

**Executive Decision  
Individual Decision Notice  
Special Urgency Notification**



**Decision Maker: Mayor's Executive Decision Making, Not before 7th Dec 16**

**Classification:**  
Unrestricted

**Microsoft Enterprise Licensing - Renewal of Contract R4176**

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – notice is hereby given that an Executive Decision is required to be that has to be excluded from the Council's Call-In Provisions.

As required under the above regulations, the Chair of the Overview and Scrutiny Committee has agreed to the above decision being taken under the Special Urgency Provision.

This notification will be published as soon as possible before the decision is taken.

**Reason why it is impractical to provide 28 clear days' notice of the decision:**

Following discussion with the Chair of the Overview and Scrutiny Committee it has been agreed to preclude this decision from Call-In.

Council's framework agreement from Crown Commercial Services (CCS) called PSA09 for its Microsoft Enterprise Agreement is due to expire on 31st March 2017. The Council cannot renew this and would need to have a new agreement in place after this date, following a procurement process. The current agreement allows the Council to use Microsoft software for its Outlook email, servers and desktops. The Council also procured Visio and Project licences.

Whilst the current agreement ends on 31st March 2017, following Brexit Microsoft announced a price hike of between 15 to 22% for its agreement. However, if the Council can renew its EA before the end of 2016 (i.e. by 9th December 2016), it will insulate itself from this price rise.

**Signature:**

Zena Cooke

**Date:**

8 December 2016

**Comments of the Chair of the Overview and Scrutiny Committee:**

The Chair of Overview and Scrutiny has been consulted on this decision.

**Signature:**

Cllr John Pierce

**Date:**

8 December 2016

**Further details of the decision to be taken:**

<b>Key Decision? No</b>	<b>Ward(s)</b> All Wards
<b>Summary of Decision</b>	The Mayor is recommended to delegate to the Corporate Director of Resources the authority to award the contract for a term of 36 months to the most competitive supplier on Kent County Council's Pro 5 Framework Software Products and Associated Services Y17003 following competition run by procurement.

<b>Community Plan Theme</b>	<b>A transformed council, making best use of resources and with an outward</b>
<b>Cabinet Member</b>	Cabinet Member for Resources (Councillor David Edgar)
Who will be consulted before decision is made and how will this consultation take place	Part of annual an Microsoft renewal, ICT have been managing for last 5 years.
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No
Contact details for comments or additional information	Zena Cooke (Corporate Director, Resources) zena.cooke@towerhamlets.gov.uk
What supporting documents or other information will be available?	
Is there an intention to consider this report in private session and if so why (Paragraph number – see notes section)?	No, Unrestricted

## NOTES

### **Advance notice of Key Decisions**

Key decisions are all those decisions which involve major spending, or savings, or which have a significant impact on the local community. The precise definition of a key decision adopted by Tower Hamlets is contained in Article 13.03 of the [Constitution](#). Key Decisions are taken by the Mayor, or the Mayor in Cabinet.

Individual notices of new Key Decisions will be published on the website as they are known, whilst a Forward Plan collating these decisions will be published 28 days before each Cabinet meeting. The Forward Plan will be published on the Council's website and will also be available to view at the Town Hall and Libraries, Ideas Centres and One Stop Shops if required. [The Committee pages](#) on the Council website include copies of the Forward Plan, Cabinet and other meeting dates and the publication dates of the Forward Plan.

If, due to reasons of urgency, a Key Decision has to be taken where 28 days' notice have not been given. Notice will be published (including on the website) as early as possible and Urgency Procedures as set out in the Constitution will have to be followed.

The most effective way for the public to make their views known about the issues listed in the Forward Plan is to examine the consultation column of the Forward Plan, and/or contact the report author or Cabinet Lead Member as soon as possible, and no later than 10 working days before the decision is expected to be taken.

You can also view the Council's [Consultation Calendar](#), which lists all the issues on which the Council and its partners are consulting.

Reports, appendices and background papers will be available on the Council's website 5 clear working days before the Cabinet meeting. For all other information or to submit documents in relation to any issue, please contact the relevant officer.

### **Notice of Intention to Conduct Business in Private**

**The Council is also required to give at least 28 days' notice if it wishes to consider any of the reports on the agenda of an Executive meeting (such as Cabinet) in private session. The last row of each item below will indicate any proposal to consider that item in private session.** Should you wish to make any representations in relation to an item being considered in private please contact Democratic Services on the contact details listed below. Note that this applies to Cabinet but not to Individual Mayoral Decisions outside of Cabinet.

The notice may reference a paragraph of Section 12A of the 1972 Local Government Act. In summary those paragraphs refer to the following types of exempt information (more information is available in the Constitution):

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority handling the information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:-
  - a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**Democratic Services Contact Details:**

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