


ARUN DISTRICT COUNCIL
DECISION TAKEN UNDER OFFICER SCHEME OF DELEGATION

To be completed for decisions taken in accordance with Part 4, Officer Scheme of Delegation, Section 1, paragraph 5.2.

DATE DECISION TAKEN	27 March 2020 and 24 April 2020
SUBJECT	Contract with Bourne Leisure for providing accommodation to rough sleepers at Butlins, Bognor Regis S138 CMT Record of Decision
DECISION TAKEN	<p>To incur expenditure in line with my delegated authority to enter into this contract to secure emergency accommodation to protect the lives of rough sleepers and those who find themselves homeless in the Arun District during the current Covid 19 pandemic. This decision has been taken in response to a directive of the Government during the current nationwide lockdown.</p> <p>The contract will run from 27 March to 31 July at a cost of £315,000.</p>
REASON FOR THE DECISION	<p>The Council is awarding this contract on the basis of extreme urgency brought about by the Covid-19 outbreak in accordance with Regulation 32(2)(c) of the Public Contract Regulations 2015. The Council is satisfied that the requirements of this provision are met as follows:</p> <ol style="list-style-type: none"> 1. Genuine reason for extreme urgency – The rapid spread and significant impact of COVID-19 is unprecedented on a global scale and the impact on Arun residents is immediate. Furthermore, the Council was directed with extreme short notice by Central Government to ensure all homeless individuals were provided with accommodation to assist in preventing the spread of Covid-19. 2. Events leading up to the need for extreme urgency are unforeseeable - The unprecedented nature of this crisis is such that it is impossible to foresee what will happen even on a day to day basis. Furthermore, it is not possible to make realistic predictions based on the experiences of other European countries as these are also evolving and changing on a daily basis. 3. It is impossible to comply with the usual timescales and procurement routes – the Council was provided with only days’ notice by Central Government of the requirement to secure accommodation for homeless individuals. The Council would not have been able to meet this requirement had a full tender process been undertaken. 4. The situation is not attributable to the Council - COVID-19 emerged and spread from China. The Council has not done anything which may be said to have contributed to its spread.

This record to be maintained for six years or such period as statute requires with the relevant subject file

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	<p>I have exercised my delegated authority at Part 4, Section 2, paragraph 3.9 of the Officer Scheme of Delegation which confirms that I can incur this expenditure for meeting the purposes of the Local Government Act 1972, S.138 when it is in connection with peacetime emergencies and disasters.</p> <p>A waiver to Part 6, Section 6, paragraphs 4.2 and 5.2 of the Purchasing, Procurement, Contracts & Disposals Procedure Rules has also been approved on the basis that this is a matter of extreme urgency given the very short notice given by Central Government. I am satisfied that these circumstances fulfil the criteria for extreme urgency set out in regulation 32(2)(c) of the Public Contracts Regulations 2015. Therefore, I have been unable to follow the normal procurement processes and I have entered into a contract above my authorisation level of £50,000.</p> <p>As my authority confirms, this action will be reported to the first subsequent meeting of Cabinet.</p>
<p>ALTERNATIVE OPTIONS CONSIDERED OR REJECTED</p>	<p>To not follow the Government directive and endanger the lives of this vulnerable group.</p> <p>To procure the accommodation through a formal contract process. This was not feasible in view of the emergency situation and the timescale set by the Government directive.</p>
<p>ANY CONFLICT OF INTEREST DECLARED BY ANY MEMBER OF THE COUNCIL <i>Only needed if the decision is under an express authorisation</i></p>	<p>None</p>
<p>NAME OF THE DECISION TAKER</p>	<p>Philippa Dart, Director of Services</p>
<p>SIGNATURE</p>	

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