

DATED _____ **2023**

CERTIFICATE

SECTION 3 – LOCAL GOVERNMENT (CONTRACTS) ACT 1997

DEED OF VARIATION TO THE PROJECT AGREEMENT

Relating to

**The removal of Loose Fixtures, Fittings and Equipment from the scope of
Services to be provided by the Contractor under the Project Agreement**

**CERTIFICATE ISSUED UNDER SECTION 3 OF THE LOCAL GOVERNMENT
(CONTRACTS) ACT 1997 (THE “ACT”)**

This certificate has been issued by Northumberland County Council (the “**Authority**”) under section 3 of the Act in respect of the Deed of Variation to the Project Agreement dated on or around the date of this certificate in relation to a request by the Authority together with County Durham and Darlington Fire and Rescue Authority and Tyne and Wear Fire and Rescue Authority for the removal of certain items of loose fixtures, fittings and equipment (the “**Loose FF&E**”) from the scope of the Services provided pursuant to the terms of the Project Agreement (as defined below) (“**PA DoV**”) between (1) County Durham and Darlington Fire and Rescue Authority, (2) the Authority, (3) Tyne and Wear Fire and Rescue Authority and (4) Collaborative Services Support NE Limited (the “**Contractor**”).

The PA DoV is supplementary to the Project Agreement dated 26 June 2009 in relation to the North East Fire and Rescue Authorities PFI Project (as amended from time to time) (the “**Project Agreement**”) between (1) County Durham and Darlington Fire and Rescue Authority, (2) the Authority, (3) Tyne and Wear Fire and Rescue Authority and (4) the Contractor.

1. PERIOD OF CONTRACT: SECTION 3(2)(A) OF THE ACT

The PA DoV is to operate from the date of the PA DoV until the earlier of the Expiry Date (as defined in the Project Agreement) or the Termination Date (as defined in the Project Agreement).

2. PURPOSE OF CONTRACT: SECTION 3(2)(B) OF THE ACT

The purpose of the PA DoV is to provide for the removal of the Loose FF&E from the scope of the Services (as defined in the Project Agreement) provided by the Contractor under the Project Agreement.

3. CONTRACT TYPE: SECTION 3(2)(C) OF THE ACT

The PA DoV falls within section 4(3) of the Act.

4. POWERS TO ENTER INTO CONTRACT: SECTION 3(2)(D) OF THE ACT

The Authority has the power to enter into the PA DoV pursuant to section 1 of the Localism Act 2011, section 111 of the Local Government Act 1972 and section 1(1) of the Act.

5. COPIES OF CERTIFICATE: SECTION 3(2)(E) OF THE ACT AND REGULATIONS 3 AND 4 OF THE LOCAL AUTHORITIES (CONTRACTS) REGULATIONS 1997 (AS AMENDED) (THE “REGULATIONS”)

A copy of this certificate is to be given to each person to whom a copy is required to be given by the Regulations as follows:

- 5.1 pursuant to regulation 3 of the Regulations, to the Contractor, to Tyne and Wear Fire and Rescue Authority and to County Durham and Darlington Fire and Rescue Authority; and
- 5.2 pursuant to regulation 4 of the Regulations, to the monitoring officer and the auditor of the Authority.

6. MATTERS TO BE DEALT WITH IN CERTIFICATE: SECTION 3(2)(F) OF THE ACT AND REGULATION 6 OF THE REGULATIONS

The main relevant functions, the discharge of which the PA DoV is calculated to facilitate, and / or is conducive to or incidental to, are those conferred by Part 2 of the Fire and Rescue Services Act 2004.

7. REQUIREMENTS FOR ISSUE OF CERTIFICATE: SECTION 3(2)(G) OF THE ACT

The Authority has complied with or will comply with all requirements imposed by the Regulations with respect to the issue of certificates under section 3(2) of the Act.

8. CONSENT OF ALL PARTIES TO ISSUE OF A CERTIFICATE: SECTION 3(4) OF THE ACT

The Contractor, Tyne and Wear Fire and Rescue Authority and County Durham and Darlington Fire and Rescue Authority are the only other parties to the PA DoV and by clause 11 of the PA DoV those parties have consented to the issue of this certificate.

Signed Dated

Name:

being duly authorised for and on behalf of the Authority as a chief finance officer or a person who, as respects all or most of the duties of their post, is required to report directly or is directly accountable to the chief finance officer, as required by regulation 7(3) of the Regulations.

Northumberland County Council
 County Hall
 Morpeth
 Northumberland
 NE61 2EF

- copies to:
- Tyne and Wear Fire and Rescue Authority
 - County Durham and Darlington Fire and Rescue Authority
 - The Contractor
 - The Authority's monitoring officer
 - The Authority's auditor