

Emergency Powers Decision Report



Out of Hours Emergency Homeless Support Service

Exemption from the Contract Procedure Rules and grant of a direct award of a 6-Month Contract for the Out of Hours Emergency Homelessness Support Service

Decision Maker: Chief Executive

Service Area: Housing Services

Directorate: Communities

Report Author: Clare Ocansey Senior Housing Needs Officer

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Date of Decision: 24th August 2026

1. Power to make the decision

The decision is being taken under the authorisation contained in Section 9C – Delegations to Specific Officers of Part 3 (Responsibility for Functions) of the Council Constitution for the Chief Executive to take any emergency decisions in respect of the Council's executive functions which cannot be delayed until the next Cabinet meeting.

2. Decision Sought

This is a Cabinet report to seek approval for an exemption from the Contract Procedure Rules ("CPRs") to enable a direct award of a 6-Month Contract for the Out of Hours Emergency Homelessness Support Service to be given to the existing provider Care Point. (Key decision reference HNS-08-26)

3. Reason for urgency

The existing contract has now expired. It expired at the end of July 2026. The Council must operate a 24/7 accessible homelessness function which includes out-of-hour provision. This is a statutory responsibility. The current provider is now out of contract and continuing to provide the service at risk. It is imperative that formal arrangements are formalised to ensure business continuity and full statutory compliance.

4. Risk(s) of not taking the decision

Without a contract in place, the delivery of the out-of-hour service is operating outside of contract procedure regulation, and the Council is at risk of legal challenge. Furthermore, without the assurance of a contractual framework in place to support the delivery of the service, the current provider could withdraw their services imminently and without notice and the Council would be left without an out-of-hour provision which is against statutory regulation. The Council reputation would be at risk, and the Council could be subject to a judicial review with significant financial penalties.

5. Financial impact if decision not taken forward

- 5.1 Funding for the Out of Hours service is held within the Professional Fees budget, and the forecast spend for 2026-27 is £127,500 for the year, (£63,750 for 6 months) based on latest costs. The proposed extension will not result in any additional cost pressures.
- 5.2 Should the Council not take this decision forward the Council end up without an out-of-hour homelessness provision, they will be in breach of their statutory responsibilities and subject to judicial review with significant financial penalties.

6. Statutory Officer clearances

a. Section 151 Officer

Name Lee Walsh
Date 4th August 2026
Comments

The urgent decision is to extend the contract by 6 months to enable a compliant competitive tender to take place. The forecast expenditure for the Out of Hours service for 6 months is £63,750 and there is existing resources available within the service budget for the provision of this service.

b. Monitoring Officer

Name: Alan Evans (Deputy Monitoring Officer)
Date: 4th August 2026
Comments

The exercise of emergency powers should be undertaken in consultation with the Leader or Deputy Leader of the Council. However, the Council has not yet appointed a Leader or Deputy Leader for the current municipal year so it is not possible to consult them. In addition, there is no certainty about when a Leader or Deputy Leader will be appointed, as the Council has failed at three successive meetings to do so. For the reasons given in the report an urgent decision relating to the report is required and it cannot await the appointment of a Leader and Deputy Leader at some undetermined future date.