

**Minutes of a meeting held on Wednesday, 1st November, 2017
at 10.30 am in The Guildhall, St Peter's Place, Westgate, Canterbury**

Present: Councillor C Wells (Chairman)

Councillor S Cook
Councillor M Conolly
Councillor Morris

Officers:	Nadeem Aziz	-	Chief Executive (DDC)
	Mike Davis	-	Director of Finance (DDC)
	Madeline Homer	-	Chief Executive (TDC)
	Tricia Marshall	-	Director of Resources (CCC)
	Harvey Rudd	-	Head of Legal (DDC)
	Josie Newman	-	Democratic Services Officer

1 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Councillor Fairbrass and apologies for lateness received from Councillor S Cook.

2 SUBSTITUTE MEMBERS

There were no substitutes for the meeting.

3 VICE-CHAIRMAN FOR MUNICIPAL YEAR 2017/18

In accordance with the operating arrangements, it was confirmed that Councillor Morris would be Vice Chairman for the rest of municipal year 2017/18.

4 DECLARATION OF ANY INTERESTS

No declarations of interests were received from councillors or officers.

5 EAST KENT SERVICES STRATEGIC SERVICE DELIVERY OPTIONS AND POTENTIAL FOR CONTRACTING OUT OF CERTAIN FUNCTIONS

The Director of Shared Services introduced the report which requested the approval of the onward delegation to the Director of Shared Services and Director of Collaborative Services of the powers and functions listed in the report, in order to enable contract negotiation to proceed. A report would be submitted to the Committee in the future seeking their consideration and approval of final contract terms.

The Chairman drew attention to the options which were set out in the report and invited the committee to ask questions and make comments.

The recommendations in the report were proposed, seconded and unanimously agreed.

RESOLVED:

- 1) To note that the attached report has been considered and approved by each of the Cabinets of Thanet District Council and Dover District Council, and both the Policy and Resources Committee and the Canterbury City Council
- 2) To accept the requests of the above Cabinets and Council that the East Kent Services Committee should discharge the powers and functions of the Councils to:
 - a) Acting in consultation with the chief legal officer of the Council*, to authorise entry into contracts with third parties in relation to the discharge of all or any of the Revenues, Benefits and Customer Services Functions, including the granting of interests in land.
 - b) To exercise the powers and functions of the Council in relation to any contract entered into by the Council pursuant to (2)(a) above, (to include but not be limited to) making decisions on behalf of the Council in relation to:-
 - i) Contract management
 - ii) Renegotiation of the contract (acting in consultation with the chief legal officer of the Council)*
 - iii) Variation of the contract (acting in consultation with the chief legal officer of the Council)*
 - iv) Assignment of the contract (acting in consultation with the chief legal officer of the Council)*
 - v) Novation of the contract (acting in consultation with the chief legal officer of the Council)*
 - vi) Termination of the contract (acting in consultation with the chief legal officer of the Council)
 - vii) Renewal of the contract (acting in consultation with the chief legal officer of the Council)*
 - viii) Enforcement of the contract including the making and settling of any claims arising under it (whether or not legal proceedings are actual or contemplated)
- c) To authorise the doing of anything in relation to the exercise of the powers and functions of the Council under Part II of the Deregulation and Contracting Out Act 1994 and the orders and regulations made under it.
- d) Acting in consultation with the chief legal officer of the Council to authorise entry into contracts* with third parties in relation to any functions of the Council which are not the Revenues, Benefits and Customer Service Functions but which can usefully be entered into in connection with or in

*the contracts shall be entered into in accordance with each local authority's respective Contract Standing Orders.

order to facilitate contracts entered into, or to be entered into with regard to the Revenues, Benefits and Customer Service Functions.

*the contracts shall be entered into in accordance with each local authority's respective Contract Standing Orders.

- e) To authorise the doing of anything incidental to, conducive to or otherwise expedient in connection with (a) to (d) above.
- 3) To approve the use of the Kingston-upon-Hull City Council's existing OJEU-tendered Framework Agreement and to authorise the Director of Shared Services to enter into an access agreement with Kingston for the use of such framework.
- 4) To agree that Civica UK Ltd is the Preferred Bidder for this contract under the framework agreement listed in (3) above.
- 5) To amend the existing delegations to the Director of Shared Services and Director of Collaborative Services to discharge the functions and delegations listed in (2)(b)(i)-(vi) and (2)(b)(viii) above on behalf of the Committee.
- 6) To task each of the Director of Collaborative Services and the Director of Shared Services responsibility for the negotiation of a contract for the delivery of the Revenues, Benefits and Customer Services Functions and request that a report come back to EKSC for their consideration and approval of final contract terms and, if appropriate, their authorisation of entry into the contract and associated documentation.

6 EAST KENT SERVICES STRATEGIC SERVICE DELIVERY OPTIONS AND POTENTIAL FOR CONTRACTING OUT OF CERTAIN FUNCTIONS - ANNEX EXEMPT FROM PUBLICATION

The information was borne in mind when the decision was made at minute 5.

The meeting ended at 10.49 am.