

AUDIT SCRUTINY COMMITTEE

CHAIRMAN: Councillor Sally Morgan

DATE: 20 June 2019

REPORT OF: Audit & Information Governance 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 March 2019 monitoring report:

Proposing Officer	Proposal / Reason	Approval
Tracey Hooper Revenue and Benefits Manager	<p>Housing Benefit Subsidy Appointment of Grant Thornton as reporting accountant for the Housing Benefit (Subsidy) Assurance Process for the subsidy period 1st April 2019 to 31st March 2020.</p> <p>Value: £8,400 (£9,400 if additional testing is required)</p> <p>Reason: Limited Markets</p>	<p>Amanda Pujol</p> <p>Interim Head of Service Delivery and Improvement</p>
Daron Hand Group Building Surveyor	<p>Beachcomber Café To fully refurbish the high level external envelope of the building to install high level cladding, recover the roof including insulation and employ scaffold.</p> <p>Value: £70,000</p> <p>Reason: Increased Cost / Loss of Income, Urgent Action Required</p>	<p>Martin Flitcroft</p> <p>Chief Finance Officer Interim Head of Corporate Services</p>
Ruth Adams Programme Manager (South West Coastal Regional Monitoring Programme)	<p>South West Regional Coastal Monitoring Programme (SWRCMP) Provision of specialist data management services for the coastal defence asset management project for Devon, Cornwall and the Isles of Scilly (DCIoS).</p> <p>Value: £25,000 (fully recoverable from Environment Agency grant)</p> <p>Reason: Increased Cost / Loss of Income, Limited Markets</p>	<p>Tony Watson</p> <p>Interim Head of Commercial Services</p>
Donna Best Estates Manager	<p>Purchase of external Legal advice Continuation of procured legal advice on an on-going protracted property matter which has developed and escalated over a period of time. Waiver in respect of expenditure to date and further budget sought and authority for expenditure considered by Full Council 4 June 2019.</p> <p>Value: £75,000</p> <p>Reason: Limited Markets, Urgent Action Required</p>	<p>Phil Shears</p> <p>Managing Director</p>

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4. RECOMMENDATION

That the report be noted.

Sue Heath

Audit & Information Governance Manager

Wards affected	-
Contact for any more information	<i>Sue Heath, Audit & Information Governance 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	-