

Officer Decision Record – Executive Decision

If Key Decision: Decision Ref. No.

B000/24

Ref A020/23 [Link](#) Decision Record

OFFICER DECISION RECORD ⁱ

Officer Key Decisions are subject to the Council's Call-In Procedure (Annex 9 of the Council's Constitution <https://www.hertfordshire.gov.uk/about-the-council/freedom-of-information-and-council-data/open-data-statistics-about-hertfordshire/who-we-are-and-what-we-do/who-we-are-and-what-we-do.aspx>)

Subject: Provision of Housing Management Services for Adult Care Services

Type of Decision: Executive

Key Decision (Executive Functions only): Yes

Executive Member/Committee Chairman:

Bob Deering (Resources & Performance) & Tony Kingsbury (Adult Care Services)

Portfolio (Executive Functions only): N/A

Officer Contact: Helen Maneuf, Executive Director (Resources) - Interim

Tel: 01438 845502 (55502)

1. Decision

At Cabinet on 10 July 2023 the following decision was made:

a. Agreed to award the contract and lease arrangements relating to the ADS Portfolio of Properties currently managed by Catalyst Housing Ltd (now Peabody Trust) to two registered providers (as set out in Part 2 of this report) in accordance with Regulation 32 of the Public Contracts Regulations 2015 that in the specific cases and circumstances laid down in this regulation, contracting authorities may award public contracts by a negotiated procedure without prior publication. Such award of contract will be subject to the registered providers formally

approving the provision of the services in accordance with the option preferred by Cabinet.

b. Delegated to the Deputy Chief Executive & Executive Director of Resources, in consultation with the Director of Finance, the Executive Director of Adult Care Services and relevant Executive Members, the authority to agree the terms of the documents required to support these arrangements, these being:

- (i) The Lease agreement.
- (ii) The Property Management agreement (incorporating an agreed service specification); and
- (iii) The deed of surrender with Peabody Trust for the termination of the existing lease agreements.

2. Reasons for the decision

At Cabinet on 10 July 2023, it was decided to award the contract and lease arrangements relating to the ADS Portfolio of Properties currently managed by Peabody Trust to two registered providers.

The proposed 5-year lease (with an option to extend for a further 2 years) was determined as the best solution to protect our residents and provide them with service continuity whilst providing an opportunity to consider the future direction via a Strategic Property Review process.

Discussions with the two registered providers have successfully progressed and they are supportive of working with HCC to secure a way forward.

3. Alternative options considered and rejected

The Council explored several alternative options which were rejected, as set out below:

1. Do Nothing
2. Peabody Trust to extend the current arrangement or agree to negotiate a new arrangement
3. Disposal of the property portfolio to one or more housing providers with the existing occupants and care arrangements in place and appropriate restrictions and charges on the legal title to protect this position.
4. Create a County Council owned entity to act as the Registered Provider.

4. **Consultation** (see *Summary of Requirements below*)

Was any Councillor consulted? Yes

If yes:

(a) Comments of Executive Member

Noted and agreed ACS/RMB Exec Members **18 July 2024**

(b) Comments of other consultees

Noted and agreed ACS/RMB Officers **16 July 2024**

5. **Any conflict of interest declared by a councillor who has been consulted in relation to the decision**

N/A

6. Following consultation with Deputy Chief Executive & Executive Director of Resources in consultation with Director of Finance, Executive Director of Adult Care Services and relevant Executive Members

Signed: Scott Crudgington

Title: Interim Chief Executive

Date: 19 July 2024

Copies of record to:

- All consultees
- hard & electronic copy (if required to be made available for public inspection) to Democratic Services Manager - Room 213 County Hall.ⁱⁱ

Summary of Requirements to Inform/Consult Councillors

Significance of Proposed Action	Controversial	Relevant Councillor(s) to be Consulted
Technical/Professional/ Routine	No	No need to inform or consult councillors
Technical/Professional/ Routine	Yes	Executive Functions: Consult relevant Lead Executive Member and, where appropriate, Local Councillor

		Non-Executive Functions: Relevant Committee Chairman and, where appropriate, Local Councillor
Local	No	Executive Functions: Inform Lead Executive Member and Local Councillor Non-Executive Functions: Inform Local Councillor
Local	Yes	Executive Functions: Consult Lead Executive Member and Local Councillor Non-Executive Functions: Consult Local Councillor
General or County-wide	No	Executive Functions: Consult relevant Lead Executive Member (s) Non-Executive Functions: Consult relevant Committee Chairman
General or County-wide	Yes	Executive Functions: Consult relevant Lead Executive Member (s) and the Leader of the Council Non-Executive Functions: Consult relevant Committee Chairman/Leaders all Political Groups