

TEIGNBRIDGE DISTRICT COUNCIL

AUDIT SCRUTINY COMMITTEE

25TH MARCH 2020

PART I

INFORMATION SHEET NUMBER	3
TITLE	<i>Financial Instructions Waiver and Contract Procedure Rules Waiver</i>
DATE	25 March 2020
PART I OR II	<i>Part I</i>
RESPONSIBLE OFFICER	<i>Sue Heath SueHeath@Teignbridge.gov.uk</i>

1. INTRODUCTION / BACKGROUND

The Financial Instructions and Contract Procedure Rules provide the framework for managing the Council's financial affairs. They apply to every member and officer of the Council and anyone acting on its behalf.

Sometimes there are instances where the rules cannot be followed and requests are made to waive them. One of the following criteria must be met:

1	LIFE OR DEATH There is significant chance that the life or health of officers, members, or the public will be put at real risk.
2	INCREASED COST / LOSS OF INCOME

	The Council will incur significant avoidable costs or lose significant income.
3	LIMITED MARKETS The Council would be wasting its time tendering as supply of the product or service is demonstrably restricted to one or few businesses.
4	URGENT ACTION REQUIRED The Council would be criticised for failing to act promptly.

2. WAIVERS

The following waivers have been processed since the December 2019 monitoring report:

Proposing Officer	Proposal / Reason	Approval
Ruth Adams Programme Manager, South West Regional Coastal Monitoring Programme SWRCMP	Purchase of spares for hydrodynamic buoys Purchase direct from supplier to save 10% of the cost of spares and repairs. Value: £36,600 (fully funded by SWRCMP grant from Environment Agency) Reason: Limited Markets	Tony Watson Head of Commercial Services
Tony Mansour Housing Needs Lead	To prevent homelessness A contract is in place with Young Devon for the provision of bespoke support to young people housed at three properties, two of which are leased directly by Young Devon. Direct appointment of the contract to Young Devon to prevent the risk of rendering the young people homeless and the Council's reputation. Value: £15,000 per year (£75,000 over a 5 year period) Reason: Increased cost / Loss of income	Amanda Pujol Head of Service Delivery & Improvement
Tonya Short Parking Services Manager	Upgrade of pinpads for card payments on pay on foot machines Existing machines are Flowbird equipment and it was therefore not possible to go out to procurement	Neil Blaney Economy Manager

	Value: £12,130 Reason: Limited Markets	
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3. IMPLICATIONS, RISK MANAGEMENT & CLIMATE CHANGE IMPACT

3.1 Financial

There are no direct financial implications as this is an advisory report only. The financial impacts of the spending covered by the waivers were assessed at the time these procurements were carried out.

3.2 Legal

The reporting of Waivers to the Audit Scrutiny Committee is a requirement of the Financial Instructions and Contract Procedure Rules within the Constitution.

3.3 Risks

Not applicable. As above, risks were assessed as part of the waiver process.

3.4 Environmental/Climate Change Impact

Not applicable.

4. CONCLUSION

That the report be noted. This is an advisory report only.