO
- To provide the Procurement Team with response to questions/queries which may be raised by Candidates at any stage of the tender process
- To determine the key performance indicators against which performance of the contract can be monitored
- To develop a working knowledge of existing framework contracts and to liaise with the Procurement Officers to ensure existing contracts are utilised where possible to maximise savings for the Council

For contracts of a value less than £25k:

- To produce the Request for Quotation
- To contact the successful Candidate and award the contract
- To contact unsuccessful Candidates and advise them of the outcome of the process

For contracts of a value in excess of £25k:

- To provide information to the Procurement Team to enable the tender to be advertised
- To liaise with the Procurement Team regarding the production of the invitation to tender
- To assist with tender opening
- To evaluate the tenders received
- To produce a shortlist of Candidates for interview or identify a preferred supplier (as appropriate)
- To determine, in consultation with the Procurement Team, the award of the contract
- To liaise with / advise the Procurement Team on agreed variations to the contract
- To ensure that any and all contract variations have been documented and where necessary the correct authorisation gained.

All to attend the 'Specification Writing and Selection of the Successful Contractor' course

4. Contract Manager

NB. The Contract Manager may or may not be the same person undertaking the 'Client' role.

Role:

The Contract Manager is responsible for the day-to-day management of the contract awarded as the result of a tendering exercise. This involves monitoring performance, providing feedback, developing, and maintaining, an effective relationship with the supplier and ensuring the effective ongoing administration of the contract to ensure the required outputs/outcomes are achieved with maximise benefit for the Council. NB. These responsibilities are to be adhered to irrespective of the value of the contract.

Key Responsibilities:

- **To be responsible for the monitoring and reporting of performance against the contract specification and budget, including maintaining key performance indicators**
- **To co-ordinate and chair regular contract review meetings – at which both past performance (good and bad) will be discussed and future targets may be set, and maintaining records of the discussions held at the meeting**

- **To ensure that the Council continues to achieve best value throughout the term of the contract**
- **To keep Procurement informed of any issues from an early stage, allowing them to escalate if performance fails to improve**

General Responsibilities:

- To work with the Client Officer to obtain a good working knowledge of the contract specification, contract budget and required outputs/outcomes and to ensure a clean handover with the successful Candidate prior to the commencement of the contract
- To allocate sufficient time, particularly at the start of the contract, to manage the contract effectively
- To ensure regular operational meetings/dialogue is held with the contractor
- To identifying, at an early stage, any sub-standard performance and take steps to address this – gaining commitment from the contractor to resolve the problem within an agreed timescale.
- To regularly review any risks identified within the contract, referring any concerns to the Procurement Team
- To lead any discussions regarding potential contract variations, seeking advice from the Procurement Team before any such agreements are made. NB. For contracts where the variation will exceed 20% of the contract value to raise the potential need for contract variations with the Procurement Team at an early stage to ensure their involvement in any subsequent discussions and ensure CSO are adhered to. If not the Client Officer, this officer must ensure that they are authorised to make the types of variations being discussed prior to meeting with the contractor / supplier and keep the client officer updated on what is being agreed.
- To authorise invoices in connection with the provision of services/goods arising from the contract and to raise issues/queries regarding invoices with the contractor
- To develop and maintain effective working relationships with the contractor
- To manage any issues which arise during the performance of the contract, such as changes to requirements, conflicts of interest, dealing with unforeseen events
- To obtain, where relevant/appropriate, feedback from service users to assist with feedback to the contractor
- To work with the contractor, and Procurement Team where appropriate, to develop mutually advantageous continuous improvement opportunities

All to attend the 'Effective Contract Management' course

Appendix 11: Safeguarding Policies

Section 12 of the Council's Safeguarding Policy covers, in full, the safeguarding issues in relation to work with contractors and third parties.

In summary, circumstances where the Council needs to consider its safeguarding responsibilities as delivered via third parties/contracted circumstances include:

- services undertaken on the Council's behalf by third party organisations, who may have contact with children, young people and/or adults at risk of abuse or neglect
- property/facilities which may be used by third parties that may involve contact with children, young people or adults at risk
- providing funding to some groups/organisations who provide services to/on behalf of children, young people or adults at risk

Procurement Risk assessment for applying Safeguarding Policy

Date	
Contract being procured	
Safeguarding risk rating	
Reasons for rating	
Action taken	

For all procurement exercises for services or works contracts, a risk assessment must be undertaken based on the criteria on page 36. Details must be recorded in the table above and a record kept in the tender folder. "Vulnerable people" means children or adults experiencing or at risk from abuse or neglect.

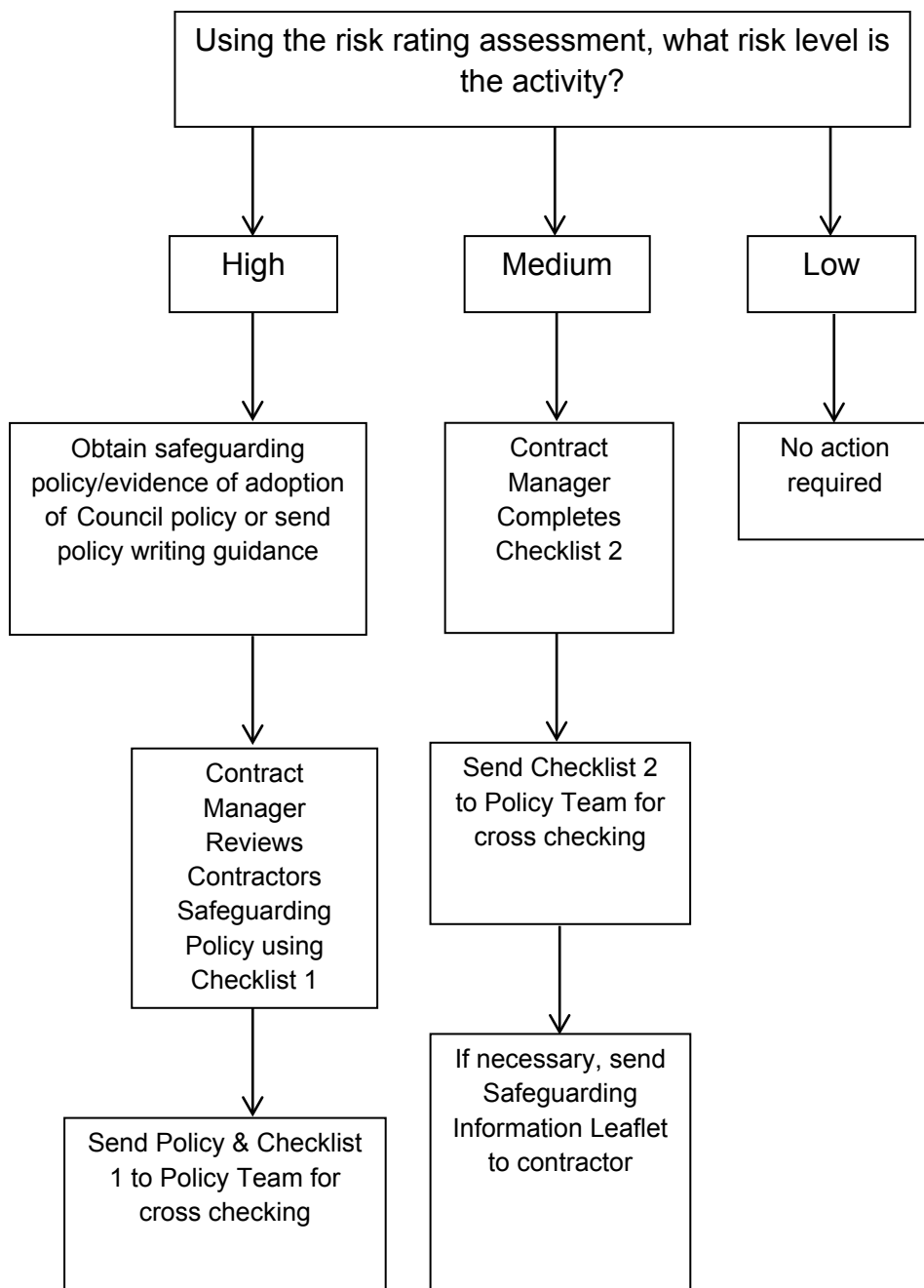
If the result is either high or medium then you must take the appropriate action and make Becky Box aware of the result.

Having looked at the various types of 3rd party engagement the Council has, it has been identified that there is a need to differentiate between the different levels of contact with children and vulnerable adults in order to apply the most appropriate level of action. This forms the basis of our safeguarding risk assessment and the table below provides simple definitions and required actions in order to guide staff:

Risk rating	Criteria	Action required
High	Extreme likelihood of prolonged contact with children/vulnerable adults; OR irregular/ one-off activity with high risk of significant or physical contact with children and/or vulnerable adults and/or potential opportunities for grooming; whole purpose of the activity is directed at children/vulnerable adults.	Safeguarding policy required or adoption of the Council's policy. Annual report may be required from 3 rd party on training provided to staff and the record of DBS checks, from which a sample may be selected for checking.
Medium	Likely that contact with children/vulnerable adults will be made on a day-to-day basis, but not on a prolonged basis and activity not directed specifically at children/vulnerable adults.	Guidance provided (based on an adapted version of the guidance provided to taxi drivers that has been approved by the Norfolk Safeguarding Children Board).
Low	Unlikely contact with children/vulnerable adults and/or activity directed more at other businesses.	No action required.

The Council has developed good practice guidance that can be provided to third parties to assist them in developing their own policies/procedures in relation to safeguarding, which will in turn enable them to meet the Council's safeguarding requirements. Copies of this are available from the Policy team if required. The Policy Team has also developed a process for assessing safeguarding policies against the Council's expectations and they are happy to provide this service if required by Managers.

When considering the risk level of the activity the following model should be followed in order to determine your next steps:



The necessary documentation referred to in the above model can be found on Insite under the Safeguarding section.

Appendix 12: Equality in Procurement

1. When conducting their procurement activities, central Government departments and their agencies must ensure that they meet their legal obligations under the Equality Act 2010 and its associated Public Sector Equality Duty in a way that is consistent with the Government's value for money policy and relevant public procurement law. The Council's Equality Policy can also be found here https://www.west-norfolk.gov.uk/info/20006/council_and_democracy/304/equality
2. The Public Sector Equality Duty (PSED) is contained within section 149 of the Equality Act 2010. It requires those public bodies which are subject to the duty, to have due regard to the three aims of the duty:
 - 2.1. Eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act;
 - 2.2. Advance equality of opportunity between people who share a protected characteristic and people who do not share it;
 - 2.3. Foster good relations between people who share a protected characteristic and people who do not share it.
3. The PSED should help to ensure that public goods and services are accessible to, and meet the diverse needs of all users to ensure that no one group is disadvantaged in accessing public goods and services.
4. The public procurement rules allow for equality-related issues to be taken into account in the procurement process where they are relevant to the subject matter, or relate to the performance, of the contract. 'Due regard' in the context of public procurement means consciously considering the relevance of the three aims of the duty to the individual procurement and ensuring that where equality issues are incorporated into the procurement process, it is done in a proportionate way (i.e. the actions taken are proportionate to the degree of relevance of the equality issue to the individual procurement), taking into account value for money. It is important that the issues are looked at substantively and with an open mind, it is not enough to just note that there will be no negative impact, as there are parts of the duty which look at whether positive improvements can be made. Managers, in all Procurement circumstances, should complete the Equality Pro Forma given on Page 38 in order to assess any equality implications that may occur.
5. The nine protected characteristics as described in the Council's Equality Policy are: Age; Disability; Gender reassignment; Marriage and civil partnership; Pregnancy and maternity; Race; Religion and belief; Sex and Sexual orientation.
6. For services, the degree of relevance is likely to be greater if:
 - 6.1. The service involves direct contact with the public, e.g. careline or care & repair services;
 - 6.2. The service combines technical performance with provision directly to the public, e.g. communication services;
 - 6.3. The service will be performed on the public authority's premises, where the Contractor's workforce will be in contact with the public authority's employees, e.g. facilities management services.
7. For goods, the degree of relevance of equality is likely to be greater if:
 - 7.1. The goods need to meet specific technical needs of the user, e.g. meeting the needs of disabled people to ensure that the goods are fit for purpose.
8. For works, the degree of relevance of equality is likely to be greater if:
 - 8.1. The works need to ensure accessibility for disabled people, e.g. building accessibility for disabled people;
 - 8.2. The works are being performed on the public authority's premises where the Contractor's workforce will be in contact with the Public Authority's employees or members of the public.
9. Where it is clear from the start of the procurement, having conducted pre-procurement

engagement and in identifying the need, that equality is not relevant to what is being procured, we would still require Contractors to adhere to equality legislations and ideally show best practice to their own staff. The PSED is a continuing duty so if equality is a relevant consideration in what is being procured it should be considered at an early stage and throughout the procurement process (both beforehand and at the time a relevant decision is being made). As a matter of good practice, departments may wish to keep some formal record to show that they have considered the duty in conducting a procurement exercise.

10. In keeping with relevant procurement law and the Government's commitment to be more transparent about how public money is spent, where equality requirements are being incorporated into the procurement process, this must be clearly set out in the tender documents and resulting contract documents.
11. Under the Government's transparency policy, all central government tender documents and contract for procurements over the value of £25,000 must be published on Contracts Finder. Greater transparency of tender documents and contracts will provide some indication as to whether and how equality has been incorporated into a particular procurement. This information will allow potential providers and the public to hold Government to account where they believe that relevant equality considerations are not adequately addressed in a particular procurement or where they believe that such matters have not been incorporated in a proportionate way.
12. The above shows a brief overview of equality considerations in the Procurement process. More details on equality procedures and protocols can be found in the Council's Equality Policy.

Annex A – Incorporating Equality into the Public Procurement Process



Equality Pro Forma

Date		Name	
Job Title			
Contract being procured			
Will the Contract provide an opportunity to eliminate unlawful discrimination?			Yes / No
Will the Contract provide an opportunity to advance equality of opportunity?			Yes / No
Will the Contract provide an opportunity to foster good relations between different groups?			Yes / No
Have you completed an Equality Impact Assessment in relation to this contract?			Yes / No
For Services			
Will the Contractor have direct contact with the public?			Yes / No
Will the Contractor be working on Council premises?			Yes / No
For Goods			
Will the goods need to meet technical needs of the user (i.e. Disabled people)			Yes / No
For Works			
Will the works need to ensure accessibility for disabled people?			Yes / No
Will the works be carried out on occupied Council premises where they may come into contact with staff or members of the public?			Yes / No
<p>If you have answered yes to any of the above questions, what action is going to be included in the Procurement process to meet the aims of the PSED and the Equality Act 2010?</p> <div style="border: 1px solid black; height: 300px; width: 100%;"></div>			

Appendix 13: DPIA Pre-Screening Tool

A Data Protection Impact Assessment (DPIA) is designed to help you analyse and mitigate the data protection risks associated with any contract. There is a requirement under current data protection to carry out DPIAs for any new processing likely to result in a high risk to the rights and freedoms of individuals. Risk in this context is about the potential for any significant physical, material or non-material harm to individuals.

For any advice on data protection, please contact the Council's Data Protection Officer (DPO) Cara Jordan on 01263 516373 or cara.jordan@eastlaw.org.uk and she will be able to assist you with your requirements.

You **must** use this screening tool as a guide for establishing whether a DPIA is necessary. If the outcome is that a DPIA is not necessary, the screening exercise should be recorded and captured as evidence of the review and its outcomes – note that a DPIA is ALWAYS required if ANY single one check box is populated in the following checklist:

We plan to:

- Use systematic and extensive profiling or automated decision-making to make significant decisions about people.
- Process special category data or criminal offence data on a large scale.
- Systematically monitor a publicly accessible place on a large scale.
- Use new technologies relating to personal data.
- Use profiling, automated decision-making or special category data to help make decisions on someone's access to a service, opportunity or benefit.
- Carry out profiling on a large scale.
- Process biometric or genetic data.
- Combine, compare or match data from multiple sources.
- Process personal data without providing a privacy notice directly to the individual.
- Process personal data in a way which involves tracking individuals' online or offline location or behaviour.
- Process children's personal data for profiling or automated decision-making or for marketing purposes, or offer online services directly to them.
- Process personal data which could result in a risk of physical harm in the event of a security breach.

We plan to carry out any other:

- Evaluation or scoring relating to personal data.
- Automated decision-making with significant effects.
- Systematic processing of sensitive data or data of a highly personal nature.
- Processing on a large scale.
- Processing of data concerning vulnerable data subjects.
- Innovative technological or organisational solutions.
- Processing involving preventing data subjects from exercising a right or using a service or contract.

Please send the results of this Screening Tool to lee.osler@west-norfolk.gov.uk , cara.jordan@eastlaw.co.uk and richard.godfrey@west-norfolk.gov.uk . If the results of the above checklist indicate that a full DPIA is required then Lee Osler and/or Cara Jordan will be in contact in order to assist you in completing a DPIA.

Before any Tender that could potentially involve data protection is brought to Procurement for consideration, proof that this pre-screening tool has been completed must be provided.

Date of Completion:

Name of Project:

Project Manager:

Other comments:

DPIA Required? YES / NO

Borough Council of
**King's Lynn &
West Norfolk**



REQUEST FOR QUOTATION

FOR

[INSERT TITLE]

SECTION 1 – Information & Instructions to Participants

Introduction

The Borough Council of King's Lynn & West Norfolk (the Council) is inviting quotations for ***[insert short description]***

Notification of Interest

This is a formal quotation exercise, please confirm as soon as possible whether or not you intend to submit a quote.

Standard Selection Questionnaire

In an effort to reduce the administrative burden on potential suppliers for this contract the Council is not asking all bidders to complete a Standard Selection Questionnaire. However, if you come top in the evaluation of quotations submitted we will require additional information, prior to the offer of a contract, to establish that your insurance arrangements and compliance with Health & Safety legislation are satisfactory.

Queries

Any queries regarding the process or the proposed requirements should be raised as soon as possible.

If a query gives rise to the need for an amendment to the specification all parties will be notified simultaneously.

Site Visits ***[Delete if not appropriate]***

Contractors should contact ***[insert contact details]*** in order to arrange a suitable date and time to visit site.

Submission of Quotation

Quotes will only be considered if they are emailed to ***[insert email address]*** by ***[insert time and date]***.

Quotes may only be submitted on the Quotation Response Form (Section 3 of this document) and they should be accompanied by the Non-Collusion Certificate on page **X**.

Your response must include any requested supporting documentation for your proposal. Please do not return the full RFQ document or additional attachments or documents that are not requested.

Quotation Evaluation

The successful Supplier will be the bidder that offers the lowest price / most economically advantageous Quotation. ***[Delete as appropriate]***

This will be evaluated on the basis of the following criteria: ***[Delete this section if evaluated on price only]***

- | | | |
|----|----------------|------------|
| 1. | Price | XX% |
| 2. | Quality | XX% |

The quality aspect will be assessed on the following criteria: -

- [Insert quality sub-criteria and percentage weighting]

You may want to consider the following:

- **Methodology**
- **Customer Engagement**
- **Programme of Works**
- **Contract Duration**
- **Response Times**
- **Local Labour Profile**
- **Relevant Experience e.g. CVs of key personnel**
- **Warranty / Guarantee Offered**

The quality criteria will be evaluated against the following scoring system, with the scores adjusted for the weighting of each criterion:

Performance	Judgement	Score
Meets the standard and exceeds the standard in some or all of those aspects	Excellent	5
Meets the standard in all aspects but does not exceed it	Good	4
Meets the standard in majority of aspects but fails in some	Satisfactory	3
Fails to meet the standards in the majority of aspects but meets in some	Unsatisfactory	2
Significantly fails to meet the standard	Poor	1
Completely fails to meet the standard	Failed	0

Contract Award

The Council does not undertake to accept any quote. However, assuming that the process is successful, the Council will notify all participants simultaneously about the intended award.

Form of Contract

On completion of the quotation evaluation, the successful contractor will be issued with an official Purchase Order which will be subject to the Council's Standard Conditions of Purchase. The order together with the Specification and your submitted quotation will form the basis of the contract.

Government Transparency Policy

The policy of central government is that all local authorities should be completely transparent about what they spend taxpayers' money on and who that money is spent with. Therefore, you should be aware that if you are successful in obtaining this contract, or any other business, with the Council details of all payments over £500 will be published on the Council's website.

The Council will also publish, on a quarterly basis, details of all contracts awarded and purchase orders issued over £5,000 in value.

SECTION 2: SPECIFICATION

[Insert a description of your requirement in enough detail to ensure that quotes will be provided on a like-for-like basis]

You may want to consider: -

Goods:

- **Make and Model of Equipment**
- **Size**
- **Materials to be used**
- **Timing of delivery / Lead Time**
- **Warranty / Guarantee**
- **Samples**
- **Design / Aesthetic appearance**
- **Any training requirements?**

Services:

- **Methodology of service delivery**
- **Key Performance Indicators / Service Level Agreements**
- **Timescales**
- **Qualifications of Staff**
- **Minimum Quality Standards i.e. ISO9001**

SECTION 3 - QUOTATION RESPONSE FORM

CONTRACTOR'S NAME

CONTRACTOR'S ADDRESS.....

.....

CONTACT NAME.....

PHONE No EMAIL.....

Fixed price fees for the requirement detailed in Section 2 above, excluding VAT.

TOTAL COST £.....

ANY OTHER DOCUMENTATION ASKED FOR? YES / NO

Signed Position

Print Name Date

CERTIFICATE OF NON-COLLUSION/ PREVENTION OF CORRUPTION

I/ We certify that:

- a) The prices, specifications and all matters relating to the enclosed Quotation have been arrived at independently, without consultation, communication, agreement or understanding for the purpose of restricting competition, as to any matter relating to such prices, specifications and all other matters, with any other person or Organisation;
- b) Unless otherwise required by law, the prices and other information which have been submitted in the Quotation have not knowingly been disclosed, directly or indirectly, to any other person or Organisation, nor will they be so disclosed;
- c) No attempt has been made or will be made to induce any other person or firm to submit or not to submit a Quotation nor to withdraw or amend a Quotation which as either already been or is intended to be submitted for the purpose of restricting competition;
- d) No attempt has been made directly or indirectly to canvass any Councillor or employee of the Council or anyone acting on its behalf concerning the award of the contract which is the subject of this Invitation to Quotation.

In addition, no person acting on behalf of or representing the Company has:

- a) offered, given or agreed to give to anyone any inducement, gift or reward in respect of this or any other Council contract (even if I/ we do not know what has been done);
- b) committed an offence under the Bribery Act 2010 or Section 117(2) of the Local Government Act 1972; or given any fee or reward, or solicited or accepted any form of money, or taken any reward, collection or charge for performing the Works, other than bona fide charges previously approved in writing by the Council;
- c) committed any fraud in connection with this or any other Council contract whether alone or in conjunction with Council members, contractors or employees. I/ we accept that any clause limiting my/ our liability shall not apply to this clause.

I understand that the Council may cancel the contract with me/ the Company if there is evidence of any failure on my/ our part to comply with any of the above and, if necessary, take legal action against me.

Signed:

Name:

Date:

Position:

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Operational	Be entirely within Cabinet's powers to decide		YES	
		Need to be recommendations to Council		NO	
		Is it a Key Decision		NO	
Lead Member: Cllr Blunt E-mail: <i>Richard.Blunt@West-Norfolk.gov.uk</i>		Other Cabinet Members consulted: N/A			
		Other Members consulted:			
Lead Officer: Nikki Patton & Karl Patterson E-mail: <i>Nikki.patton@west-norfolk.gov.uk</i> Direct Dial:616726		Other Officers consulted: Geoff Hall & Alan Gomm			
Financial Implications YES	Policy/ Personnel Implications NO	Statutory Implications /NO	Equal Impact Assessment YES/NO If YES: Pre- screening/ Full Assessment	Risk Management Implications NO	Environmental Considerations NO

Date of meeting: 7 January 2020

APPLICATION OF THE VACANT BUILDING CREDIT WHEN CALCULATING S106 AFFORDABLE HOUSING CONTRIBUTIONS

<p>Summary Local Planning Authorities are required to apply a Vacant Building Credit when calculating affordable housing contributions. The guidance within National Planning Policy Guidance for implementing the Vacant Building Credit is limited. Therefore, further formal guidance setting out the Council's approach would offer clarity in dealing with planning applications.</p> <p>Recommendation Members are asked to formally adopt the application of the Vacant Building Credit in line with the CIL regulations in order to offer increased clarity for applicants and decision makers.</p> <p>Reason for Decision To adopt a clear and transparent approach to applying the Vacant Building Credit and avoid uncertainty when dealing with planning applications.</p>
--

1 Background

1.1 Vacant Building Credit (VBC) was first introduced in a ministerial statement in November 2014. The measure is included in the National Planning Policy Framework, February 2019 which states 'To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount'

- 1.2 NPPG provides guidance on how VBC should be calculated and when it should be applied. This suggests that authorities consider “*whether the building has been made vacant for the sole purposes of re-development*” and “*whether the building is covered by an extant or recently expired planning permission for the same or substantially the same development*”.
- 1.3 Since the credit was introduced, we have taken the approach of applying the credit to any brownfield proposal with vacant building(s), provided they have not been abandoned. We have relied on information provided to us in the planning application, usually the Design & Access Statement and requested further evidence where necessary.
- 1.4 Neither NPPF nor NPPG define how long a building should be vacant for in order to qualify for VBC or clarify what constitutes a building for the purposes of the vacant building credit. To date it has been down to the officer to decide whether or not the building is vacant and whether the credit should be applied. This has led to a high level of subjectivity as to what constitutes a vacant building.
- 1.5 However, the CIL regulations apply a credit for in-use buildings and define an in-use building as
- “contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development”.*
- 1.6 The CIL regulations also clarify that “building” does not include
- (i) a building into which people do not normally go;*
(ii) a building into which people go only intermittently for the purpose of maintaining or inspecting machinery; or
(iii) a building for which planning permission was granted for a limited period;
- 1.7 Therefore, it follows that a vacant building can be defined as a building (not including the above exemptions) that is not in-use, this would lead to a vacant building being defined as
- “a building that has not been in use for a continuous period of at least six months within the past 3 years.”*
- 1.8 This approach has been taken by a number of other authorities including Norwich City Council where the use of the vacant building credit is common due to the built up nature of the city.
- 1.9 Under the current approach, in some circumstances applicants are able to claim both the In Use Building Credit for CIL and the Vacant Building Credit for Affordable Housing. Applying the Vacant Building

Credit to all Vacant Buildings regardless of how long it has been vacant also creates the opportunity for applicants to make buildings vacant purely for the purposes for reducing the affordable housing contribution. This reduces the affordable housing contributions that the Council is able to secure under policy CS09.

- 1.10 By adopting the proposed approach in line with the CIL regulations, applicants would no longer be able to claim that a building is both “in use” and vacant” and the scope for making buildings vacant in order to reduce the affordable housing contribution would be reduced.
- 1.11 If this new approach is taken, applicants wishing to have the VBC applied to their proposals would need to submit a Vacant Building Credit Statement at the time of making the application. The statement should include evidence the building has not been abandoned or vacated solely for the purpose of redevelopment and evidence that the building is vacant. Evidence such as Council Tax, Business Rates or Electoral Register records may be required to determine whether or not the building is vacant in accordance with the above definition. Any applications submitted without a statement will not have the credit applied.
- 1.12 The attached guidance note provides guidance for applicants on how the authority applies vacant building credit and how applicants should apply for it based on the above approach.

2 Options Considered

2.1 Option 1

- 2.2 To apply a definition of vacant building which mirrors the definition of “in use building” within the CIL regulations as set out above. This would provide greater clarity and ensure consistency in decision making

2.3 Option 2

- 2.4 To apply the Vacant Building Credit to all vacant buildings on brownfield land regardless of how long the building has been vacant. In some circumstances, this would enable applicants to claim both the In Use Buildings Credit for CIL and the Vacant Building Credit for affordable housing and would result in an overall loss of affordable housing.

2.5 Option 3

- 2.6 Not to apply the Vacant Building Credit. This would be contrary to NPPF and therefore would be highly challengeable.

3 Recommendation

- 3.1 It is recommended that Option 1 is adopted in order to give greater clarity for applicants and officers and safeguard the provision of affordable housing.

4 Policy Implications

- 4.1 This approach would provide more clarity for applicants and decision makers and ensure that applicants cannot claim that the building is both “in-use” for the purpose of calculating CIL and vacant for the purpose of calculating affordable housing contributions.

5 Financial Implications

- 5.1 The application of the Vacant Building Credit will have an impact on the level of Affordable Housing Contributions received on certain developments but this is a requirement of NPPF. Adopting the recommended approach will minimise the loss of affordable housing contributions.

6 Personnel Implications

- 6.1 None

7 Environmental Considerations

- 7.1 None

8 Statutory Considerations

- 8.1 None

9 Equality Impact Assessment (EIA) (Pre screening report template attached)

10 Risk Management Implications

- 10.1 None

11 Declarations of Interest / Dispensations Granted

- 11.1 None

12 Background Papers

Vacant Building Credit Guidance Note Borough Council of King's Lynn & West Norfolk

NPPF states that

“To support the re-use of brownfield land, where vacant buildings are being reused or redeveloped, any affordable housing contribution due should be reduced by a proportionate amount equivalent to the existing gross floorspace of the existing buildings. This does not apply to vacant buildings which have been abandoned”

Vacant Building Credit applies to brownfield sites where existing vacant buildings are proposed to be brought back into lawful use or demolished and redeveloped. The credit will not apply where;

- The building has been abandoned
- The building has been made vacant for the sole purposes of redevelopment
- The building is covered by an extant or recently expired planning permission for the same or substantially the same development.
- The buildings are such where people do not normally go; into which people go only intermittently for the purpose of maintaining or inspecting machinery; or for which planning permission was granted for a limited period

The CIL regulations apply a credit for in-use buildings and define an in-use building as:

“contains a part that has been in lawful use for a continuous period of at least six months within the period of three years ending on the day planning permission first permits the chargeable development”.

Therefore, in line with the CIL regulation requirements, a building can be regarded as vacant if it has not been in use for a continuous period of at least six months within the past 3 years.

If applicants wish for the Vacant Building Credit to be applied to their proposals, a Vacant Building Credit Statement must be submitted with the planning application containing details of existing relevant vacant floorspace and proposed floorspace (GIA). The statement must include evidence the building has not been abandoned or vacated solely for the purpose of redevelopment and evidence that the building is vacant. Evidence such as Council Tax, Business Rates or Electoral Register records may be required to determine whether or not the building is vacant. A credit won't be applied without the relevant supporting evidence.

Where the vacant building credit is applicable it will be calculated in the following way;

- The affordable housing requirement will be as per policy CS09 and if applicable as per the amended national policy.

- The existing vacant gross internal area (GIA) of any buildings proposed to be brought back into lawful use or demolished and redeveloped, will be deducted from the proposed residential GIA leaving the total increase in floorspace. (**Note:** for wholly residential schemes this will be the total GIA of all dwellings, for mixed use schemes the GIA of the proposed residential elements only will be used. Where flatted development is proposed the GIA will include all communal and circulation areas).
- The average floorspace of the residential scheme will be calculated by dividing the total residential GIA by the total number of units proposed.
- The increase in total floorspace will then be divided by the average residential floorspace to calculate how many dwellings could be provided on the increase in floorspace.
- The required percentage of affordable housing will then be applied to the dwellings which are to be provided *only* on the increase in floorspace.

Worked examples of calculating the vacant building credit

Example A

- On a scheme of 20 dwellings a 20% affordable provision is required as per policy CS09 of the adopted Core Strategy 2011.
- In this example the existing GIA of the vacant floorspace is 500m² and the combined GIA of the 20 dwellings is 2000m² this results in a net increase in floorspace of 1500m²
- The average floor space GIA of the proposed residential scheme is 100m². Therefore 15 dwellings can be provided on the net increase floorspace.
- Therefore 3 affordable dwellings are to be provided ie 20% of 15 is equal to 3.

Example B

- On a scheme of 6 dwellings in a designated rural area with a site area of 0.3ha (i.e. less than 0.5ha) a 20% affordable housing provision applies as per policy CS09. However with the national policy amendment a financial contribution of £72,000 is required.
- In this example the existing GIA of the vacant floorspace is 200m² and the combined GIA of the 6 dwellings proposed is 600m². This results in a net increase 400m².
- The average floorspace space GIA of the proposed residential scheme is 100m². Therefore 4 units can be provided on the net increase floorspace.

- Therefore 20% of 4 units equals 0.8 which equals a financial contribution of £48,000(0.8 of £60,000)

Example C

- On a scheme of 8 dwellings in a designated rural area with a site area of 0.6ha (ie over 0.5ha a 20% affordable housing provision applies as per policy CS09 resulting in 1 dwelling plus a financial contribution of £36k for the 0.6 fraction)
- In this example the existing GIA of the vacant floorspace is 300m². This results in a net increase of 900m².
- The average floorspace GIA of the proposed residential scheme is 150m². Therefore 6 units can be provided on the net increase floorspace.
- Therefore 20% of 6 units equals 1.2 which equates to 1 dwelling and a financial sum of £12,000.

REPORT TO CABINET

Open		Would any decisions proposed :			
Any especially affected Wards	Mandatory/	Be entirely within Cabinet's powers to decide		YES	
	Discretionary /	Need to be recommendations to Council		NO	
	Operational	Is it a Key Decision		NO	
Lead Member: Cllr Adrian Lawrence E-mail: <i>cllr.adrian.lawrence@west-norfolk.gov.uk</i>		Other Cabinet Members consulted:			
Lead Officer: Duncan Hall E-mail: <i>Duncan.hall@west-norfolk.gov.uk</i> Direct Dial: 01553 616445		Other Members consulted:			
Financial Implications NO		Policy/ Personnel Implications NO	Statutory Implications YES	Equal Impact Assessment YES Pre-screening/	Risk Management Implications YES
		Environmental Considerations NO			

Date of meeting: 7 January 2020

HOMELESSNESS AND ROUGH SLEEPING STRATEGY

Summary

The existing Homelessness Strategy needs to be replaced by a plan that reflects recent changes to the legislative framework and current local circumstances in relation to homelessness and rough sleeping.

Recommendation

That the Strategy is adopted and that the role of the Environment and Community Panel group - Homelessness and Housing Supply Task Group in overseeing the delivery of the Action Plan is endorsed.

Reason for Decision

The Council has a statutory duty to produce a homelessness strategy setting out the issues it faces locally and what it is doing to prevent homelessness. The Council's commitments to preventing homelessness are set out in the Corporate Plan.

1 Background

The draft Strategy was presented to the Environment and Community Panel on the 15th October 2019 – The Panel supported the draft Strategy.

The current draft version of the document was prepared following comments made by the Panel. This version was circulated to key stakeholder partners on 29th November 2019, in advance of a consultation event on the 11th December.

An executive summary can be found at the beginning of the document.

2 Options Considered

There are no options to consider as we are required to publish such a document.

3 Policy Implications

There are actions identified in the Strategy that will have policy implications for the Council. Of particular importance will be any policy change proposals following a review of the Social Housing Allocations policy.

A further policy implication related to the proposed review of development policies in connection with the provision of new affordable housing.

4 Financial Implications

There are no specific financial implications of this strategy. There were as detailed resource allocation implications following the introduction last year of the Homelessness Reduction Act 2017

5 Personnel Implications

There are no personnel implications.

6 Environmental Considerations

There are no environmental considerations.

7 Statutory Considerations

Homelessness Prevention activities are on a statutory footing, as is the publication of a Homelessness Strategy. The scope and content of the Strategy is prescribed the Government in the Homelessness Code of Guidance.

8 Equality Impact Assessment (EIA)

(Pre screening report template attached)

9 Risk Management Implications

A number of risks to delivery are identified in section 17 of the document.

10 Declarations of Interest / Dispensations Granted

None

11 Background Papers

See attached document and appendices

Pre-Screening Equality Impact Assessment

Borough Council of
**King's Lynn &
West Norfolk**



Name of policy/service/function	Homelessness and Rough Sleeper Strategy 2019-2024				
Is this a new or existing policy/service/function?	New				
<p>Brief summary/description of the main aims of the policy/service/function being screened.</p> <p>Please state if this policy/service is rigidly constrained by statutory obligations</p>	<p>The Council has a statutory duty to produce a homelessness strategy setting out the issues it faces locally and what it is doing to prevent homelessness.</p> <p>The activities are constrained by statutory obligations</p>				
Question	Answer				
<p>1. Is there any reason to believe that the policy/service/function could have a specific impact on people from one or more of the following groups according to their different protected characteristic, for example, because they have particular needs, experiences, issues or priorities or in terms of ability to access the service?</p> <p>Please tick the relevant box for each group.</p> <p>NB. Equality neutral means no negative impact on any group.</p>		Positive	Negative	Neutral	Unsure
	Age	√			
	Disability	√			
	Gender				
	Gender Re-assignment				
	Marriage/civil partnership				
	Pregnancy & maternity				
	Race				
	Religion or belief				
	Sexual orientation				
	Other (e.g. low income)	√			



Draft 01 - 2019

96

Homelessness and Rough Sleeping Strategy 2019 - 2024

Partners:

Borough Council of
King's Lynn &
West Norfolk



Norfolk County Council



97



Shelter



YMCA



Homelessness and Rough Sleeping Strategy 2019 - 2024



Foreword

Cllr Adrian Lawrence
Cabinet Member for Housing
Borough Council of King's Lynn & West Norfolk

This document has been prepared during a period of high demand for housing and homelessness services in King's Lynn and West Norfolk and at a time when the borough has witnessed an increase in the number of people sleeping rough.

This council's new corporate plan identifies preventing homelessness, increasing housing supply and meeting housing need as corporate priorities. There is a real will to make a difference and to reduce homelessness and rough sleeping across the borough.

Identifying the reasons and causes of homelessness is complex. We know that some of the local underlying issues accord with those highlighted at a national level. These include:

- access to affordable accommodation;
- changes to the welfare system which, for working age households, has created

a gap between rents charged and the amount payable under the housing subsidy system;

- increased demands on services for people who need support; and
- many more people have difficulty accessing appropriate support making it harder for them to secure accommodation or keep it.

In producing this strategy, we have undertaken a thorough review of the current situation. We have utilised available data and government policies to establish a programme of measurable activities that will help us eradicate rough sleeping and homelessness

This associated action plan sets out what this council will do over the next few years to tackle the issues identified in the review.

Some of these actions will be tried-and-

tested approaches with proven results. Others will be trialled for the first time.

We will continue working with representatives from central government to ensure that we are maximising funding opportunities, using the most effective practices, and that we are complying with our statutory and legal requirements.

We will continue to work with a range of partners, including other public bodies, voluntary sector organisations, housing providers, housing support providers, and charities. Any effort on behalf of the council will only be successful with the support of our partners.

Together we will achieve these goals and ensure that all people have access to housing and support to stay there.

Signature



Cllr Adrian Lawrence

Executive Summary

The existing Homelessness Strategy needs to be replaced, and needs to reflect recent changes to the legislative framework and local circumstances in relation to homelessness and rough sleeping. Whilst preparing a strategy is recognised as a requirement, the Council is committed to plan in any event to maximise efforts to prevent homelessness amongst those it serves.

The Council has a statutory duty to produce a homelessness strategy setting out the issues it faces locally and what it is doing to prevent homelessness. Whilst a new plan will not be drawn up each year a review of progress and a review of any changes or new requirements will be undertaken annually.

Assessment of homelessness and rough sleeping local trends

In the last 5 years we have seen a greater use of temporary accommodation. Greater numbers of households have lost accommodation before we can help prevent homelessness. In 2016/17 we saw a significant increase in rough sleeping. The issue of rough sleeping remains a critical one, and this winter will see the highest ever numbers of emergency beds and winter night shelter provision.

The total numbers seeking help each year has remained fairly consistent over the last 5 years – however, the circumstances in which

people approach the council have changed. More households have unmet support needs, and it is increasingly harder to help them into the right type of accommodation.

People are presenting to the Council more often now than in the past as ‘homeless tonight’ – leaving the contact with the Council until circumstances have reached crisis point. Many of these households - single person and families have complex needs. Problems with addiction and mental health problems are common amongst this group, and particularly prevalent amongst rough sleepers. Such issues for those without support can make securing accommodation, or keeping accommodation more difficult.

The new legislative framework that came into effect in 2018 means that we are working with homelessness households for a longer period, and focussing more on preventing homelessness. The Council has a duty to assess the accommodation and

support needs of all households including single people. The workload a significantly greater and additional resources have been put in place to support this.

The reasons for homelessness

The 3 most common reasons for people approaching the Council as homeless or threatened with homelessness are:-

1. The ending of a private rented tenancy
2. Family eviction/ exclusion and,
3. Eviction by a social landlord

The most common reason – ending of a private rented tenancy is also the most common reason across the country.

The second reason has been subject to significant increase in recent years and often involves young people being asked to leave the family home, often when the composition of the family changes.

The third most common reason, eviction by social landlord and is a matter that the Council with its partners, could have most influence of changing, and therefore reducing evictions in this way is a priority.

The causes of homelessness

The underlying causes include critically the Local Housing Allowance (LHA) freeze. LHA is the name for housing benefit that is paid for private renters. It has not kept pace with private rent levels since 2010, and has been frozen since 2016. This has created a gap between housing costs and housing benefit. Young claimants are particularly affected.

Homelessness can be connected with the difficulty some people face in accessing appropriate support or health services - particularly mental health services that can put people at greater risk of losing their accommodation.

Rough sleeping represents homelessness in its most dangerous and shocking way. Some people who sleep rough avoid

engaging the Council and authorities for a variety of reasons. It is clear that with some people a degree of trust needs to be earned before any meaningful engagement can happen. This is what the ‘rough sleeper outreach service’ aims to do. The route back to a more stable lifestyle and settled accommodation can be difficult. The causes of rough sleeping can be complex, but can often involve people being affected by a series of challenging events; multiple disadvantage; and having limited resilience.

Future priorities

The priorities reflect the identified issues, and include:

- Securing appropriate accommodation and support for those suffering from mental health problems.
- Ensuring the provision of a range of temporary accommodation – particularly for those leaving institutional care
- Housing for care leavers

- Those leaving hospital with accommodation needs
- Move on accommodation from hostels
- Commitment to the provision of effective housing and debt advice services
- Increase the delivery of new housing to meet the needs of the area including social housing, part ownership, and private rented homes.

The Council’s role activities include a customer facing assessment role; a co-ordinating role to help people access accommodation and support they need; and a commissioning role to provide services that meet identified need or gaps. The Council’s success in its role in preventing homelessness depends significantly on how effectively it works with those organisations that deliver services in the community. The value of our working relationships with these organisations cannot be overstated.



Contents

1. Government policy	10.4 Challenges of securing accommodation for people with complex need	12.6 Accommodation based supported housing models to meet gaps in provision
2. Legal requirement to produce a strategy		
3. Legal requirement to review Housing Needs	11. Identified gaps in provision	12.7 A new co-ordination role for the council
4. Duties under the Homelessness Reduction Act 2017	a) Move on accommodation	
5. What is homelessness?	b) Step down accommodation	13. Housing advice and debt advice services
6. What is rough sleeping?	c) Specialist accommodation	14. Eradicating rough sleeping
7. Review of Homelessness and Rough Sleeping in the area	d) Younger persons' accommodation	15. The Council's strategic role in tackling homelessness and rough sleeping
8. Review of rough sleeping and rough sleeper encampments in the borough	e) Review of Social Housing Providers (RPs) Policies	16. Cultural Changes
9. The Reasons for homelessness or being threatened with homelessness	12. Our strategy objectives	17. Threats to delivery of the strategy
10. Identifying issues, causes and gaps in service provision	12.1 Prevention of homelessness	18. Action Plan for 2019/2020
10.1 Welfare Reforms	12.2 Temporary Accommodation Options - Develop a hierarchy of different types of temporary accommodation	19. Monitoring and evaluation of the strategy and action plan
10.2 Accessing the Private Rented Sector (PRS)	12.3 Access to social housing – for those in most need	20. Appendices Appendix A Appendix B
10.3 Declining delivery of new social housing and the declining opportunity to access existing social housing	12.4 Access to good quality private rented sector (PRS) housing	
	12.5 Support Needs – Ensure appropriate support needs both:- accommodation based and non-accommodation based housing related support	



- ¹⁾ *'Homelessness prevention' means providing people with the ways and means to address their housing and other needs to avoid homelessness.*
- ²⁾ *'Homelessness relief' is where an authority has been unable to prevent homelessness but helps someone to secure accommodation, even though the authority is under no statutory obligation to do so.*

1. Government policy

The Government made a commitment to develop a national strategy to halve rough sleeping by 2022 and eliminate it altogether by 2027.

A Homelessness and Rough Sleeping Implementation Taskforce has been established. We will engage with this group for the duration of our Housing, Homelessness and Rough Sleeping strategy 2019-2024, using the Ministry for Housing, Communities and Local Government's Rough Sleeping Strategy (August 2018) as a point of reference.

2. Legal requirement to produce a strategy

The Homelessness Act 2002 requires local housing authorities to publish a homelessness Strategy every 5 years. To produce the 2019-2024 strategy we have undertaken a comprehensive review of the situation in west Norfolk and compared this to national data.

This strategy sets out what actions the council will focus on in the next 5 years to 2024. This includes responding to the increasing demand for housing and homelessness services, which has occurred over the last

3-4 years. It also includes assessing changes to the way services are accessed, welfare reform, and access to and affordability of rented homes (private and social).

This strategy serves to highlight some of these issues and proposes actions to mitigate their impact. It will also cover wider challenges relating to housing for people with support needs and actions to address the supply of new housing.

It is not a description of the council's day-to-day operational activities in relation to homelessness and housing advice – much of this information can be found on the website.

In addition to this strategy, an associated action plan has been produced which will be reviewed annually and update for the following year.

3. Legal requirement to review Housing Needs

Housing authorities are required under section 8 of the Housing Act 1985 (as amended by section 124 of the Housing and Planning Act 2016) to review periodically the housing needs of their area. This review has just been undertaken and we will be publishing the findings online. We will

take the findings of the Housing Needs Review into account in the development of this strategy's associated action plan.

4. Duties under the Homelessness Reduction Act 2017

The Housing Act 1996 (Part 7) is the primary legislation setting out a local authority's duties towards homeless households. The Act outlines a main duty to secure accommodation for applicants who meet 5 'tests':-

1. Are eligible,
2. Are homeless or threatened with homelessness (within 28 days)
3. Are in 'priority need' for housing (categories of more vulnerable households) and where
4. Homeless unintentionally (individuals hadn't worsened their circumstances through their own actions)
5. Have a local connection

The Homelessness Reduction Act 2017 has amended the 1996 Act to introduce additional new statutory duties to 'prevent'⁽¹⁾ and 'relieve'⁽²⁾ homelessness for all eligible applicants homeless or threatened with homelessness within 56 days.

One of the objectives of the amendment to the Act is to ensure that all categories of homeless households receive an appropriate service. On a national basis, this is intended to address concerns of inconsistency and poor customer practice in the context of rising numbers of single homeless people.

This puts the onus on local authority staff, including our own, to work for a longer period of time in both the ‘prevention’ duty period (56 days) and the ‘relief’ duty period (also 56 days) before a decision on whether a main duty is owed.

The Act puts homelessness prevention activities on a statutory footing.

It requires us to assess everyone’s housing needs and support needs and to complete a Personalised Housing Plan (PHP).

The Act also introduced a new ‘duty to refer’ on other public bodies. This means a requirement for a range of organisations to help identify and refer people threatened with homelessness. The Government in early 2019 has consulted on the introduction of Homelessness Reduction Boards. Such boards seek to strengthen a ‘whole system’ approach to homelessness reduction

involving multi-agency partnership working, as well as structures that are accountable.

5. What is homelessness?

Homelessness is not just people sleeping on the streets. Homelessness exists in many different forms, and often the scale and complexity of the issue is hidden.

The law defines someone as being homeless if they do not have a legal right to occupy accommodation, or if their accommodation is unsuitable to live in. This can cover a wide range of circumstances, including, but not restricted to, the following:

- having no accommodation at all
- having accommodation that is not reasonable to live in, even in the short-term (e.g. because of violence or health reasons)
- having a legal right to accommodation that you cannot access (e.g. if you have been evicted illegally)
- Living in accommodation you have no legal right to occupy (e.g. living in a squat or staying with friends temporarily).

Housing authorities have a legal duty to provide advice and assistance to people who are legally defined as homeless or threatened with homelessness.

The vast majority of homeless people are families or single people who are not sleeping rough, but who are facing difficulty circumstances where their accommodation is temporary, or inappropriate. Some may be staying with relatives and friends on a temporary basis. Others live in temporary accommodation, such as bed and breakfast hotels, hostels, night shelters and refuges.

This may mean people are living in poor quality accommodation that could be detrimental to their health and well-being, prosperity and education. In many cases, the uncertainty of not having a permanent home causes stress and anxiety as well as practical difficulties.

6. What is rough sleeping?

The most extreme form of homelessness is when people are sleeping rough. Sleeping rough is defined as: people bedded down in the open air (such as on the streets, or in doorways, parks or bus shelters); or people in buildings or other places not designated for habitation (such as

What is H-Clic?

H-Clic is the Government's new data collection system. It provides a central record of homelessness and its causes and is intended to help guide councils' homelessness reduction activities.

barns, sheds, car parks, cars, derelict boats, stations or card board boxes).

The number of people sleeping rough has increased in the area in recent years. Prior to 2016/17 each year, on a designated day, the council was required to undertake a 'count' of rough sleepers. It was usual to report only a handful; some years none at all. Since then the annual count numbers have been considerably higher.

The ambition of any local strategy must ultimately be to eradicate this problem. Anything less does not reflect the immediate danger to life of exposure to the cold in winter and the health problems associated with living this way. Such a local ambition mirrors the Government's policy to eradicate rough sleeping.

7. Review of Homelessness and Rough Sleeping in the area

To understand the issues in the area fully, we must look at more than just the data we have to submit to central government.

In future local data will be collected in a different way. As well as needing to meet the requirements of H-Clic it is important to go beyond capturing the date from people who approach the council.

Information will be collected from a range of partners relating to those who are rough sleeping or in danger of rough sleeping, but who are not necessarily working directly with us.

This includes:-

- Views of local stakeholders - including views captured at strategy meetings,
- Information from commissioned housing related support services
- Engagement with rough sleeper outreach and Winter Night shelter operation – on-going monitoring of rough sleeper population.
- Colleague discussions and review of national publications including the NAO report on homelessness in 2017.

The information presented graphically in this section runs for the period 2010 to 2016/17 and shows a trend over this period. A separate section is included to reflect on the period 2017/2018 and 2018/2019. This includes information from the new H-Clic data collection system.

In the Government's Rough Sleeping Strategy, research published in a report titled 'Hard Edges' (Bramley and Fitzpatrick, 2015) identifies poverty, and particularly childhood poverty as the most powerful

predictor of all forms of homelessness. Information produced by the campaign to end child poverty using census data from 2011 showed high levels of children living in poverty in King's Lynn. Many areas south-east have rates of 20% or less.

Table 1.1
King's Lynn wards with highest level of child poverty rates before and after housing costs

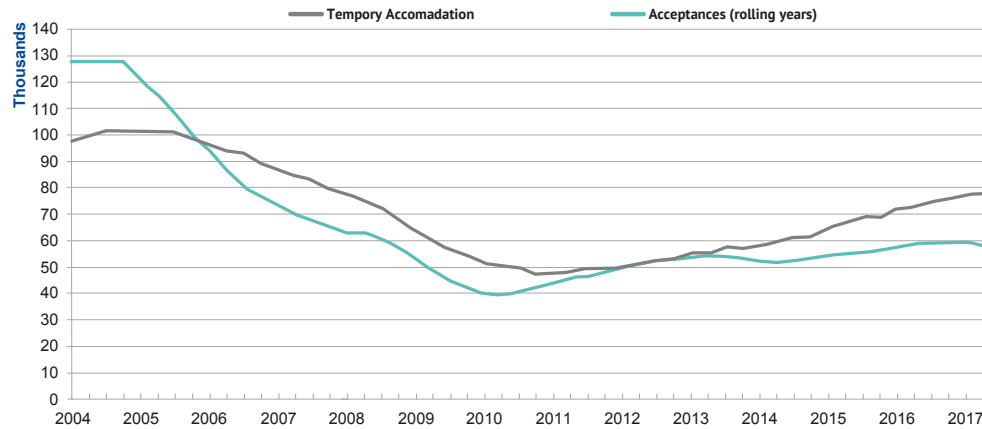
Ward	% of children before housing costs	% of children after housing costs
North Lynn	41.9%	55.6%
South & West Lynn	32%	46.8%
St Margarets with St Nicho	32%	46.8%
Springwood	28.6%	42.5%
Fairstead	28.6%	42.5%
Old Gaywood	27.2%	41.4%

Source: Borough Council of King's Lynn and West Norfolk

Table 1.1 above shows child poverty rates before and after housing costs are taken into consideration in the wards with the highest levels. These wards are on par with the constituency in Britain with the highest levels of child poverty. Bethnal Green and Bow constituency is second in the rankings of highest areas at 55.3% of children living in poverty after housing costs. North Lynn Ward is 55.6% after housing costs.



Table 1.2
Homelessness - national trends
 Acceptances and households in temporary accommodation



Source: Ministry of Housing, Communities & Local Government

60

Table 1.2 above demonstrates how, through two measures of homelessness (homelessness acceptances and households in temporary accommodation) the position nationally has worsened from 2010 to 2016/17. This plateaued in 2016/2017.

A comparable graph produced now would show a fall in ‘acceptances’.

The term ‘homelessness acceptances’ describes the number of households where a main duty is owed (as described above), and the five tests are met.

Looking locally from 2010/2011 onwards (see

table 1.3 above) – similarly a rise in main duty cases took place until 2016/17 and then a decrease. This trend reflects significant changes to the legislative framework, namely the Homelessness Reduction Act 2017.

There are fewer main duty decisions because the decision is delayed while the council works with the households firstly under the Prevention Duty (56 days) and then the Relief Duty (56 days). This means that homelessness can be resolved before the full duty is owed. As detailed above, it has been necessary to review and change the homelessness measures in order that

Table 1.3
Main duty cases

Measure	2010/11	2011/12	2012/13	2013/14
Main Duty	79	87	81	106
2014/15	2015/16	2016/17	2017/18	2018/19
99	116	117	84	31

Source: Borough Council of King’s Lynn and West Norfolk

an accurate evidence base is created for informed decision making. We will present the information collected on a quarterly basis on a dedicated page on our website.

The measures need to change in order to align with the government’s new data requirement and the new legislative framework. It is important that no single measure should be looked at in isolation, and that some measures including the rough sleeper count are snapshots at one moment in time and may not reflect an accurate picture.

Table 1.4
Local Authority
 B&B rent, deposit spend and rough sleeper count

Measure	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Bed & Breakfast spend	£16,946	£13,153	£4,223	£5,934	£18,226	£12,794	£40,789	£16,641	£45,649
Deposits / rent in advance				65	55	38	28	14	29
Rough Sleeper Count	8	5	6	3	3	5	42	9	5

Source: Borough Council of King's Lynn and West Norfolk

Analysing table 1.4 above together with other relevant sources of information, we can draw the following conclusions:

- Bed and Breakfast spend has increased as numbers of homelessness acceptances have increased and the numbers of households where we have an obligation to provide temporary accommodation has increased.
- The number of households where we

have financially assisted with loans for deposits or rent in advance has decreased as access to the private rented sector has become more difficult due to competition and affordability.

The table above shows that the council's use of bed and breakfast has increased in recent years, which is in line with national trends. Whilst this trend is concerning, table 1.5 shows that the council's bed and breakfast expenditure

Table 1.5
Local Authority
 B&B spend 2015/2016

Local Authority	B&B spend 2015/16
Breckland	£104,000
Broadland	£65,000
Great Yarmouth	£58,000
North Norfolk	£78,000
Norwich	£100,000
South Norfolk	£256,000

2015/16 was considerably lower than some other local authorities in Norfolk.

It should be noted that the use of bed and breakfast is a matter of last resort. It is particularly inappropriate for families.

It is unlawful to use such accommodation for families beyond a period of six weeks. The council's objective is to minimise the use of such an option.

Table 1.6
New measures introduced 2019 - 2020
 King's Lynn & West Norfolk

Ref	Link to Corporate Priority	Name	Good Performance	2018/19 cumulative performance	Q1 2019/20 target	Q1 2019/20 cumulative performance
HS1	2	% of HMO's inspected in accordance with the programmed inspection regime	Aim to maximise	-	100%	100%
HS2	2	Spend on bed and breakfast accommodation (gross)	Aim to minimise	£51,794	-	£6,975
HS3	2	No of households with a homelessness declaration	Aim to minimise	-	-	122
HS4	2	No of households prevented from becoming homeless for a minimum of 6 months	Aim to maximise	489	-	13
HS5	2	No of households accepted as homeless with a need to be rehoused (Full housing duty)	Aim to minimise	-	-	6
HS6	2	% of cases who were offered a prevention and relief duty who remain homeless and are owed no further duty.	Aim to minimise	-	-	41.8%
HS7	2	No of rough sleepers	Aim to minimise	5	-	27
HS8	2	No in temporary accommodation - bed and breakfast	Aim to minimise	55	-	14
HS9	2	No of social housing lettings - against a baseline	Aim to maximise	464	-	144

Source: Borough Council of King's Lynn and West Norfolk

Table 1.6 above shows some of the new measures reported for the 1st quarter of 2019/2020.

Looking at the local picture in terms of the use of temporary accommodation graphic 1.7 shows an upward trend in line with regional and national trends.

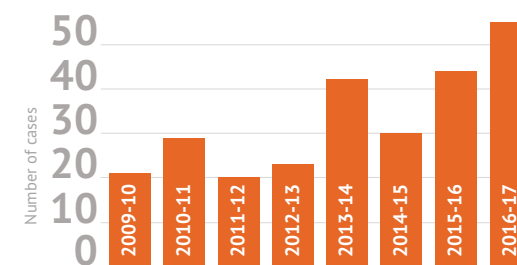
Graphic 1.8 shows the decline in the cases of homelessness prevention – it shows the number of households where homelessness

has been prevented including access into private rented tenancies and assistance to remain in their existing home. In King's Lynn and West Norfolk this has shown a trend of decline from 2011/12. One of the key points relevant to this measure is it represents the council's ability to make effective use of the private rented sector (PRS) to prevent homelessness.

The extant conditions for the period of this graph were:

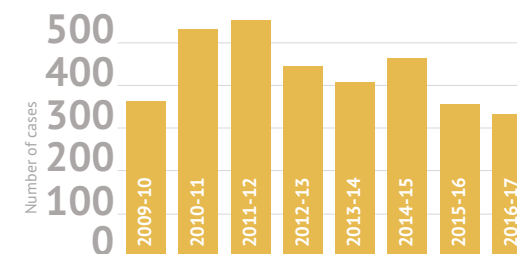
- strong demand
- poor accessibility into PRS
- a big gap between low income and the cost of private rent sector properties

Graphic 1.7
Housed in temporary accommodation
 King's Lynn & West Norfolk



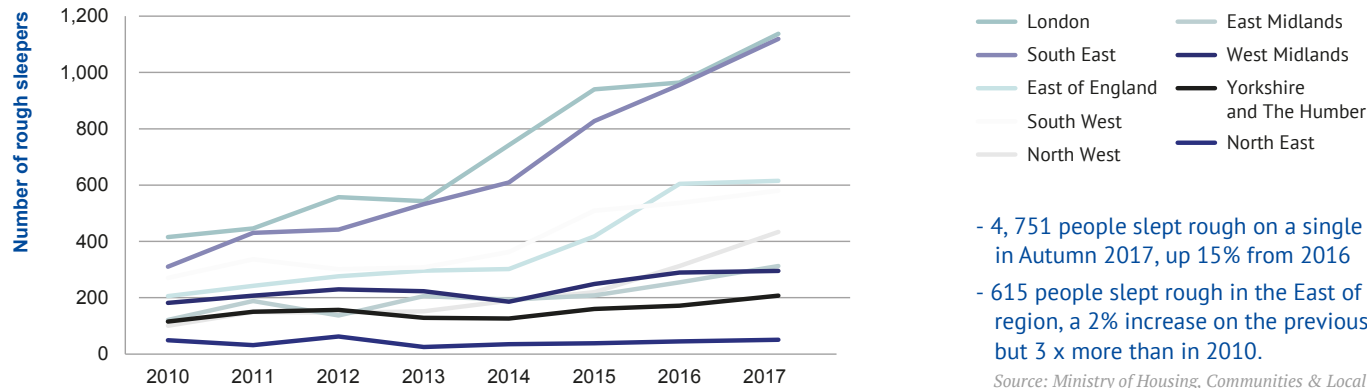
Source: National Audit Office, Homelessness in England Visualisation, Published 14 Jun 2017
<https://www.nao.org.uk/other/homelessness-in-england-visualisation/>

Graphic 1.8
Cases of homelessness prevention
 King's Lynn & West Norfolk



Source: National Audit Office, Homelessness in England Visualisation, Published 14 Jun 2017
<https://www.nao.org.uk/other/homelessness-in-england-visualisation/>

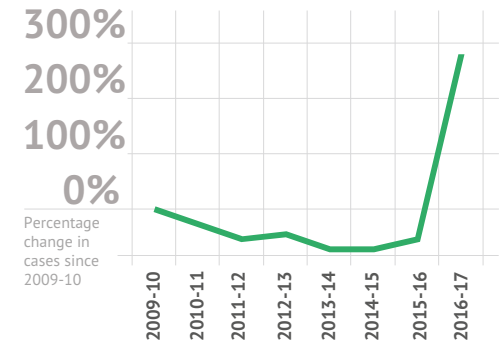
Graphic 2.1 Homelessness - the current position:
Rough sleeping has more than doubled since 2010
 Number of rough sleepers by region 2010 - 2017



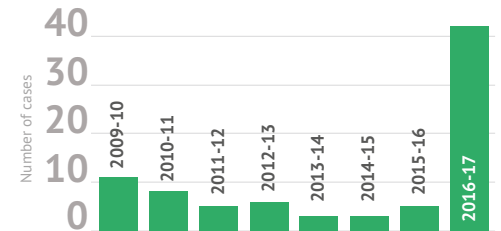
- 4,751 people slept rough on a single night in Autumn 2017, up 15% from 2016
 - 615 people slept rough in the East of England region, a 2% increase on the previous year, but 3 x more than in 2010.

Source: Ministry of Housing, Communities & Local Government

Graphic 2.2
Percentage change in measures of homelessness since 2010-11
 King's Lynn & West Norfolk



Graphic 2.3
Rough Sleepers in King's Lynn & West Norfolk



Source: National Audit Office, Homelessness in England Visualisation, Published 14 Jun 2017
<https://www.nao.org.uk/other/homelessness-in-england-visualisation/>

3.8. Review of rough sleeping and rough sleeper encampments in the borough

The Government requires councils to undertake an annual count of the number of people in its area that are rough sleeping. This is a snapshot taken on a specified night in the winter. Officers go out and physically count the number of people bedded down on the streets.

It is recognised that there are clear limitations to this count as a measure.

Historically this area has very low rates of rough sleeping, with high

rates being confined to large cities.

The picture has changed in the last 2-3 years, as it has in other cities and towns in the country. The graphic 2.1 above shows the trends in rough sleeping estimates since 2010 across different regions of the country. The rates of rough sleeping by 2017 in the East of England were 3 times more than they had been in 2010.

The annual rough sleeping count for Borough Council of King's Lynn and West Norfolk in 2016/17 revealed 42 people rough sleeping (graphic 2.2 and 2.3). The same count in 2017/2018 recorded nine,

and the 2018/19 recorded five. Again it must be noted that this figure doesn't represent the true picture of rough sleeping – which according to other sources of intelligence has increased.

Any number of rough sleepers represents an emergency, as evidence shows that it is a highly dangerous thing to do. It is evident that, whether through the rough sleeping count, or evidence of encampments of rough sleepers that the council has identified, that the prevalence of rough sleeping is higher than it has been in the past, and is consistent with aggregate information across the East of England.



113

The way in which the Government sets out the methodology means that the true picture of homelessness can be understated or misunderstood.

The council and its partners have now adopted an ongoing monitoring arrangement of those who are rough sleeping or threatened with rough sleeping. This monitoring captures circumstances where people may be in danger of rough sleeping including those:

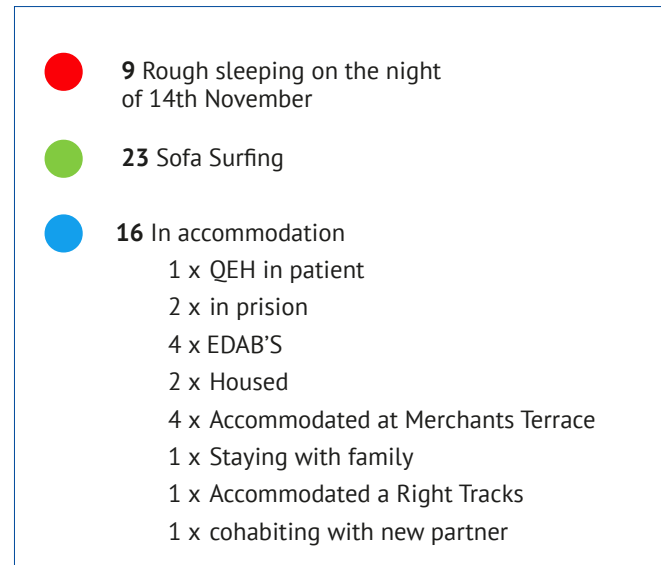
- in emergency hostel beds,

- in hospital (without accommodation),
- in prison (close to discharge),
- sofa surfing or at friends with no prospect of remaining in the future.

Graphic 2.4 represents the categories of information captured. In the last winter period 2018/19 a count of rough sleepers in the town would not have included those staying overnight in the town's night shelter. At times, the shelter accommodated up to 20 people over night.

Graphic 2.4

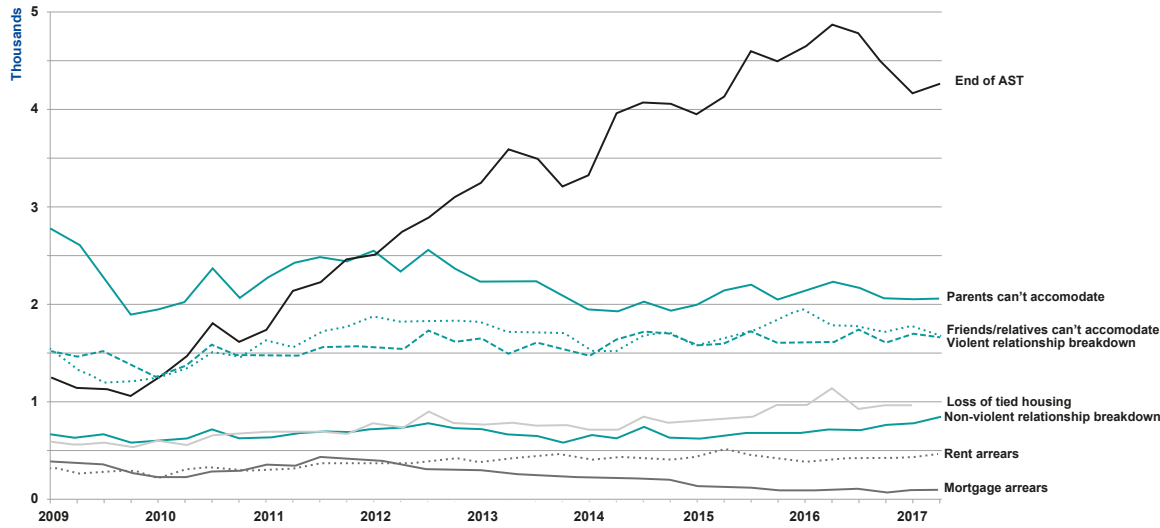
On-going record of those rough sleeping, or in danger of rough sleeping



Source: Borough Council of King's Lynn and West Norfolk's Lynn and West Norfolk



Graphic 3.1
Homelessness - the national position:
Acceptances by reason for loss of last settled home



Ending of an assured shorthold tenancy continues to be the most common reason for loss of a settled home: 27% of acceptances (31% in London) Source: Ministry of Housing, Communities & Local Government

114

9. The Reasons for homelessness or being threatened with homelessness

Central Government record the reasons that people become homeless. The reasons that people lose accommodation are varied, but the most commonly reported reason locally, in the East of England, and nationwide is through ending of a private assured shorthold tenancy (graphic 3.1)

Relationship breakdown is another common reason for homelessness (locally

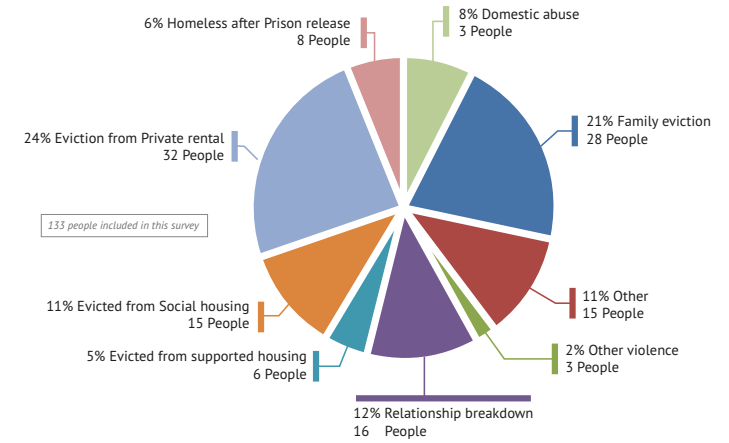
and nationally). Locally there has been a recent rapid increase in the reason for homelessness being parental exclusion.

Other reasons identified for losing accommodation include:-

- Rent / mortgage arrears
- Friends/ relatives can't accommodate
- Violent relationship breakdown
- Non-violent relationship breakdown

Graphic 3.2

King's Lynn and West Norfolk Q3 2018 - 2019
 Reason for approach as homeless or threatened with homelessness



Source: Borough Council of King's Lynn and West Norfolk

Graphic 3.2 above shows the reasons that people have approached the council as homeless or threatened with homelessness.

Notably evictions from social housing and supported housing (both categories will involve social housing landlords) total 16% of all cases. This matter is something identified in work with partner landlords under the 'Homes for Cathy' working group as detailed in the action plan.

10. Identifying issues, causes and gaps in service provision

Once someone is homeless or at risk of homelessness, they can be faced with other issues that make it difficult to gain accommodation and keep it.

Many of these factors are consistent with factors identified nationally through research undertaken by The National Audit Office and presented in their report on Homelessness in 2017.

- Changes to Local Housing Allowance and the impact this has on the affordability of private rented sector accommodation.
- Difficulties in accessing PRS accommodation at a certain price point because of high demand
- Difficulties in accessing social housing because of limited new supply and lower rates of turnover of existing stock.
- Challenges of securing appropriate accommodation with support for people with ‘complex needs’, particularly those who are seeking help late in the day after they have lost their last home.

There are many other relevant factors including reductions in funding and service provision to housing related support (Supporting People administered by Adult Social services), in mental health services, in probation services. As a result of these changes there are some gaps in provision that are identified in this document.

10.1. Welfare Reforms

Available evidence points to Local Housing Allowance (LHA) reforms as a major driver to link loss of private tenancies and increasing cases of homelessness. LHA rates were frozen on 1 April 2016. This has created affordability issues and a widening gap between Housing Benefit (Local Housing Allowance rates) and rents. The gap locally is approximately £40pw on a single shared room, in the context of single claimants

Cost of shared room pw	£95
Housing Benefit pw	£55
Shortfall pw	£40
Employment Support Allowance pw	£57.90
Left to live on pw	£17.90

(particularly under 35s and under 25s) on Employment Support Allowance. The LHA cap ends in 2020 – policy options thereafter. The scenario below (based on data from 2018) for an under 25 year old adult in the borough claiming employment support allowance serves as an example of the impact on the LHA cap and rising rents:-

As all working aged benefits have been frozen during the same period of time households have less disposable income to cover the shortfall between housing benefit and rents.

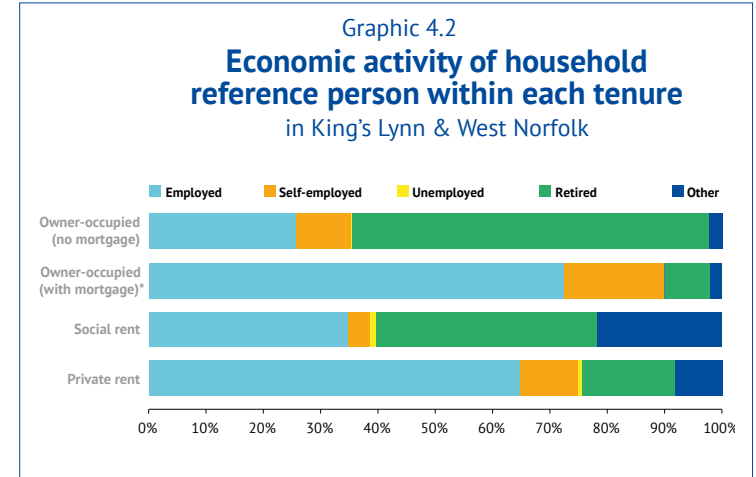
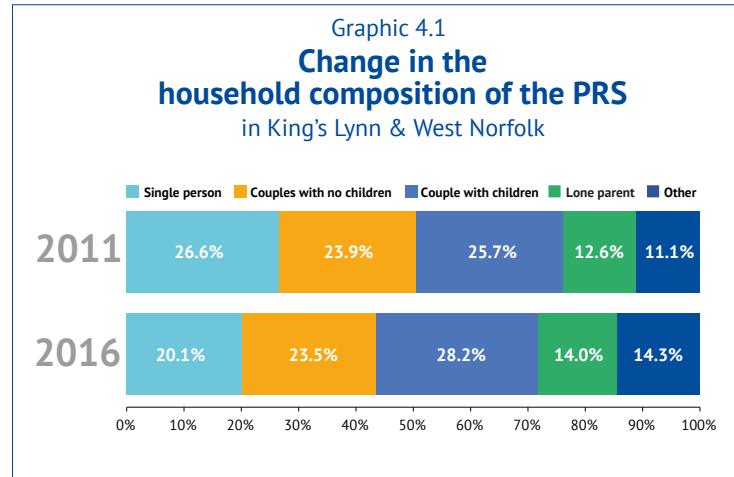
At the time the strategy has been prepared the numbers moving on to Universal Credit (UC) from Housing Benefit is accelerating. There have been changes as a result of lessons learned from pilots. Some of the changes relate to provisions for certain categories of tenants to have Alternative Payment Arrangements (APAs – allowing tenants to have the housing element of their UC paid directly to their landlord). Over the life of the strategy working with internal colleagues and partners we will monitor the impacts of UC on housing debt and homelessness.

Table 4.3
Affordable lets
in King's Lynn
& West Norfolk

Year	Number of lets
07/08	859
08/09	711
09/10	948
10/11	828
11/12	919
12/13	658
13/14	816
14/15	823
15/16	641
16/17	571
17/18	548
18/19	479

Table 4.4
New build affordable housing
in King's Lynn
& West Norfolk

Year	New build affordable
10/11	157
11/12	148
12/13	109
13/14	27
14/15	60
15/16	73
16/17	28 (net gain of 24)
17/18	29 (net gain 25) 30 RT
18/19	61



Source: King's Lynn and West Norfolk Housing Needs Assessment - Draft November 2019

10.2. Accessing the Private Rented Sector (PRS)

The LHA reforms detailed above have come about at a time when demand has continued to increase, in a period of extended growth of the PRS sector (at both a local and national level). Between 2011 and 2016 the PRS sector in the borough increased by 34.2%. This is a greater rate than is recorded both regionally and nationally. Graphic 4.1 taken from the council's draft Housing Needs Assessment shows that not only has the PRS expanded, but the households within it have diversified. The most notable change has been the growth in families now residing in the PRS.

Additionally graphic 4.2 shows that the majority of household heads in the private rented sector are in work. In this context those on low incomes with limited choices have had to compete with increasing numbers of other renters. Rents levels, the requirement for rent in advance, and high deposits continue to be barriers to accessing the PRS.

10.3. Declining delivery of new social housing and the declining opportunity to access existing social housing

The turnover of existing social housing has declined in recent years. With fewer properties becoming available via re-lets

there has been less affordable housing to meet need. Table 4.3 shows that there has been almost a 50% reduction in the number of affordable properties becoming available in recent years. Note this includes new build affordable housing.

Additionally the supply of new social housing (that is in part linked to market sale housing delivery) has also been declining over recent years. Table 4.4 provides figures on the supply of new build affordable housing in the borough since 2010. The net figures are once we have taken into account conversions of existing dwellings and right to buy sales.

10.4. Challenges of securing accommodation for people with complex needs

We have seen an increase in the proportion of people seeking help who have complex needs. For example, people who experience a combination of high support needs including those with mental health problems, substance misuse issues or learning difficulties. The challenges worsened when people present to us as being ‘homeless tonight’ when they have not sought help until they have reached crisis point.

The accommodation and support options for this group are limited which makes securing the right type of accommodation challenging.

A number of such cases are characterised by a person having a crisis that might necessitate a stay in an institutional setting. Then the individual is discharged to a situation of no accommodation. Often, this cycle is then repeated many times.

11. Identified gaps in provision

a) **Move on accommodation** – There is a real issue that we have identified with stakeholders in the availability of

accommodation to move people from a temporary arrangement to permanent housing. As a result temporary accommodation is used for longer than intended and limits opportunities to relieve homelessness for some households. This can mean a greater use of less appropriate accommodation such as the use of bed and breakfast. Move on accommodation can help move people through temporary accommodation, and provide them, with a more medium-term housing solution (often with a degree of support) in a central location. Efforts to secure a permanent housing solution can continue without the same pressure on temporary accommodation.

b) **Step down accommodation** for people with mental health problems. Step down accommodation is for people who no longer need to be in hospital but need a degree of support whilst they adjust to independent living. The local hospital has indicated that such accommodation could prove invaluable in addressing the needs of patients who don’t need to stay in hospital but need a degree of support and access to services

immediately if someone’s mental health condition worsens. There has also been a gap identified in the provision of short-term accommodation for people in mental health crisis – where existing accommodation including hostel accommodation or other forms of temporary accommodation is unsuitable or individuals face the danger of rough sleeping.

c) **Specialist accommodation** Finding accommodation for those leaving prison is as much of an issue locally as it is in other parts of the country. Funding reductions to the probation service and funding reductions made by Norfolk County Council (Supporting People funding) mean there is currently no specialist accommodation or housing support services for people leaving prison. Information from the Ministry of Justice reveals that 16% of all prisoners are homeless, well above the average of 0.5% of the whole population. There is evidence that providing accommodation for people leaving custody can reduce re-offending.

d) **Younger persons’ accommodation** Young people, including care leavers, face difficulties in accessing private rented housing. This has become more apparent since changes to the welfare system. Young people can find themselves relocated to an area where they have no local connection which makes the problem even more challenging.

e) **Review of Social Housing Providers (RPs) Policies** The policy approaches of Registered Providers can be part of the solution or part of the problem in terms of the barriers to tackling homelessness. Debt, eviction and allocations policies can be a barrier to some homeless households being able to secure accommodation.

A collective of housing associations with a progressive approach to their contribution to homelessness reduction has been formed – called ‘Homes for Cathy’. Some actions have been identified in order to support this work.

12. Our strategy objectives

The review has enabled us to identify the following objectives, which cover the term of this strategy.

Each year we will produce an associated action plan to ensure progress is being made against our strategy objectives.

12.1. Prevention of homelessness

- a) Work very closely with the council’s recently-commissioned homelessness prevention services to ensure that those at greatest risk of being homeless are assisted.

These services include:

- i. **Homegroup Community Support service** – to support those identified by the council as being at crisis point and at greatest risk in terms of losing a tenancy in the future.
- ii. **Benjamin Foundation** –floating support for young people/care leavers that have moved on from Right Tracks (young persons supported housing)
- iii. **Purfleet Trust** – who deliver intensive housing services, working with the

those people with the most complex needs. The council has successfully bid for funding the Government has made available to tackle rough sleeping (Rapid Rehousing Pathway). The £106K allocated for 2019/20 will fund 3 posts hosted by The Purfleet Trust. Two rough sleeping ‘navigators’ will help rough sleepers into settled accommodation, and support them in an intensive way to access health and other services they need. A further role will involve on-going support in a less intensive way to those re-settled in private rented accommodation to ensure their tenancy is sustained. The Purfleet Trust with the council is working with some private landlords to identify some properties for this purpose. Funding bid extension to central government

- iv. The coordination of work with these services will be achieved through regular meeting with locally based staff, and through the preparation of personalised housing plans by the council’s Housing Options team.
- b) Ensure that the council’s Discretionary Housing Payment (DHP) resources are

used most effectively in order to prevent homelessness. Officers across housing options and housing benefit teams to work to recent government guidance that highlights that DHP should be an important part of homelessness prevention strategy. The use of this fund will include cases where there is a gap between rent and housing costs on an on-going basis identified at the commencement of a tenancy.

- c) Improve opportunities for access to the PRS for households into the private rented sector. Utilising loans offered to households for tenancy deposits / rent in advance. In the context of increasing difficulty accessing PRS, pilot and then evaluate the use of rent guarantees in circumstances where a tenancy support package is in place to give the best chances of success.
- d) Seek to review and challenge the approach that Registered Provider (RP) partners take to dealing with tenants and future tenants in the context of preventing homelessness. This is in the context of some of the RPs acknowledging that their own

practices can be part of the problem not the solution. Using the ‘Homes for Cathy’ Appendix A, housing association initiative, launched last year, the review will address the 9 commitments made by the associations signed up to this initiative. Broadland Housing association and Freebridge Community Housing are members of the initiative. Examples of practices that have already been initiated by some of the RPs involved include:-

119

- i. Transferring housing debt to a credit union (or similar) avoiding eviction and homelessness, but not avoiding the need to repay the debt
- ii. Rent arrears freezing in circumstances where payment and re-payment may not be sustainable and lead to further problems and threatened homelessness
- iii. Subsidised accommodation delivered at a loss for homeless households with no recourse to public funds
- e) Undertake awareness raising

activities in relation to both tenant and landlords respective rights and responsibilities. The rationale for this is that increased awareness can reduce the likelihood of conflict and a break down in the relationships between landlord and tenant that can lead to ending of a tenancy.

- i. Awareness activities will include tenancy forums and tenancy training for first time renters and landlord forums that will cover regulatory matters. In addition continue to raise awareness regarding the new duties on specified public bodies to refer cases of homelessness to the council.

12.2. Temporary Accommodation Options - Develop a hierarchy of different types of temporary accommodation

- a) Develop additional new temporary accommodation for families (to meet identified gaps in provision). Examine solutions that bring provision on line in a very timely way making use particularly of modern modular constructed (off-

site constructed) products that can be deployed and re- used flexibly.

- b) Ensure continuation of existing temporary accommodation provision in the context of re-modelling some schemes that have lost former revenue streams (reductions in Supporting People funding regime) and utilising the new Flexible Homelessness Prevention Fund (which replaced the management fee of the temporary Accommodation subsidy).
- c) Ensure that a minimum level of support is offered to those in temporary accommodation by putting in suitable commissioned support service arrangements that seek to help equip people with what they need to sustainably move on to more permanent housing. In doing this ensure that housing benefit system is used in the most effective way – maximising the use of additional ‘Intensive Housing Management’ housing benefit, and reducing levels of Housing Benefit Subsidy (-an element of housing benefit not recoverable from central government).

- d) Continue working with Freebridge Community Housing and other RPs on the provision of general needs temporary accommodation. This enables properties to be identified near to where families are living and are beneficial in reducing any associated impacts like changing schools or losing support networks.

12.3. Access to social housing – for those in most need

- a) Address issues of the under supply of new social housing. A review of planning policy mechanisms to deliver new affordable housing will take place late in 2019 in the context of the Local Plan review/review of the council’s Affordable Housing Development policy. This could include for example allocating sites for new exceptions site housing, creating more certainty over delivery.
- b) Undertake a review of the Social Housing Allocation policy giving consideration to prevailing circumstances, equality of access, the views of Registered Providers of social housing.
- c) Seek to address issue of mismatch between stock profile and accommo-

dation needs including the needs of working age families and young people.

- d) Opportunities for new council owned registered provider of social housing to invest in new affordable housing.

12.4. Access to good quality private rented sector (PRS) housing

The council has an opportunity to both strategically enable the supply of private rented homes through the planning system, as well as directly deliver PRS through it major housing project.

- a) The council has sought to earmark 20% of new housing developed by the council to be transferred to a new council owned company to hold and manage as privately rented homes. The council’s ambition is to deliver good quality homes and set the bar for high quality management services. The business plan of the new company sets out the objective of using long-term tenancies to provide stability for families wishing to rent.
- b) Continue to explore opportunities to deliver a private sector leasing (PSL) scheme – such a scheme can benefit

landlords particularly those with a relatively small portfolio) who can benefit from economies of scale under a pooled management/maintenance arrangement and tenants can benefit from the accreditation standards that would be a requirement of the scheme.

- c) It is a planning requirement to assess the needs of people who wish to privately rent their homes. The new National Planning Policy Framework and associated guidance supports central government ambitions to accelerate investment in purpose build to rent. The council (as part of the Local Plan review) will develop a policy to create the environment for investment in high quality, family friendly professionally managed PRS as described in the governments ‘Build-to-rent Guidance’ published in 2018.

12.5. Support Needs – Ensure appropriate support needs both:- accommodation based and non-accommodation based housing related support

- a) District Direct West Project – The service was initiated in response to

amongst other things increasing cases of people being discharged from hospital and being homeless that night. The pilot started in 2018 and has involved staff from Care and Repair and the Housing Options team working directly with members of the hospital discharge team at the Queen Elizabeth Hospital has proved a success 12 months on. One of the drivers for this service was the situation of people being discharged with no home to go to. The early identification of housing issues (including the need for adaptations; disrepair; homelessness) at a point someone is admitted, rather than when they are leaving creates time for some planning and co-ordination of services. This valuable time is resulting in fewer inappropriate hospital discharge cases.

121

12.6. Accommodation based supported housing models to meet gaps in provision

a) Consider and evaluate the provision of ‘Housing First’ models. These are models of housing that avoid transitions through different types of housing from temporary to permanent and seek to provide ‘housing first’ in the

first instance. Support appropriate to individual needs is then provided. This approach takes away one of the fundamental barriers in helping people with complex needs who have had a history of rough sleeping, as it takes away the uncertainty of securing accommodation straight away. This is an intensive and expensive model but evidence from other parts of the world and pilots in the UK has shown that it can work, particularly in relation to repeat homelessness amongst people with multiple disadvantage.

b) Crisis House provision for homeless people with mental health issues needing immediate and very short term accommodation. This type of service can provide accommodation and support to people in order to prevent them deteriorating, and thereby avoiding hospital admission. Such approaches have been proven to be effective in other areas, and is something that mental health crisis team colleagues have raised with the council. This type of project is often delivered by registered providers or other voluntary sector organisations.

- c) Work with the existing providers including the Benjamin Foundation and YMCA on the development of recognition of the issues facing younger persons including those leaving institutional care/ prison. Developing shared living models including YMCA’s ‘transition model’ that facilitate a mix of people who may be working.
- d) Work with the charity Break on a supported accommodation model for vulnerable care leavers

12.7. A new co-ordination role for the council

It should be clear that the success of the council’s efforts in reducing homelessness is determined by the effectiveness of how it works with partners, and its role in helping co-ordinate activities. With a myriad of services developing the need for effective co-ordination couldn’t be more important, and therefore objectives include:

a. Dedicated role to include co-ordination of new services to ensure a ‘joined up approach’, and that the most vulnerable access support they

need, and that best use is made of temporary accommodation options - operation al group to meet regularly including police and social services

- b. Strategy group formed – to include representatives of key housing and housing support providers to inform approaches that the council will take and provide opportunity to share and develop ideas for new services
- c. Efforts to raise awareness of the ‘duty to refer’ (under the Homelessness Reduction Act), and monitor effectiveness of the new duty.
- d. West Norfolk Early Help Hub – The help hub offers a referral route for professionals who are supporting individuals or families with emerging needs - these could include housing, debt, domestic abuse, or health/ well-being issues. The council together with other public sector organisations including the police, children’s and adults social services and voluntary sector partners have come together to form a new service. The service exists to help professionals involved in supporting individuals or families

in need find the most appropriate services that can help. The ‘Help Hub’ co-coordinator facilitates weekly meetings where cases referred in can be presented and decisions made on getting the right help in a timely way.

13. Housing advice and debt advice services

Any strategy to reduce homelessness needs to include the provision of high quality independent advice. The need for effective advice services, and access to such services needs to be seen in the context of a rapidly expanding private rented sector and demand for certain priced PRS homes out-stripping supply. It also needs to be viewed in the context of difficulties in accessing legal support through the legal aid system.

The council will procure an independent housing advice service for the area to give opportunity to timely advice where people face defending possession claims or cases relating to illegal eviction/protection from eviction. Alongside a housing advice service will be a debt advice service. Housing advice and debt issues can go hand in hand therefore we expect a degree of interaction between the two services.

The council has re-tendered in 2019 the advice and information services relating to housing and homelessness and debt and income maximisation. Shelter is delivering the housing advice service, and a new organisation ‘Money Advice Hub’ the debt management advice service. Both have a local presence and are focussed on making services highly accessible.

14. Eradicating rough sleeping

Rough sleeping is a dangerous and addressing it is a priority for central Government. The Government has committed to eradicate homelessness by 2027 and to halve it by 2022. The Government has made funding available in order that we in local government can see that ambition being met.

- a) Develop the newly commissioned Rough Sleeper outreach service. In response to a significant increase in rough sleeping in the town over the last 2-3 years a new outreach service was commissioned in 2018/19. The service currently delivered by Genesis seeks to engage with those known to be sleeping rough on streets or encampments, or at risk of sleeping rough -for example those using the Night Shelter, or people.

123

The aim of the service will be to :-

- i. make the first contact and build trust
- ii. address any immediate health issues including mental health issues
- iii. look at accommodation options, or other actions that can help people off the streets
- b) Record and maintain information on those rough sleeping (or suspected of rough sleeping) or those in danger of rough sleeping in conjunction with partner agencies – for the purpose of a co-ordinated plan to support individuals off the streets. This could take the form of temporary / or supported accommodation or a return to their area of origin.
- c) Promote the use of Street-Link in order that the wider public are familiar with reporting welfare concerns over those seen to be rough sleeping
- d) Engage with people who are found to be rough sleeping – individuals or encampments of people – primarily through the commissioned ‘rough

sleeper outreach’ service. The aim of the service will be to :-

- i. make the first contact and build trust
- ii. address any immediate health issues including mental health issues
- iii. look at accommodation options, or other actions that can help people off the streets
- iv. Aligned to the rough sleeping outreach team is a mental health nurse appointed in 2019. The aim of this role is to help those sleeping rough (or threatened with sleeping rough) get treatment for mental health issues. The link between homelessness and mental health issues is well documented. This provision helps meet an identified gap in services. The service facilitates referrals to the Norfolk Integrated Housing and Community Support service. This service exists to provide housing related support to those with a diagnosis of severe mental illness. It also facilitates direct referrals

to primary and secondary mental health services, and will also take a clinical role in assessing mental health and administering medication where appropriate

- v. The council will in line with Governments expectations ensure that it provision is made for those who are rough sleeping and need night shelter from a period of extreme cold weather. The council will provide an effective response to help people shelter from the elements during the winter months, in periods of extreme cold weather. Efforts will be made to engage with those known to be rough sleeping to encourage them to use emergency shelter provision. The council will support the work of the Night Shelter charity whose aims to continue to provide their services at 5 St Ann’s Fort in the town for the winter months (Nov-March). The council will review the provision and seek further capacity in other locations with other providers if necessary. Funding opportunities will be identified from various sources particularly the

Ministry for Housing Communities and Local Government.

15. The Council's strategic role in tackling homelessness and rough sleeping

In a strategic context the following activities will be undertaken;-

- a) Support the work of the council's Homelessness and Housing Supply task group. This group is examining other areas of council activity to ensure that all resources are being used effectively to prevent homelessness. The group will have a role in monitoring progress of this strategy.
- b) Given the nature of the council's activities in relation to homelessness prevention is very orientated around partnership working, and commissioning services with other stakeholders it is important that there is a commitment to an on-going engagement at a strategic level. This will ensure that decision making processes are effective
- c) Ensure a coordinated way to effectively

monitor the commissioned services established. Assess performance against agreed objective sand targets, and review strategic relevance of services.

- d) Promoting the 9 commitments within the Homes for Cathy initiative looking to change approaches from social landlords
- e) The Government introduced a new system in 2018 for collecting data from local housing authorities in relation to homelessness and housing advice activities. An investment has been made in the council's Housing Options IT platform that means that the data is collected and produced in the format required by government t in a fully automated way.

16. Cultural Changes

Before the Homelessness Reduction Act the majority of homeless applicants – single people were entitled to advice and assistance, however, their needs were often not assessed. Prevention activities locally were prioritised but they weren't everywhere. Housing authorities were seen as 'gate keepers' with assessment and

legal process driving activities. Nationally the relationship between council staff and applicants was characterised as being conflictual.

Under the new regime all eligible applicants have an assessment of their housing and support needs. The focus is on council staff and applicants working together (with a personalised plan being obligatory) to prevent or relive homelessness. This is a significant cultural change as well as legal change. There is a continued requirement for training and supervision to ensure this change is embedded.



125

King's Lynn and West Norfolk Temporary Accommodation

17. Threats to delivery

We have identified actions and opportunities to tackle homelessness and rough sleeping in this document, however there are factors outside of the control of the council that need to be considered in future planning and decision making. Highlighted below are some identified issues that could significantly impact on the council's activities and therefore the delivery of this strategy:

- Future reductions to funding from Norfolk County Council that contribute to the costs of some key borough council commissioned support services
- Uncertainty around future central government funding associated with homelessness prevention activities – including Flexible Homelessness Support Grant, Homelessness Prevention Grant, New Burdens
- funding for the implementation of the Homelessness Reduction Act
- Homes England funding to support the delivery of new build affordable/ social housing
- Local Housing Allowance - current freeze ends in April 2020. Uncertainty about the future policy direction and potential impact on private rented housing affordability
- The impact of any future Government's policy decision in connection with the use of section 21 notices (1988 Housing Act) given a recent consultation initiative and ministerial statement.
- Changes in housing market activity – including lower demand for market housing, or falling house prices could impact on the council's plans for direct new delivery of housing



18. Action Plan for 2019/2020

Time Scale Keys

Short = within 12 months

Medium = next 2-3 years

Long term = by end of plan i.e 5 years

Area of work	Objective	Action	By Who	By When	Progress	Time scale
Temporary accommodation	Develop a hierarchy of different types of temporary accommodation	Encourage partner organisations (including private sector partners as well as social sector) to bid for Government 'Move – on' accommodation fund - in response to the identified need for such accommodation, and the issue of hostel bed blocking.	Strategic Housing Team (SHT)	March 2021 latest for funding requirements	Potential site identified, RP engaged, and bid to Homes England being considered.	Short-Medium
		Develop temporary accommodation utilising modern modular/ park home style factory built housing units on Council owned land	SHT & Property Services & Broadland Housing	Ongoing	Potential site identified, RP engaged and preparing planning application submission	Short-Medium
		Develop temporary accommodation utilising modern modular/ park home style factory built housing units on Council owned land	SHT & Property Services & Broadland Housing	Ongoing	Potential site identified, RP engaged and preparing planning application submission	Short-Medium
Support needs	Provide appropriate support needs both:- accommodation & non- accommodation based housing related support	Evaluate 'District Direct West' and make any recommendations for future operation – seek funding from CCG with a view to mainstreaming service	Housing Options Team/ Care & Repair Team	Ongoing	CCG Executive Management Team has now approved funding for the District Direct Service. Time period uncertain.	Short
		In conjunction with NSFT develop and examine proposals for a Mental Health crisis House provision/ step down accommodation and move-on accommodation. Implementation subject to funding opportunities.	SHT	Ongoing	Early discussions with Mental Health Crisis Board have commenced. Working with NHS Clinical Commissioning Groups to deliver a Mental Health Housing Summit in the New Year	Medium Short-Medium
		Work with Broadland Housing association and any other partners on the potential for the provision of a Housing First initiative	SHT	April 2020	No progress	Short

127

Time Scale Keys Short = within 12 months Medium = next 2-3 years Long term = by end of plan i.e 5 years

18. Action Plan for 2019/2020 continued

Area of work	Objective	Action	By Who	By When	Progress	Time scale
Support needs	Provide appropriate support needs both:- accommodation & non- accommodation based housing related support	Secure the opportunity for an additional Domestic Violence refuge in the area	SHT & RP	April 2020	Ongoing dialogue with RP	Short
		Work with Break to secure supported accommodation for vulnerable care leavers.	SHT	Ongoing	Early discussions commenced Sep 2019	Medium
		Work with the YMCA on their proposal for supported accommodation for young people including those leaving prison, and their transition model for young peoples shared housing.	SHT	Ongoing	Early discussions commenced Sep 2019	Short-Medium
Rough sleeping	Eradicate rough sleeping in the Borough	In conjunction with NSFT recruit and establish a mental health nurse outreach post.	Housing Options & SHT	End 2019	Post filled in summer 2019. In place until Mar 2021	Medium
		Promote use of Street- Link to increase public awareness on reporting welfare concerns surrounding rough sleepers.	Housing Options & SHT	April 2020	Ongoing (website updated & ongoing media alerts)	Short
		Take opportunities to bid for money from the MHCLG Rough Sleeping Task Force – under the Rough Sleeper Initiative funding bidding round.	Housing Options & partners	Ongoing	Submission made for funding in relation to severe weather provision. Awaiting outcome	Short
		Work with HAST, MHCLG, and Housing Justice in connection with funding opportunities for the Night Shelter and work connected with it.	SHT & Housing Options	Ongoing	Early discussions commenced Oct 19	Short
		Work with hostels/ housing support providers to ensure there are severe weather emergency beds in addition to the Night Shelter available given assessed demand.	SHT & Housing Options, RPs & Night Shelter	Ongoing	7 additional beds planned imminently for winter 19/20	Short
		Explore the potential to have wrap around shelter including day provision when the Night Shelter is closed.	SHT, Housing Options	Ongoing	Funding bid submitted to government for additional cold weather provision, awaiting outcome	Short

128

18. Action Plan for 2019/2020 continued

Time Scale Keys

Short = within 12 months

Medium = next 2-3 years

Long term = by end of plan i.e 5 years

Area of work	Objective	Action	By Who	By When	Progress	Time scale
Homelessness prevention	Introduce new measures to enhance existing homelessness prevention options	In partnership with Shelter and YMCA organise some training for prospective tenants on rights and responsibilities to avoid early tenancy failure. Explore landlord training at the same time.	Housing Options & Housing Standards	April 2020	No progress	Short
		Review commitments under flexible homelessness grant – ensuring that available resources are focussed on the most effective services	SHT	Jan 2020	Early stages.	Short
		In respect of the need to access the private rented sector tenancies trial incentive initiatives – including rent guarantees in circumstances where appropriate tenancy support is put in place.	Housing Options & SHT	April 2020	No progress	Short
		Work with internal colleagues & RP Partners to identify measures to monitor the impacts of Universal Credit on housing debt and homelessness.	SHT, Revenue Services & RP partners	April 2020	No progress	Short-Medium term
Access to social housing	Improve access to social housing for those most in need	Ensure Local Plan review encompasses identified policy work in relation to affordable housing and build to rent housing – particularly new opportunities arising from changes to the National Planning Policy Framework	SHT & Planning Policy Team, Local Plan task Group,	Jan 2020	Work has commenced. Housing needs assessment commissioned and first draft imminent.	Short
		Undertake a review of the social housing allocation policy and encourage key partners at the same time to review housing policies and stock profile to ensure social housing is used to benefit those who most need it.	SHT & Housing Provider Partners	April 2020	Borough Councils review of allocation policy commenced Nov 2019. Ongoing dialogue with RPs	Short
		As part of the review into the allocations policy, as well as in a wider sense consider the housing needs/ access to housing of young carers and their families	SHT & Housing Provider Partners	April 2020	Borough Councils review of allocation policy commenced Nov 2019.	Short

129

Time Scale Keys Short = within 12 months Medium = next 2-3 years Long term = by end of plan i.e 5 years

18. Action Plan for 2019/2020 continued

Area of work	Objective	Action	By Who	By When	Progress	Time scale
Private Rented Sector	Increase the supply of good quality private rented sector (PRS) housing	Commence delivery of PRS via the Councils major development programme (20% of new housing developed by Council)	SHT, West Norfolk	June 2021	PRS Council Owned Company established in 2018. Business Plan has identified 179 units over next 3-5 years	Long term
		Explore and evaluate opportunities to establish a Private Sector Leasing Scheme.	SHT, RP partners	April 2021	No progress	Medium-Long term
130 Coordinating role	Achieve effective collaboration with partners and coordination of services	Establish a help hub – a service that assists professionals who are supporting households with complex needs by identifying suitable organisations interventions	Housing Options, OPT, Children's & Adults Services	Ongoing	Service established in May 2019	Long term
		Work with Genesis Notting Hill to ensure a smooth transfer of their services including Park Road, Merchants Terrace and the rough sleep outreach service to a new provider following their decision to leave East Anglia	SHT & Genesis & New Provider	Ongoing	Early dialogue has commenced	Short
		Establish and maintain a stakeholder group to help inform the strategy and update it	SHT	Jan 2020 ongoing	Initial discussions with partners 2018/19. Formal group yet to be formed	Short
		Establish & maintain collaborative working group with RP partners to respond to the gaps identified.	SHT	Jan 2020 On going	No progress	Short

18. Action Plan for 2019/2020 continued

Time Scale Keys

Short = within 12 months

Medium = next 2-3 years

Long term = by end of plan i.e 5 years

Area of work	Objective	Action	By Who	By When	Progress	Time scale
Strategic role	Provide on going commitment to engage at a strategic level	Participate in the Homes for Cathy regional working group led by Broadland Housing Group	SHT & RP Partners	Ongoing	FCH board have agreed to review a set of policies including those relating to evictions for arrears and lettings in the context of Home for Cathy commitments	Short
		Ongoing monitoring of commissioned services & performance against agreed objectives and targets.	SHT	Ongoing	Quarterly Monitoring commenced for commissioned services	Short-medium
		Review of strategic relevance of services	SHT	Yet to commence		Short-medium
		Review contractual arrangements for year 3 of the Home group Community support service	SHT, NCC & internal	Jan 2020	No progress	

19. Monitoring and evaluation of the strategy and action plan

The effectiveness of this strategy is measured and monitored within the organisation, and beyond in a transparent way. In order to ensure this happens a set of measures have been selected that are detailed in **appendix B**. These are 12 measures that will be monitored continuously and will help understanding around trends and help us evaluate the effectiveness of our actions. Where appropriate these will be presented using info -graphics to aid interpretation

and will be useful for tracking changes over time. A suitable presentational format is currently being devised that will form the basis of future reporting.

We will review this action plan annually for the duration of the strategy. We will report our review findings to the council’s Environment and Community Panel and update the strategy and plan as necessary to reflect any changing circumstances. New actions will be prepared in 2020/2021.

20. Appendices

A – The ‘Homes for Cathy’ 9 commitments

B – Homelessness Measures and explanations



132

Appendix A



9 Commitments:

1. To contribute to the development and execution of local authority homelessness strategies
2. To operate flexible allocations and eligibility policies which allow individual applicants unique sets of circumstances and housing history to be considered
3. To offer constructive solutions to applicants who aren't deemed eligible for an offer of a home
4. To not make any tenant seeking to prevent their homelessness, homeless
5. To commit to meeting the needs of vulnerable tenant groups
6. To work in partnership to provide a range of affordable housing options, which meets the needs of all homeless people in their local communities
7. To ensure that properties offered to homeless people should be ready to move into
8. To contribute the ending migrant homelessness in the areas Housing Associations operate
9. To lobby, challenge and inspire other to support ending homelessness

Appendix B

HS2			
Rationale	This is the most inappropriate and costly form of temporary accommodation, and our efforts should be focussed on minimising or avoiding its use altogether by working on delivering adequate provision of more suitable forms of temporary accommodation.		
Definition	Measured by the gross spend on B&B in each quarter. Some of the costs can be recovered through housing benefit payments. The 'net' figure is not used as it may be some time before these payments are received, and there is a degree of uncertainty over predicting the amount that could be recovered.		
Formula	Quarterly aggregate sum of spending on B&B in that period.		
Collection interval	Quarterly	Good performance	Low figure

HS3 No of households with a homelessness declaration			
Rationale	The purpose of this is to measure the numbers of households we deem likely to be homeless or threatened with homelessness as opposed to those who will contact us and receive some initial advice and assistance and not go beyond this level of interaction. This is important in determining the levels of homelessness, and consequently demands on the Council's housing services; and can help inform resource planning and prioritisation.		
Definition	This is the point where a household that has approached the Council is deemed by the Council to be in circumstances that warrant a homelessness assessment - because there is sufficient reason to believe they are homeless or threatened with homelessness. From this point onwards the case is on a statutory footing with a detailed processes to follow.		
Formula	The aggregate number of cases captured through the homelessness reduction software system		
Collection interval	Quarterly	Good performance	Low figure

134

HS4 No of households prevented from becoming homeless for a minimum of 6 months			
Rationale	Preventing homelessness is a key area of focus - prevention is deemed successful where it last for six months or more. The direction of this quarterly measure will indicate to a degree the effectiveness of the prevention tools and activities used by the Council.		
Definition	This measure is one that is captured directly by the governments H-Click data system. It is determined through the answers to a number of questions that are covered during the assessment process, and captured on the homelessness reduction software. It does not seek to measure individual prevention cases into the future - monitoring prevention beyond 6 months, but rather is an outcome measure after the prevention activity. For example where a negotiation with a landlord has resulted in the grant of a new tenancy and it is understood that there is no intention for the landlord to sell their property this would be considered a successful prevention outcome and would be counted.		
Formula	This is captured directly from the homelessness reduction software		
Collection interval	Quarterly	Good performance	High figure

HS5 No of households accepted as homeless with a need to be rehoused (Main housing duty)			
Rationale	The Homelessness Reduction act introduced a number of new duties including the 'prevention' and 'relief' duties. The main or full duty under previous legislation however remains. The number of households who are homeless and owed this main duty has been a key measure of homelessness in the past. As the duty is harder to meet i.e. securing appropriate accommodation (social housing or private rented for a minimum of 2 years) for increasing numbers of households an impact of the new legislation will be to aim to prevent homelessness in the first place through early interventions, and avoid this duty being owed.		
Definition	Households who are owed a main duty are those eligible for assistance, in priority need (a vulnerable category), and unintentionally homeless. A main duty is owed at the end of the prevention and relief duties. A positive decision that a main duty is owed cannot be made in prevention or relief duty periods.		
Formula	A main duty decision will be recorded and this measure automatically generated from the Homelessness Reduction software		
Collection interval	Quarterly	Good performance	Low figure

Appendix B continued

HS6 % of cases who were offered a prevention and relief duty who remain homeless and are owed no further duty.			
Rationale	<p>The rationale of this measure is to seek to understand the effectiveness of greater involvement with all categories of homeless households that has arisen from the new legislation effective from 2018. Working to prevent homelessness and relieve homelessness are now on a statutory footing. This measure seeks to understand what proportion of these cases remain homeless despite the efforts made. This will help analyse effectiveness of intervention, but also the degree to which existing provision of local accommodation and support services meet the needs of these households. ('Homelessness prevention' means providing people with the ways and means to address their housing and other needs to avoid homelessness.</p> <p>'Homelessness relief' is where an authority has been unable to prevent homelessness but helps someone to secure accommodation including temporary accommodation, even though the authority is under no statutory obligation to do so.)</p>		
Definition	<p>New legislation in 2018 introduced a 'prevention' duty (56 days) and a 'relief' duty (56 days). This measures the percentage of those owed these new duties who after both periods totalling 112 days remain homeless despite the involvement of officers at the Council.</p>		
135 Formula	<p>This will be generated through a Business Intelligence tool - part of the homelessness reduction software</p>		
Collection interval	Quarterly	Good performance	Low figure

HS7 No of rough sleepers			
Rationale	<p>Rough sleeping is a dangerous activity, the most extreme form of homelessness, and a highly visible sign of it when people are in town centres. This area has seen a significant increase in rough sleeping, and if there is an ambition to tackle the problem, it is important that evidence is collected to assess trends, and the effectiveness of interventions made.</p>		
	<p>The Government requires Council's to undertake a count of rough sleepers once a year in autumn. The arrangements for this count are very prescribed, and clearly there are questions of its usefulness based on frequency and definitions used. People who have no accommodation who are temporarily in hospital or sheltering in a night shelter are not included for the purposes of the count. A more comprehensive record of rough sleepers or those that are at risk of rough sleeping will be maintained on an on-going basis and reported quarterly.</p>		
Formula	<p>Data will be collected from a number of different sources including housing support providers, hostel providers, and the rough sleeper outreach team. Whilst this will provide a source of information for wider purposes, for this monitoring simply the numbers recorded will be supplied. This will be based on snapshot at the end of each reporting period. There will not be an aggregate count for each period.</p>		
Collection interval	Quarterly - snapshot from spreadsheet not aggregated	Good performance	Low figure

HS8 No in temporary accommodation - bed and breakfast			
Rationale	<p>The use of temporary accommodation is important in relieving homelessness and meeting statutory duties. There are several different forms of temporary accommodation including bed and breakfast type accommodation. This is the least appropriate type and we aim to use such accommodation as a last resort. It is often small, with no kitchen and provision for preparing meals. It is expensive and there are cost implications for the Council. It is unlawful to use such accommodation to house families for more than six weeks.</p>		
Definition	<p>This measures the number of households that have stayed in B&B during the period. It does not measure nights stayed or costs incurred - these are captured in other sources of information. Bed & Breakfast type accommodation is characterised by being paid for nightly and not having any arrangements for cooking / food storage and preparation.</p>		
Formula	<p>This will be generated through a Business Intelligence tool - part of the homelessness reduction software</p>		
Collection interval	Quarterly	Good performance	Low figure

HS9 No of social housing lettings - against a baseline			
Rationale	<p>For vulnerable people and people on very low incomes the opportunity to access social housing is important for avoiding homelessness, as well as providing security of tenure, and a home that is suitable for their needs and is affordable. An adequate supply of social housing (existing and new) is important to help reduce homelessness and meet the wider obligation to plan for and meet the needs of people in the area who cannot afford a market housing solution to meet their housing needs</p>		
Definition	<p>The number of social housing lettings through the Council's Choice Based Lettings system (West Norfolk Homechoice)</p>		
Formula	<p>This figure is generated through the Choice Based Lettings software</p>		
Collection interval	Quarterly	Good performance	High figure

Homelessness and Rough Sleeping Strategy 2019 - 2024

Borough Council of
King's Lynn &
West Norfolk





Volunteers at King's Lynn Winter Night Shelter painting the stairsway

Homelessness and Rough Sleeping Strategy 2019 - 2024

Borough Council of
King's Lynn &
West Norfolk

