

AUDIT SCRUTINY COMMITTEE

CHAIRMAN: Councillor Chris Clarence

DATE: 13 December 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:

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.

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3. WAIVERS

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

Proposing Officer	Proposal / Reason	Approval
Sarah Holgate Resorts Manager	<p>Provision of Lifeguard Service Renewal of contract with the RNLI to provide lifeguard service on behalf of the Council</p> <p>Value: £156,460.00 exc VAT</p> <p>(4 year contract at £39,115 per year based on 2018 contract of £38,347 + 2% or rate of RPI whichever is greatest)</p> <p>Reason: Life or Death, Increased Cost / Loss of Income, Limited Markets, Urgent Action Required</p>	Phil Shears Managing Director
Claire Blaney Senior Planning Officer	<p>Statement of Significance for St Mary's Church, Wolborough Procurement of consultants to undertake this for the impact of the development NA3</p> <p>Value: £11,599.70 (costs met by Government capacity funding).</p> <p>Reason: Limited Markets and Urgent Action Required</p>	Simon Thornley Business Manager

4. RECOMMENDATION

That the report be noted.

Sue Heath
Audit Manager

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