

AUDIT & GOVERNANCE COMMITTEE

25th September 2024

Report of the Executive Director Finance

FINANCIAL WAIVERS TO 30TH JUNE 2024

EXEMPT INFORMATION

None

PURPOSE

For the Audit & Governance Committee to note the waivers to the Council's procurement processes as set out in Financial Guidance for the period 1st April to 30th June 2024, for the reasons as set out, and to advise if any further information is required.

RECOMMENDATION

That the Committee note the waivers approved to the procurement processes as set out in the Council's Financial Guidance.

EXECUTIVE SUMMARY

As part of the core functions under terms of reference, this Committee is empowered to maintain an overview of the Council's Financial Guidance. One of the improvement recommendations included within Grant Thornton's Auditor's Annual Report for 2022/23, was that the Council should report on the number and value of waivers to Audit & Governance Committee on a quarterly basis. This is the first such report.

The contracts procedure rules state that best value and value for money must be sought in all procurement activities. Financial Guidance requires that quotations/estimates must be obtained for spend of up to £5,000, these may be verbal for values to £1,999, but any spend between £2,000 and £4,999 must have a minimum of 3 written quotations/estimates.

Any spend of £5,000 and above should be conducted using either the Quick Quote or tender process, and be tendered electronically using the Council's e-tendering system In-Tend. This is a secure portal which suppliers can use to view and respond to any advertised tenders and contracts, which also links to the Government's Contracts Finder and Find a Tender services as required by Public Contracts Regulations for tenders above a certain threshold. The In-Tend system is used for the initial advertisement, expressions of interest, invitation to tender/quote, submission of tenders/quotes by prospective suppliers, opening of tenders/quotations and contract award.

The requirements of Public Contract Regulations **must** be followed in all cases where the anticipated value of a contract is close to or exceeds the thresholds set out in legislation. The current thresholds (incl VAT) are as follows:-

Thresholds	Supplies & Services	Works/Concessions
Contract Value	£214,904	£5,372,609

For contracts below these values, there may be occasions where it is not considered to be appropriate or best value for money to follow the Council's procurement processes, for example, where there is only one supplier for a particular service, or where a company is already on site. As set out in Financial Guidance, in these circumstances the Executive Director Finance has authority to waive compliance and limits where necessary.

The waivers approved during the first quarter are set out in Appendix 1.

RESOURCE IMPLICATIONS

None as a direct result of this report.

LEGAL/RISK IMPLICATIONS

None as a direct result of this report.

EQUALITIES IMPLICATIONS

None as a direct result of this report

ENVIRONMENT AND SUSTAINABILITY IMPLICATIONS (INCLUDING CLIMATE CHANGE)

None as a direct result of this report

BACKGROUND INFORMATION

None

REPORT AUTHOR

If Members require further information, please contact Jo Goodfellow, Assistant Director Finance on ext 241.

LIST OF BACKGROUND PAPERS

None

APPENDICES

Appendix 1 Financial Waivers Approved 1st April – 30th June 2024.

APPENDIX 1

FINANCIAL WAIVERS 1ST APRIL – 30TH JUNE 2024

Ref	Date	Service Area	Amount	Company	Reason
2024/01	23/04/2024	Training & Development	£3,900	Blank White Page	Transitional coaching for Chief Executive, had previously worked with this coach and required continuity.
2024/02	23/04/2024	Finance	£25,700	Zurich Municipal	Property valuations for insurance purposes, request that this work is carried out by Zurich Municipal as valuations feed into insurance that is already provided by Zurich, and which would need to be approved by them. Work to be completed before next insurance renewal due September 2024.
2024/03	30/04/2024	Streetscene	£0	Clear Channel	Bus shelter contract extended for one year (due to expire June 2024). Clear Channel clean and maintain shelters in exchange for advertising rights. Provision to be reviewed over next year before new contract entered into.
2024/04	07/05/2024	Finance	£6,500	Link Asset Management	Existing Treasury Management advisors undertaking specific additional work regarding investment strategy
2024/05	11/04/2024	Castle	£30,000	Castle repair work	Approved by Cabinet 11 April 24 - to allow existing heritage structural engineers to continue investigative works - EXEMPT REPORT
2024/06	14/05/2024	Castle	£89,000	Midland Conservation	12 month agreement to undertake specialist works at the Castle (total cost approx £14k) plus repairs to the Band stand (est £75k). Equans are unable to undertake work due to specialist Heritage experience required. Limited availability of alternative contractors. Bandstand works required immediate attention on health and safety grounds. Midland Conservation have previously tendered and won contracts at the Castle. They are a local firm specialising in heritage asset work - previous experience is that they have produced high quality work and understand the needs of the Castle well. Potential other options for tendering for castle work were discussed so that when work is required at short notice there is not an automatic requirement for waivers.
2024/07	14/05/2024	Castle	£22,530	Midland Conservation	Repairs at the front of the Castle. Midland Construction have been undertaking castle wall work on site which was awarded after a tendering process. Scaffolding already up and would be cheaper to continue with work rather than stop and have to restart again. MCL have the skills required to undertake the work.

