

To: Council
Date: 25 November 2024
Report of: Head of Law and Governance (Monitoring Officer)
Title of Report: Decisions taken under Part 17.9 of the Constitution

Summary and recommendations	
Purpose of report:	Council is asked to note the decision taken by the Executive Director (Development) under the provisions in Part 17.9 of the Constitution.
Recommendation: That Council resolves to:	
1. Note the decision taken as set out in the report.	

Appendices	
None	

Introduction and background

1. This report updates Council on a decision taken by the Executive Director (Development) under the provisions in Part 17.9 of the Council’s Constitution.
2. Where the provisions under Part 17.9 are used the Constitution requires that the decision must be reported to the next ordinary Council meeting with the reasons why it was urgent.

Decisions taken under Part 17.9

3. The following decision has been taken under the provisions in Part 17.9 of the Constitution. Council is asked to note the decision.
4. This report does not include decisions taken under the provisions of Part 17.9 of the Constitution that have previously been reported to Council.

ITEM 1	URGENT KEY DECISION FOR THE AWARD OF THE HOSTING AND DATA CENTRE SERVICES CONTRACT TO SPECIALIST COMPUTER CENTRES (SCC)
The decision to award a 5-year contract to SCC (Specialist Computer Centres) for hosting and data centre services, including migration to a cloud-based Azure solution. The contract value is £570,000 per year, with additional provisions for overages. The contract also includes deferred payments for two quarters, reducing	

immediate financial pressure on the Council.	
Date of decision:	1 st October
Decision taker	Tom Hook, Executive Director (Corporate Services) Decision taken in consultation with: <ul style="list-style-type: none"> • Councillor Nigel Chapman, Cabinet Member for Citizen Focused Services and Council Companies • Helen Bishop, Head of Business Improvement • Nigel Kennedy, Head of Financial Services • Emma Jackman, Head of Law and Governance • Councillor Katherine Miles, Chair of the Scrutiny Committee
Was the decision taken under emergency or urgency rules?	Constitution 17.9 <i>A decision to be taken cannot be called in if the Chair of the Scrutiny Committee, upon being consulted, agrees that:</i> <ul style="list-style-type: none"> • <i>the decision to be taken is both urgent and reasonable and</i> • <i>the delay caused by the call-in process would not be in the interests of the Council or the public.</i> <p><i>If the Chair of the Scrutiny Committee is not available, the Lord Mayor must agree that the decision to be taken is urgent and reasonable. If the Lord Mayor is not available, the Deputy Lord Mayor, Chief Executive or Monitoring Officer must agree.</i></p> <p><i>Decisions to which this rule applies must be identified on the notice of decision.</i></p> <p><i>Decisions to which this rule applies must be reported to the next ordinary Council meeting with the reasons why they were urgent. If the next meeting is within seven days of the decision being taken the decision taker will report to the next meeting after that.</i></p>
Is this a Key Decision?	Yes
Reasons for decision	The decision is made to ensure continuity of essential IT services, reduce financial burden through deferred payments, and provide a pathway to a more efficient cloud-based service. The new contract terms are favourable, offering long-term financial stability and operational efficiency.
Alternative options considered:	1. Continue with the existing contract: This option was rejected due to high overage costs and financial strain. 2. Tender for a new provider: This option was considered but rejected due to time constraints and the favourable terms negotiated with SCC.
Wards significantly affected	None.

Financial issues

5. The contract value is £570,000 per year, with additional provisions for overages. The contract also includes deferred payments for two quarters, reducing immediate financial pressure on the Council.

Legal issues

6. At its meeting on 17 April 2024, Cabinet delegated authority to the Executive Director (Corporate Resources) in consultation with the Head of Law and Governance, the Head of Financial Services, and the Cabinet Member for Citizen Focused Services and Council Companies to agree the final terms and enter into a contract with the preferred supplier.
7. The urgency provisions used to take the decision outlined in this report are set out in Part 17.9 of the Council's Constitution. In accordance with Part 17.9 of the Constitution, the Chair of the Scrutiny Committee, Councillor Katherine Miles, agreed that the taking of the decision was both urgent and reasonable, and that the delay caused by the call-in process would not be in the interests of the Council or the public.
8. Reasons for using the urgency provisions was because this decision secures the provision of critical hosting and data centre services for Oxford City Council, while transitioning to a more cost-effective cloud-based Azure solution. It also alleviates financial pressure by deferring payments and reducing overage costs over the contract term. Any deferral to this would have incurred additional costs to the Council, and potential loss of webservices.

Report author	Jonathan Malton
Job title	Committee and Member Services Manager
Service area or department	Law and Governance
Telephone	01865 602767
e-mail	jmalton@oxford.gov.uk

Background Papers: None

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