

Dated: _____ 2018

PORTSMOUTH CITY COUNCIL

and

PORTSMOUTH CLINICAL COMMISSIONING GROUP

DEED OF AGREEMENT:

**THIRD EXTENSION OF AN AGREEMENT MADE UNDER SECTION 75 OF THE
NHS ACT 2006**

THIS AGREEMENT is made this day of 2018

BETWEEN

(1) **PORTSMOUTH CITY COUNCIL**, of Civic Offices, Guildhall Square, Portsmouth, Hampshire PO1 2AL (the "**Council**").

AND

(2) **PORTSMOUTH CLINICAL COMMISSIONING GROUP** of 4th Floor, 1 Guildhall Square, Portsmouth PO1 2GJ (the "**CCG**")

together referred to as the "**Parties**"

WHEREAS:

(A) This Deed of Agreement is made supplemental to:

- (i) an agreement under s.75 National Health Service Act 2006 dated 1st April 2013 and made between the Parties (the "**Agreement**") in respect of the commissioning and procurement of a range of health and social care services for vulnerable people, and
- (ii) a Deed of Agreement dated 8th June 2016 made between the Parties (the "**First Extension**") whereby it was agreed that the Term of the Agreement would be extended to expire on 30th September 2016 (the "**First Extended Term**") and
- (iii) a Deed of Agreement dated 10th May 2017 made between the Parties (the "**Second Extension**") which:
 - (a) recorded the Parties' agreement that the Term of the Agreement was extended to expire on 31st March 2018 (the "**Second Extended Term**") and
 - (b) gave effect to the Additional Variations to the Agreement set out or referred to in that Deed.

(B) In accordance with the terms of the Agreement the Parties have agreed to extend further the Term of the Agreement so that the same will continue in force after the expiry of the Second Extended Term.

(C) The Parties now desire to execute this Deed in order to record their agreement for further extension as referred to in Recital (B).

NOW THIS DEED WITNESSES as follows:

FURTHER EXTENSION OF AGREEMENT TERM

1. In accordance with clause 3 of the Agreement the Parties agree and declare that the Term of the Agreement is extended for a period of thirty-six (36) months following the expiry of the Second Extended Term.

2. The Term of the Agreement will therefore expire on **31st March 2021** unless the Agreement is:
 - 2.1 terminated earlier in accordance with its terms, or
 - 2.2 further extended by further agreement between the Parties in accordance with clause 3 of the Agreement.

3. Save as expressly provided in this Deed and/or the First Extension and/or the Second Extension the Agreement shall continue in full force and effect in accordance with its original terms.

4. Words and phrases in this Deed shall have the same meanings as those ascribed to them in the Agreement or as the case may be the First Extension and/or the Second Extension.

IN WITNESS whereof the Council and the CCG have caused their respective Common Seals to be hereunto affixed the day and year first above written:

The **COMMON SEAL** of)
PORTSMOUTH CITY COUNCIL)
 was hereto affixed in pursuance)
 of a resolution of the Council passed)
 at a meeting duly convened and held)

Authorised signatory

EXECUTED AS A DEED on behalf of the **CCG**

THE COMMON SEAL of **PORTSMOUTH CLINICAL**)
COMMISSIONING GROUP was affixed to this)
 Deed in the presence of:-)

.....
 Authorised Signatory