

# AUDIT SCRUTINY COMMITTEE

**CHAIRMAN:** Councillor Chris Clarence

**DATE:** 11 September 2018

**REPORT OF:** Audit Manager

**SUBJECT:** FINANCIAL INSTRUCTIONS and  
CONTRACT PROCEDURE RULES – WAIVERS

**PART I**

## RECOMMENDATION

That the report is noted.

### 1. PURPOSE

- 1.1 To inform Members of the number of times the Financial Instructions and Contract Procedure Rules have been waived and the reasons for this.

### 2. BACKGROUND

- 2.1 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.
- 2.2 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:

<b>1</b>	<b>LIFE OR DEATH</b> There is significant chance that the life or health of officers, members, or the public will be put at real risk.
<b>2</b>	<b>INCREASED COST / LOSS OF INCOME</b> The Council will incur significant avoidable costs or lose significant income.
<b>3</b>	<b>LIMITED MARKETS</b> The Council would be wasting its time tendering as supply of the product or service is demonstrably restricted to one or few businesses.
<b>4</b>	<b>URGENT ACTION REQUIRED</b> The Council would be criticised for failing to act promptly.

## TEIGNBRIDGE DISTRICT COUNCIL

### 3. WAIVERS

3.1 The following waivers have been processed since the July 2018 monitoring report:

Proposing Officer	Proposal / Reason	Approval
Pete Briscoe Project Engineer	<p><b>Former Europlas Building</b> Procurement of a multi-disciplined team to undertake the works for the refurbishment of these premises. A request for quotation was issued with 6 contractors invited to participate. The actual value of quotations far exceeded the estimate and consequently the value fell into the threshold for which formal tendering would normally be required. Due to the tight timescale; fact that a competitive procurement exercise had already been followed; and the value being below the EU threshold, it was agreed not to restart the tender process and accept the most economically advantageous of the quotations already received.</p> <p>Value: <b>£160,000.00</b></p>	Phil Shears  Managing Director

### 4. RECOMMENDATION

That the report be noted.

**Sue Heath**  
**Audit Manager**

<b>Wards affected</b>	-
<b>Contact for any more information</b>	<i>Sue Heath – Audit Manager – 01626 215258</i>
<b>Background Papers (For Part I reports only)</b>	<i>Financial Instructions Waivers File – Internal Audit</i>
<b>Key Decision</b>	-
<b>In Forward Plan</b>	-
<b>In O &amp; S Work Programme</b>	-