

AUDIT AND GOVERNANCE COMMITTEE

Report subject	2018/19 Annual Breaches, Waivers & Exemptions Report for the three legacy Councils (Bournemouth, Christchurch and Poole Councils)																		
Meeting date	25 July 2019																		
Status	Public Report																		
Executive Summary	<p>This report sets out the breaches, waivers and exemptions of Financial Regulations which have occurred during the 2018/19 financial year for the three legacy Councils and highlights the following:</p> <table border="1"> <thead> <tr> <th></th> <th>Breaches</th> <th>Waivers & Exemptions (agreed by the Chief Finance Officer)</th> </tr> </thead> <tbody> <tr> <td>Bournemouth</td> <td>1</td> <td>59</td> </tr> <tr> <td>Christchurch</td> <td>0</td> <td>8</td> </tr> <tr> <td>Poole</td> <td>3</td> <td>26</td> </tr> <tr> <td>Total (Count)</td> <td>4</td> <td>93</td> </tr> <tr> <td>Total (£ value)</td> <td>£3,083</td> <td>£8.5M</td> </tr> </tbody> </table> <p>The relatively low number (and £ value) of breaches and the broadly similar number of waivers to previous years indicate that there was generally a good level of understanding of the Regulations.</p> <p>Whilst full compliance can never be guaranteed and ‘under-reporting’ is an inherent possibility, arrangements were in place to detect instances of non-compliance.</p> <p>An effective and transparent breaches / waivers / exemptions governance process maximises the chances of the Council(s) achieving value for money and complying with UK law (Public Contract Regulations 2015) when procuring goods, services or works.</p>		Breaches	Waivers & Exemptions (agreed by the Chief Finance Officer)	Bournemouth	1	59	Christchurch	0	8	Poole	3	26	Total (Count)	4	93	Total (£ value)	£3,083	£8.5M
	Breaches	Waivers & Exemptions (agreed by the Chief Finance Officer)																	
Bournemouth	1	59																	
Christchurch	0	8																	
Poole	3	26																	
Total (Count)	4	93																	
Total (£ value)	£3,083	£8.5M																	
Recommendation(s)	<p>It is RECOMMENDED that:</p> <p>The Audit & Governance Committee note the breaches, waivers and exemptions of Financial Regulations that occurred during 2018/19 for the three legacy Councils.</p>																		

Reason for recommendation(s)	To comply with the legacy Councils' respective Financial Regulations which require that all breaches, waivers and exemptions are considered annually by the Audit & Governance Committee.
Portfolio Holder(s):	Councillor Vikki Slade (Leader of the Council)
Corporate Director	Julian Osgathorpe, Corporate Director Resources
Report Author(s)	Nigel Stannard (Head of Audit & Management Assurance) Simon Milne (Deputy Chief Internal Auditor) Jeremy Richardson (Head of Strategic Procurement)
Wards	All Wards
Classification	For Information

Background

1. The respective three legacy Councils' Financial Regulations set out the procedures and standards for financial management and control, and specifically:
 - the purpose of each section in the relevant Part of the Regulations (why it is important);
 - the standards and controls that must be observed (how the Regulations serve to facilitate the good governance and the proper administration of the Councils financial affairs);
 - the specific roles and responsibilities of Councillors, the Chief Executive, the Chief Financial Officer (CFO) / S151 Officer, the Monitoring Officer and other named Officers in relation to doing so (the accountability framework); and
 - detailed procedure notes and relevant financial thresholds where these apply (what must be done and in what way).

2. The Regulations of each respective legacy Council were different and consequently what may have been a breach, waiver or exemption in one Council may not have been so in another. This report does not seek to explain those differences and merely transparently reports the factual position relative to the Regulations that were in place for each legacy Council.

3. The Regulations required that all breaches, waivers and exemptions of the financial regulations were reported to the CFO / S151 Officer or their delegated officer along with details of any management action to address the issues arising from this authorisation. A combination of Internal Audit and the Strategic Procurement Teams maintained a record of all Breaches, Waivers and Exemptions to enable full, transparent and accurate reporting to Audit & Governance Committee.

Breaches of Financial Regulations

4. During the 2018/19 financial year four breaches of the legacy Councils' Financial Regulations were identified, totalling £3,083, and as summarised in the table below:

Legacy Council	Breach Ref.	Service Unit	Breach	Value
Bournemouth	1	Environmental	Failure to obtain approval from the Head of ICT for purchasing three mobile phones.	£1,500
Christchurch	-	-	-	-
Poole	2 & 3	Culture & Community Learning	Failure to keep income in secure storage and to ensure proper administration of petty cash resulting in loss	£183
Poole	4	Financial Services	Failure to obtain ICT approval for purchase of two Galaxy tablets, mobile printer and barcode scanner (in 2012)	£1,400
Total				£3,083

5. This low level (and £ value) of breaches across all three legacy Councils suggests a good level of understanding of the requirements amongst managers and officers at the legacy Councils which has resulted in good compliance with the Regulations.
6. While it is not possible to say that there have been no further breaches, at the current time none have been brought to the attention of, or have been identified by, the Head of Audit & Management Assurance or the Head of Strategic Procurement for the reporting period considered here.

Waivers and Exemptions of Financial Regulations

7. Sometimes circumstances mean that it may not be possible for Senior Responsible Officers to comply with a specific part of the Regulations. For example:
- technical issues where despite a full tendering process being undertaken the number of valid tender returns did not match the requirement in the Regulations; or
 - accelerated procurement because of the necessity to deal with an urgent business need.

As a result, the Regulations allowed for a request to be made to the CFO/S151 Officer to waive or exempt normal practice requirements. The ability of the respective CFO's to approve waiver or exemption requests was limited at all times to the specific requirements of UK legislation and/or directives. Consequently some requests were declined and the Regulations were followed in full.

8. During the period 1 April 2018 to 31 March 2019, a total of 93 requests were approved by the respective CFO's. The contract value of these waivers totalled £8.5M (this is a rounded figure).
9. A summary by classification type of waivers/exemptions approved by the CFO's is set out in the table below and more details of each waiver is set out in Appendix 1 for Bournemouth (BBC), Appendix 2 for Christchurch (CBC) and Appendix 3 for Poole (BoP).

Waiver Type	BBC	CBC	BoP	Total
Contract Modification (extension)	4	1	6	11
Competition or open advertising requirements not met	54	4	12	70
Urgency	1	1	5	7
Other *	0	2	3	5
Total (Count)	59	8	26	93
Total (£ value in £M)	£5.5	£0.3	£2.7	£8.5

*examples include payments in advance greater than £10,000 or six months, or not using an available corporate contract,

10. If a member of this Committee has a question pertaining to any specific waiver in the Appendices then it may be necessary to answer the question outside of the committee meeting as the Head of Audit & Management Assurance may not have detailed explanations to hand for all 93 records. However, further explanations on some of the more significant waivers (by £ value) are outlined below broken down by legacy Council:

- Bournemouth

- Record 25, waiver reference W00406, Recycling Disposal Contract interim arrangements, £540,000.

A contract modification (extension) with the incumbent supplier, Viridor Waste Management, for the period 1st July 2018 to 31st March 2019 to provide an interim arrangement to process Bournemouth recyclable material until vesting day of the new BCP Council.

- Record 47, waiver reference W00447, Development at St Georges Drive, West Howe, £1,554,666

The Council purchased an on-going land and build scheme for nine affordable housing units to be owned and managed within the Housing Revenue Account (HRA). For expedience the Council used the developer's delivery partner who already had control of the site and who were retained under a JCT design and build contract. The waiver value was benchmarked against recent openly advertised tenders for new build affordable housing schemes.

- Poole

- Record 21, waiver reference 124, Sterte Court cladding and retro fit sprinkler system, £1,030,000.

A major maintenance programme of works was undertaken across the Sterte tower blocks and completed in 2014. Following ongoing quality

review and checks on the work completed it has emerged that there are failings in the workmanship delivered and this means that the cladding façade needs to be removed and replaced with more effective fittings. This rectification work is the responsibility of the original contractor (Keepmoat, now known as Engie) and will be completed under the original design and build contract with no financial risk to the council.

Given the ongoing national debate around fire safety, the choice of the cladding as a façade and that this cladding would be removed in any case to make good on the work, the council took the decision to review the cladding used and to understand whether enhancements could be made to the original design. The original cladding was not the type used at Grenfell and has met all fire safety tests. However it is not a class A (non combustible material) and the council was committed to ensuring that choices on facade reflected the best available rather than the minimum standards. This would also ensure that choices made now are fit for purpose for the next 30 years. The council therefore instructed Engie to upgrade the cladding choice to a class A material and made available resources (£0.5m) to meet the enhanced cost of doing this.

In addition the council also took a decision following the Grenfell fire that all council owned tower blocks should be fitted with fire suppressant sprinkler systems. This would enhance the already good measures to manage fire within these blocks and provide additional assurance to residents. The work to complete this within the Old Town will be delivered as part of the Project Admiral contract that was awarded to United Living in May 2019. When considering how to deliver the work at Sterte Court, the council was mindful of the work to be completed to the façade and that Engie would be on site for the next 18 months. Engie has a good knowledge of the building and it would not be practical to have 2 main contractors working on the same site, therefore the decision was taken to award the sprinkler contract to Engie in order to deliver the works at the same time of the façade works. This will also enable economies of scale through only paying one set of mobilisations costs, with this being tested for value against the market tested service in the Old Town. It also has the advantage of limiting disruption to the residents with one contractor coordinating works.

11. On a more general note, several contracts across all three legacy Councils were modified (extended) to allow headroom for local government reorganisation consolidation or re-imagining of service delivery. In these cases there are lawful restrictions/thresholds on the extent that contracts can be modified, both in terms of contract length and £ value. In all cases shown these lawful restrictions / thresholds were complied with.

Summary of Financial Implications

12. An effective and transparent breaches/waivers/exemptions governance process maximises the chances of achieving value for money when procuring goods, services or works.

Summary of Legal Implications

13. An effective and transparent breaches/waivers/exemptions governance process maximises the chances of complying with Public Contracts Regulations 2015 (UK law).

Summary of Human Resource Implications

14. There are no human resource implications arising from this report.

Summary of Environmental Impact

15. There are no direct environmental implications from this report.

Summary of Public Health Implications

16. There are no direct public health implications from this report.

Summary of Equality Implications

17. There are no direct equality implications from this report

Summary of Risk Assessment

18. Failure to have appropriate financial regulations and procurement rules which ensures accountable and transparent processes are in place puts the Council at risk of challenge.

Background Papers

19. None.

Appendices

Appendix A – BBC Waivers of Financial Regulations 2018/19

Appendix B – CBC Waivers of Financial Regulations 2018/19

Appendix C – BoP Waivers of Financial Regulations 2018/19

Bournemouth Borough Council Waivers of Financial Regulations 2018/19

Appendix A

Count	Waiver Logged No.	Project Title	Supplier	Service Unit	Waiver Type	Procurement Comment	Further Comment	Waiver Value
1	W00426	Young People's Early Help Partnerships	AIM Community	A & C - Children & Young People	Not Openly Advertising the Contract Opportunity	Procurement process followed, less than 3 quotes returned Non open advertising using a restricted specialist list Service Delivery Dependency	Under £25k, The Council working collaboratively with a number of local charities to jointly deliver Services to young people which contribute to meeting objectives within the Corporate Plan for Children & Young People	£16,500
2	W00427	Young People's Early Help Partnerships	Space Youth Project	A & C - Children & Young People	Not Openly Advertising the Contract Opportunity	Procurement process followed, less than 3 quotes returned Non open advertising using a restricted specialist list Service Delivery Dependency	The Council working collaboratively with a number of local charities to jointly deliver Services to young people which contribute to meeting objectives within the Corporate Plan for Children & Young People	£28,050
3	W00428	Young People's Early Help Partnerships	Bournemouth YMCA	A & C - Children & Young People	Not Openly Advertising the Contract Opportunity	Procurement process followed, less than 3 quotes returned Non open advertising using a restricted specialist list Service Delivery Dependency	The Council working collaboratively with a number of local charities to jointly deliver Services to young people which contribute to meeting objectives within the Corporate Plan for Children & Young People	£72,000
4	W00433	Kooth Digital Dorset	Xenzone LTD	A & C - Children & Young People	Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	Online Counselling & well being service for Children - 3 years, under Light Touch Threshold	£239,400
A & C - Children & Young People Total								£355,950
5	W00399	Housing related support services for individuals with a learning disability in Bournemouth	Bournemouth Rainbow Limited	A & C - Community Learning & Commissioning	Not Openly Advertising the Contract Opportunity	Service Delivery Dependency		£36,441
6	W00403	Domestic Homicide Panel Chair	Various	A & C - Community Learning & Commissioning	Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	Under £25k,	£14,000
7	W00404	Nigel Bowes Modular Classroom	Extraspace Solutions UK Ltd, Moduleck Ltd, Portakabin	A & C - Community Learning & Commissioning	Not Openly Advertising the Contract Opportunity	Specialist one-Off Project	Select List	£50,000

Count	Waiver Logged No.	Project Title	Supplier	Service Unit	Waiver Type	Procurement Comment	Further Comment	Waiver Value
8	W00405	Nigel Bowes Modular Classroom	Moduleck Ltd	A & C - Community Learning & Commissioning	Not Obtaining Three Quotes for the Contract Opportunity	Specialist one-Off Project	This Award Waiver references to waiver W00404 Select list	£54,754
9	W00407	Residential Rehabilitation Preferred Providers List	12 Providers	A & C - Community Learning & Commissioning	Not Openly Advertising the Contract Opportunity			Call off
10	W00408	SEND Outreach Service to Bournemouth Schools	Tregonwell Academy	A & C - Community Learning & Commissioning	Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	Under Light Touch - Threshold	£200,000
11	W00409	SEND Outreach Service to Bournemouth Schools	Linwood Special School	A & C - Community Learning & Commissioning	Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	Under Light Touch - Threshold	£320,000
12	E00033	Cleaning of R Hub	Lyon Cleaners	A & C - Community Learning & Commissioning	Specialist Services Over 3 Years	Service Delivery Dependency		£21,420
				A & C - Community Learning & Commissioning Total				£696,615
13	W00391	Review of the community infrastructure levy and local plan viability assessment	Potters Planning Economics Ltd	E & E - Development	Not Obtaining Three Quotes for the Contract Opportunity	Non open advertising using a restricted specialist list Service Delivery Dependency	Under £25k, Borough Local Plan & adopted Community Infrastructure Levy charging schedule	£15,000
14	W00395	Food Hygiene Inspections	People, Development & Quality Ltd	E & E - Development	Not Obtaining Three Quotes for the Contract Opportunity	Procurement process followed, less than 3 quotes returned		£150,000
15	W00396	PPM Works 2018/2019	Link Fabrication & Machining LTD	E & E - Development	Not Obtaining Three Quotes for the Contract Opportunity	Specialist one-off Project Service Delivery Dependency	Funicular Cliff Lifts - Service Inspections	£62,500
16	W00397	PPM Works 2018/2019	Nairb Controls LTD	E & E - Development	Not Obtaining Three Quotes for the Contract Opportunity	Service Delivery Dependency	Specialist maintenance to air conditioning equipment	£50,000
17	W00411	Contract Planner	Hays Recruitment	E & E - Development	Not Obtaining Three Quotes for the Contract Opportunity	Service Delivery Dependency	Specialist - Backfill Work	£40,320
18	W00414	Outline Business Case - Dark Fibre Commercialisation	Next Generation Internet Services Ltd (NGIS)	E & E - Development	Not Obtaining Three Quotes for the Contract Opportunity	Specialist One -Off Project	Specialist Digital Consultancy - Experience of working for & with British Rail	£33,000
19	W00431	Disability Consultation Service	DOTs Disability	E & E - Development	Not Obtaining Three Quotes for the Contract Opportunity Not Openly Advertising the Contract Opportunity Contract Extension	Specialist one-off project	Under £25k, Contract Extension	£14,027
20	W00434	Town Centre Vision Update	Feria Urbanism	E & E - Development	Contract Extension	Service Delivery Dependency	Under £25k, Additional Work - Modification	£6,250
21	W00435	Dorset Commuter Challenge	Sustrans Ltd	E & E - Development	Not Openly Advertising the Contract Opportunity	Specialist one-off project	Under £25k, Quotes requested only 1 response, specialist service	£14,886

Count	Waiver Logged No.	Project Title	Supplier	Service Unit	Waiver Type	Procurement Comment	Further Comment	Waiver Value
E & E - Development Total								£385,983
22	W00390	Project Managers for LGR	South Coast Network	E & E - Environment	Not Using Corporate Contract	Service Delivery Dependency	Extension of Project Managers for Dorset LGR	£318,000
23	W00398	Town Centre Vision Update	Feria Urbanism	E & E - Environment	Not Obtaining Three Quotes for the Contract Opportunity	Specialist One -Off Project	Under £25k, Contract Extension - £14000	£14,000
24	W00401	Car Club for Bournemouth	Co - Wheels	E & E - Environment	Not Obtaining Three Quotes for the Contract Opportunity Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	Under £25k,	£1,900
25	W00406	Recyclate Disposal Contract - Interim Arrangements	Viridor Waste Management Ltd	E & E - Environment	Contract Extension	Service Delivery Dependency	Recyclate Collection	£540,000
26	W00413	Buchanan Computing Products Hosted Service	Buchanan Computing Ltd	E & E - Environment	Not Obtaining Three Quotes for the Contract Opportunity	Service Delivery Dependency	Specialist Software	£46,650
27	W00432	Public Sector Relocation Project	DGMI Limited	E & E - Environment	Not Obtaining Three Quotes for the Contract Opportunity	Specialist one-off project	Contract Modification	£45,000
28	W00444	Bournemouth Beach Management Scheme - Recycling of Reclaimed Timber	Timberlink International Ltd	E & E - Environment	Not Openly Advertising the Contract Opportunity	Specialist one-off project	Local specialist to cut recycled timber from groin replacements	£45,025
E & E - Environment Total								£1,010,575
29	W00393	General Advice Service-Citizen Advice Bureau	Citizens Advice Bureau Bournemouth and Poole	E & E - Housing, Parks & Bereavement	Contract Extension	Service Delivery Dependency		£96,300
30	W00394	BH Coastal Lottery	Gatherwell LTD	E & E - Housing, Parks & Bereavement	Not openly advertised	Specialist One-Off Project	Specialist Licensed Supplier - Specialist list for Quotes	£15,000
31	W00410	Mental Health Support Worker	Dorset Healthcare	E & E - Housing, Parks & Bereavement	Not Obtaining Three Quotes for the Contract Opportunity	Service Delivery Dependency	Specialist psychological support worker to deliver support to rough sleepers and staff - Government Grant	£55,998
32	W00412	Project Coordinator	Jo Booth Consultant	E & E - Housing, Parks & Bereavement	Not Obtaining Three Quotes for the Contract Opportunity	Service Delivery Dependency	Project Coordinator - Rough Sleepers Project - Government Grant	£42,000
33	W00415	Architectural Services for Replacement Development Scheme on the site of Craven Court, Knyveton Road	Anders Roberts Cheer Ltd	E & E - Housing, Parks & Bereavement	Not Obtaining Three Quotes for the Contract Opportunity	Service Delivery Dependency	Continuing use of Supplier on scheme	£25,500
34	W00416	Moordown Plus - Flat Roofing	Volsen Ltd	E & E - Housing, Parks & Bereavement	Not Openly Advertising the Contract Opportunity	Specialist One -Off Project	3 quotes obtained, select list	£49,995

Count	Waiver Logged No.	Project Title	Supplier	Service Unit	Waiver Type	Procurement Comment	Further Comment	Waiver Value
35	W00417	Specialist software for online applications for statutory Extension to Mandatory Licensing (EML)	IBM	E & E - Housing, Parks & Bereavement	Not Obtaining Three Quotes for the Contract Opportunity	Specialist One -Off Project	Under £25k, Specialist Software	£13,212
36	W00418	Supply of Timber for Manor Steps Phase Two Project	Ecochoice LTD	E & E - Housing, Parks & Bereavement	Not Openly Advertising the Contract Opportunity	Specialist one-off project	Specialist to cut recycled timber from existing groins - timbers replacements	£28,100
37	W00419	Vehicle Purchase	English Ford	E & E - Housing, Parks & Bereavement	Not Openly Advertising the Contract Opportunity	Specialist one-off project	Direct award, one off purchase - pricing benchmarking followed	£29,755
38	W00420	Agency Worker - Community Enforcement Officer	Oyster Partnership	E & E - Housing, Parks & Bereavement	Not Obtaining Three Quotes for the Contract Opportunity	Service Delivery Dependency	Under £25k, specialist role	£20,951
39	W00423	Littledown Swimming Pool Renovation	UK Diveworks Ltd	E & E - Housing, Parks & Bereavement	Not Openly Advertising the Contract Opportunity	Non open advertising using a restricted specialist list Service Delivery Dependency	Councils landlord responsibilities - Specialist works - 3 quotes returned	£96,699
40	W00424	Manor Steps Phase Two - Ground Anchor Design & Installation	Westpointe Ltd	E & E - Housing, Parks & Bereavement	Not Obtaining Three Quotes for the Contract Opportunity	Service Delivery Dependency	Specialist Infrastructure Work - Ground Anchors Retaining Walls	£58,580
41	W00429	Moordown Plus - Electrical Services	Davison Electrical Ltd	E & E - Housing, Parks & Bereavement	Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	4 quotes requested, 3 received & 1 non compliant	£85,179
42	W00430	Purchase of JCB 535-95 9M Telehandler	RJ & KD McLean LTD	E & E - Housing, Parks & Bereavement	Not openly advertising the Contract Opportunity	Specialist one-off project	4 quotes requested & received	£33,000
43	W00436	Universal Credit Advisor	Citizens Advice Bureau Bournemouth and Poole	E & E - Housing, Parks & Bereavement	Contract Extension			£10,000
44	W00437	Replacement of cubicles within the Changing Rooms of Littledown Leisure Centre	Cubicle Systems	E & E - Housing, Parks & Bereavement	Not Obtaining Three Quotes for the Contract Opportunity	Service Delivery Dependency	Specialist Supplier - 2 quotes returned	£66,538
45	W00438	Moordown Plus - Mechanical Services	Watertite Heating Ltd	E & E - Housing, Parks & Bereavement	Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	3 quotes received	£117,839
46	W00441	BIC 4th Chiller Plant	SSE Enterprise Contracting	E & E - Housing, Parks & Bereavement	Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	Councils landlord responsibilities - Specialist works	£30,000
47	W00447	Development at St Georges Drive, West Howe	Parsons and Joyce Contractors Ltd	E & E - Housing, Parks & Bereavement	Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	Waiver required due to structure of the contract with Persimmon, VFM demonstrated with external RICS valuation and benchmarking.	£1,554,666
E & E - Housing, Parks & Bereavement Total								£2,429,313

Count	Waiver Logged No.	Project Title	Supplier	Service Unit	Waiver Type	Procurement Comment	Further Comment	Waiver Value
48	W00421	Waterfront Adventure Golf	Greenspan Projects Limited	E & E - Tourism & Corp Communications	Not Obtaining Three Quotes for the Contract Opportunity	Specialist one-off project	Under £25k procurement process followed for concept designs, work for technical specifications for build package - specialists direct award	£49,000
49	W00422	Clearance of Short Fall Out Culvert at Pier Approach	Lanes Group PLC	E & E - Tourism & Corp Communications	Not Obtaining Three Quotes for the Contract Opportunity	Emergency Requirement Service delivery dependency	Specialist work on Pier Approach culverts, Cost being refunded by Wessex Water	£40,000
50	W00425	Marathon Event	Gsi Events Ltd	E & E - Tourism & Corp Communications	Not Obtaining Three Quotes for the Contract Opportunity	Procurement process followed, less than 3 quotes returned	Under £25k, 1 tender return, Specialist requirement	£24,000
51	W00439	The Prom Café Extension	RTJ Automation & Maintenance Ltd	E & E - Tourism & Corp Communications	Not Openly Advertising the Contract Opportunity	Non open advertising using a restricted specialist list Service Delivery Dependency	Worked with procurement, specialist solution	£29,848
52	W00443	Replacement of Cubicles within the Toilets at Bournemouth Pier	Cubicle Systems	E & E - Tourism & Corp Communications	Not Openly Advertising the Contract Opportunity	Specialist one-off Project Service Delivery Dependency	Specialist Supplier - tight turn around and specialist requirements	£40,000
53	W00445	Research on Suffolk Coast	BDRC Continental Ltd	E & E - Tourism & Corp Communications	Not Obtaining Three Quotes for the Contract Opportunity	Procurement process followed, less than 3 quotes returned	Technical Waiver	£25,000
E & E - Tourism & Corp Communications Total								£207,848
54	W00442	Monitoring data for Lansdowne Business District Programme	DAIZY TECH LTD	Corporate & Commercial	Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	Specialist Solution & single solution - benchmarked	£53,890
Corporate & Commercial Total								£53,890
55	W00400	Executive Search & Selection	Penna	HR Services	Not Obtaining Three Quotes for the Contract Opportunity	Specialist one-off Project Service Delivery Dependency		£36,441
56	W00402	Leadership & Resilience Masterclass	Trailblazers Coaching & Consulting Ltd	HR Services	Not Obtaining Three Quotes for the Contract Opportunity Not Openly Advertising the Contract Opportunity	Specialist one-Off Project	LGR -Building Resilience/Leadership Workshop Support	£33,610
HR Services Total								£70,051
57	W00446	Modern Gov. Committee Management Software	Modern.Gov	Legal & Democratic	Not Obtaining Three Quotes for the Contract Opportunity Not Openly Advertising the Contract Opportunity	Service Delivery Dependency	Specialist Software	£50,990
Legal & Democratic Total								£50,990
58	W00440	SAN Symphony Support and Maintenance Cover	Park Place Technologies Ltd	Finance - Strategic Finance	Not Openly Advertising the Contract Opportunity			£114,955

Count	Waiver Logged No.	Project Title	Supplier	Service Unit	Waiver Type	Procurement Comment	Further Comment	Waiver Value
59	W00448	Treasury Advisory Service	Link Treasury Service Limited	Finance - Strategic Finance	Not Obtaining Three Quotes for the Contract Opportunity	Service Delivery Dependency	Openly Tender 1 bidder	£99,425
Finance - Strategic Finance Total								£214,380
				Grand Total				£5,475,595

Christchurch Borough Council Waivers Register - 2018/19

Appendix B

Ref	Date	Contract Description	Standing Order to be Waived	Reason for Waiver	Value
1819 - W1	26/06/2018	Amenity light column replacement.	SO14 - Tenders to be sought through Pro Contract With at least three tenders returned.	Less tenders returned than required by CSO, however, uneconomical to retender.	£ 34,733.00
1819 - W2	11/07/2018	Internal Audit Resources 2018/19	SO14 - Tenders to be sought through Pro Contract With at least three tenders returned.	Two quotes received, third quote not provided by supplier.	£ 20,000.00
1819 - W3	26/07/2018	Bournemouth, Christchurch and East Dorset Local Plan Viability Study.	SO14 - Tenders to be sought through Pro Contract With at least three tenders returned.	To collaboratively procure where Christchurch BC was relying on a partner to lead the procurement	£ 60,000.00
1819 - W4	06/08/2018	Highcliffe Castle Shop Fit Out	SO14 - Tenders to be sought through Pro Contract With at least three tenders returned.	Only one fully compliant tender received, uneconomical to retender.	£ 35,755.00
1819 - W5	22/08/2018	Replacement of failed air conditioning unit at Two Riversmeet Leisure Centre.	SO14 - Tenders to be sought through Pro Contract With at least three tenders returned.	Less tenders returned than required by CSO, however, uneconomical to retender.	£ 140,868.00
1819 - W6	10/09/2018	Treasury Management Advice	SO14 - Tenders to be sought through Pro Contract With at least three tenders returned.	Extension of contract until Local Government Reorganisation.	£ 7,100.00
1819 - W7	07/01/2019	Gundimore Coastal Defence	SO14 - Tenders to be sought through Pro Contract With at least three tenders returned.	Urgency - Emergency Work.	£ 13,450.00
1819 - W8	31/01/2019	Christchurch Splash Park Resurfacing	SO14 - Tenders to be sought through Pro Contract With at least three tenders returned.	Specialist supplier, compatibility issues, direct award without competition.	£ 24,030.00
TOTAL					£ 335,936.00

Borough of Poole Waivers of Financial Regulations 2018/19

Appendix C

Record Count	Ref	Service Unit	Details of Waiver	Value	Primary Reason for CFO Waiver Approval
1	132	Children and Young People Social Care.	Post Graduate Diploma in Social Work provided by Bournemouth University on behalf of the South West Regional Partnership 1 for up to 17 students. Fully Grant Funded by Department of Education.	£144,500	Lack of Competition/ Not openly advertising - limited supplier availability so direct award
2	134	Children and Young People Social Care.	Development and delivery of social Work CPD courses, evaluation and workstream requirements for the PDWTP Plan by BU as part of an agreed 2 year fully funded grant programme.	£110,000	Lack of Competition/ Not openly advertising - limited supplier availability so direct award
CYPSC Sub Total:				£254,500	
3	113	Commissioning and Improvement	The Advocacy and Independent Visiting Service is currently provided by Action for Children to meet statutory duties. An extension to the contract is being sought to take account of Local Government Reorganisation.	£47,798	Contract Modification (extension)
4	116	Commissioning and Improvement	Reablement Night Care Service. The current contract began in 2013 and was extended to 2017, then another extension took the contract to 2018 and now a further extension will take the contract to 2020.	£86,753	Contract Modification (extension)
5	117	Commissioning and Improvement	The contract was awarded in 2015, then a further 2 extensions were granted. Now it's being extended for another 3 years to 2021 as Dorset County Council have proposed to arrange a further contract to cover the period of the LGR.	£20,252	Contract Modification (extension)
6	121	Commissioning and Improvement	Provision of a Befriending Service to Carers. The contract commenced in 2014 and was extended to 2019, now due to LGR it is proposed to be extended for a further 12 months to 2020.	£20,000	Contract Modification (extension)
7	126	Commissioning and Improvement	The current Care at Home contract is at capacity with the framework providers. The framework will not be reopened until after LGR. Therefore it is necessary to seek additional hours outside of the framework contract in order to meet demand. This provider has agreed to the framework rate and therefore no extra costs will be incurred.	£110,000	Lack of Competition/ Not openly advertising - limited supplier availability so direct award
8	128	Commissioning and Improvement	The current Care at Home contract is at capacity with the framework providers. The framework will not be reopened until after LGR. Therefore it is necessary to seek additional hours outside of the framework contract in order to meet demand. This provider has agreed to the framework rate and therefore no extra costs will be incurred.	£85,000	Lack of Competition/ Not openly advertising - limited supplier availability so direct award
9	130	Commissioning and Improvement	The current Care at Home contract is at capacity with the framework providers. The framework will not be reopened until after LGR. Therefore it is necessary to seek additional hours outside of the framework contract in order to meet demand.	£36,000	Lack of Competition/ Not openly advertising - limited supplier availability so direct award
10	131	Commissioning and Improvement	Residential Furniture for Figbury Lodge Care Home. BoP are contractually required to procure all the loose Furniture, Fixtures and equipment.	£81,750	Lack of Competition/ Not openly advertising - limited supplier availability so direct award
11	133	Commissioning and Improvement	Children's Social Care Policy and Procedures portal for BCP Council - The company works with 80% of Local Authorities in England and they are the only provider offering a complete content creation, updating, hosting and archiving procedures service within the social care sector.	£31,500	Lack of Competition/ Not openly advertising - limited supplier availability so direct award
C&I Sub Total:				£519,053	

Record Count	Ref	Service Unit	Details of Waiver	Value	Primary Reason for CFO Waiver Approval
12	108	Culture and Community	Printing of 324,000 Skills & Learning Autumn 2018/19 brochures. Corporate contract holder (CDS) unable to provide paper quality required within critical timescale.	£36,482	Other - not using an available corporate contract
13	123	Culture and Community	Curatorial support for Wessex Museum Partnership Thomas Hardy Exhibition - Arts Council Grant funded	£37,000	Lack of Competition/ Not openly advertising - limited supplier availability so direct award
14	129	Culture and Community	The design of interpretation media and completion of the associated plan to RIBA Work stage 3 for a welcome centre and surrounding Country Park, to support an application to the Heritage Lottery Fund (HLF). An extension to the consultancy services initially contracted.	£14,940	Contract Modification (extension)
C&C Sub Total:				£88,422	
15	112	Environment	Approval to procure and implement a Highway Inspection Software Programme to ensure legal compliance for the Borough of Poole as of 1st October 2018 introduction of the Department of Transports - Well Managed Highway Infrastructure Code of Practice.	£100,000	Urgency - only 2 quotes obtained
16	114	Environment	New To You online auction selling, which forms part of the Cabot Lane Refuse Project. This work is similar to a concessionary contract where the net profits from the sale of each item would be shared between the Council and Supplier.	£12,000	Lack of Competition - Direct award on grounds of expedience for trial period.
17	135	Environment	Kennelling and where required rehoming of stray dogs in Poole. Bournemouth & Christchurch councils currently contract this provider, align ready for LGR, there are no known other providers in Dorset able to provide this service.	£8,000	Other - Direct award to align with Bournemouth and Christchurch
Environment Sub Total:				£120,000	
18	122	Growth & Infrastructure	To supply and deliver to site a replacement pump for Sterte surface water pumping station. - only one other known supplier and they said they could not do the work for some time and were more expensive than the chosen supplier.	£72,600	Urgency - only 2 quotes obtained
G&I Sub Total:				£72,600	
19	127	Housing and Community	A review of the CCTV system was undertaken for compliance with GDPR and it was found that there were issues with the capability of 23 cameras. Should the Council be challenged on the effectiveness of its systems, we could be found in breach of the legislation by the ICO and subject to significant fines. To ensure prompt compliance with GDPR requirements, quotes were obtained from 2 suppliers and the option which met the need and was the cheapest was selected.	£48,967	Urgency - only 2 quotes obtained
20	137	Housing and Community	Locata – homelessness, Housing Register and Lettings IT system. The current contract is held by North Dorset DC and in preparation for LGR two new contracts (for Poole and B'mth) are to be created - the contract specification and service will be identical to the current one provided.	£110,760	Lack of Competition/ Not openly advertising - limited supplier availability so direct award
Housing Sub Total:				£159,727	
21	124	Poole Housing Partnership	Replacement of existing defective cladding fixing bolts (at the contractors expense) at the same time replacing the cladding with A2 fire rated cladding and installation of a sprinkler system to 114 flats and communal areas.	£1,030,000	Urgency - using original contractor to defray total cost of scheme.

Record Count	Ref	Service Unit	Details of Waiver	Value	Primary Reason for CFO Waiver Approval
22	125	Poole Housing Partnership	Remedial works have been recommended and two quotes have been obtained, one from HIL and a company called HydroWash. There would be no benefit in going out to tender for these works as we would likely obtain bids from these two suppliers due to the niche market area.	£82,370	Urgency - only 2 quotes obtained
PHP Sub Total:				£1,112,370	
23	110	Strategy Directorate	Extension of Poole CVS SLA. Rather than negotiate a new arrangement ahead of LGR it felt more appropriate to extend the existing contract for a further 12 months.	£137,000	Contract Modification (extension)
Strategy Directorate Sub Total:				£137,000	
24	111	SVPP	DWP new burdens funding for SVPP Universal credit Personal Budgeting Support (PBS). Poole Council is the host, and thus making the payment to the contractor (Under a MOU agreement) but the service is for all partners in the partnership	£28,274	Other - Payment in advance exceeding £10,000 or 6 months
SVPP Sub Total:				£28,274	
25	115	Transport	Town Centre North Masterplanning - Design to eliminate issues identified as part of a master planning exercise for the regeneration of the Town Centre North Area of Poole.	£20,000	Lack of Competition - Direct award to same company that provided earlier support to defray total costs.
26	120	Transport	Appointment of EHDC-RegenCo to provide regeneration delivery support. (Attempted recruitment resulted in very limited response and all 3 interviewed lacked experience.)	£164,604	Lack of Competition/ Not openly advertising - limited supplier availability so direct award
Transport Sub Total:				£184,604	
Total				£2,676,550	