

Agenda Item

REPORT OF **Service Improvement Officer**

To: **Audit & Governance Committee**

Subject: **Non Compliance with Procedure Rules and Waivers**

Date: **11th July 2017**

Reference:

PURPOSE OF REPORT: To provide an update on any matters of non-compliance with the Contract and Financial Procedure Rules and on the Waivers approved by the Head of Paid Service and Section 151 Officer.

1. INTRODUCTION

The Section 151 Officer is responsible for the overall financial arrangements of the Council. Under the Financial Procedure Rules (FPR) and Contract Procedure Rules (CPR) he and the Head of Paid Service are able to authorise waivers when, as may happen from time to time, it is not possible or practical to follow the FPR or CPR. Those waivers approved since June 2016 are reported on.

2. REPORT

The process for waiving the Contract and Financial Procedure Rules was introduced in February 2011. It enables any of the rules to be waived provided the reason meets one of the four clear principles. The process was adopted in line with several other Councils.

The FPR (and similarly the CPR) state: "Where officers consider that the Financial Procedure Rules cannot be followed then reasoned, considered and sensible solutions to everyday problems that may arise shall be applied.

If the answer to one or more of the following questions is 'Yes', the waiving of the Financial Procedure Rules may be considered: If the Financial Procedure Rules were to be followed to the letter.....

- **Life or Death** – Is there a significant chance that the life or health of officers, members or the public will be put at real risk?
- **Increased Costs/Loss of Income** - Will the Council incur significant avoidable costs or lose significant income (significant shall be taken to mean material in the sense that it is either material to the project, the service or the Council)?
- **Limited Markets** – Would the Council be wasting its time obtaining quotations as supply of the product or service is demonstrably restricted to one or few businesses (or a select list is recommended by Central Government)?
- **Embarrassment** – Would the Council be criticised for failing to act promptly?"

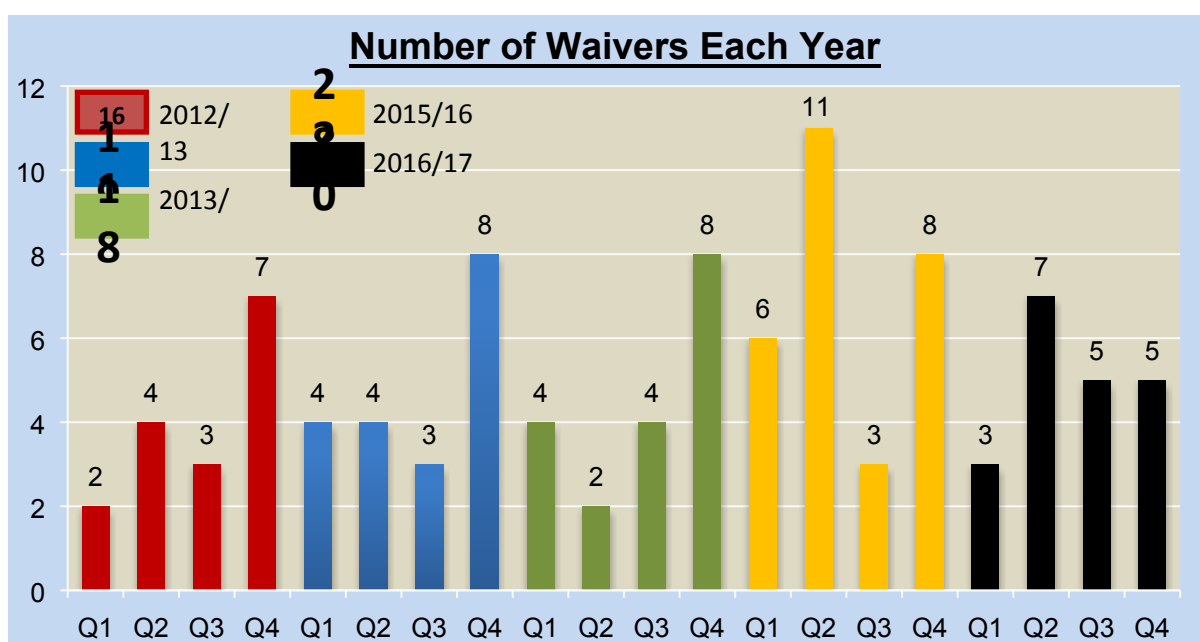
There is a comprehensive procedure for obtaining a waiver which includes a standardised application form, the support of the relevant Senior Manager, challenge and verification by the Governance Team and final approval by either the Section 151 Officer or Head of Paid Service. See Appendix A for an overview of the waiver process.

The waivers approved up to June 2016 (up to waiver number 93) were reported to this Committee in July 2016. Those approved since then are set out in: Appendix B (2016-17 Waivers, numbered 94 – 110). There have been no waivers so far in 2017/18.

We analysed the waiver data for the past 5 years to determine whether there were any trends/areas for concern.

The following graph shows that for the first 3 years there was a typical annual pattern, with an average of 3 waiver requests per quarter for quarters 1, 2, and 3, and a peak in quarter 4, with the overall number of approved annual waivers remaining fairly constant.

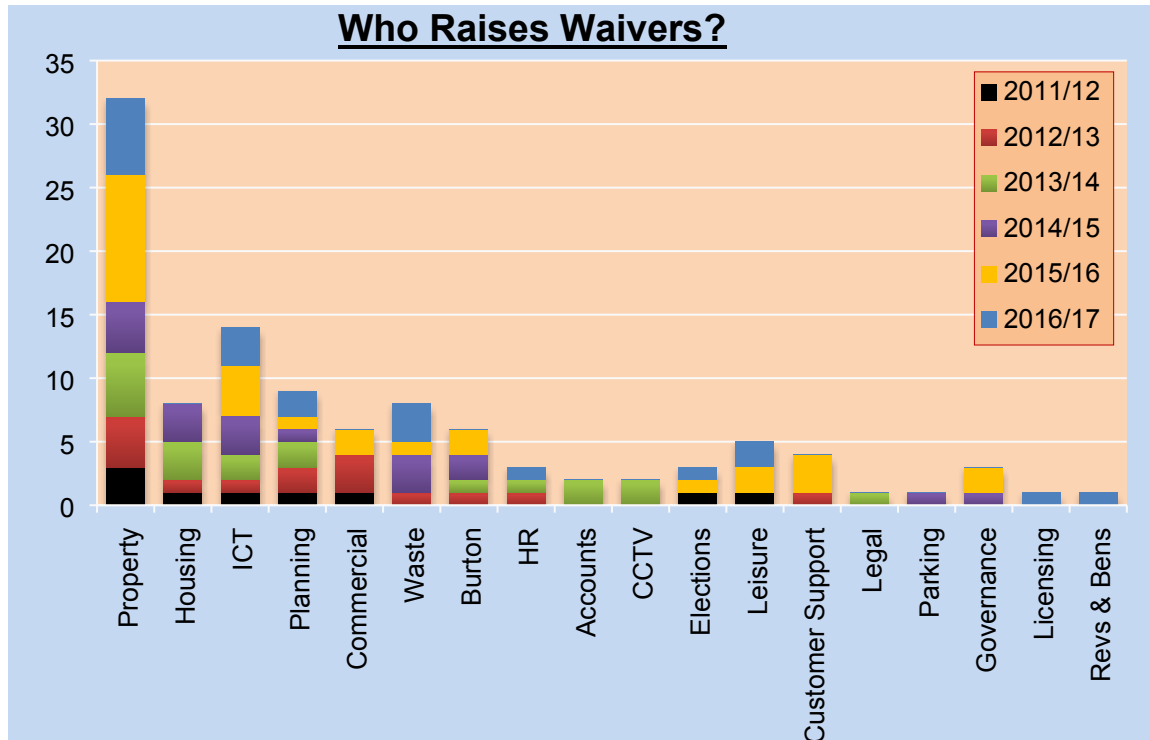
This pattern changed in 2015/16, with a marked increase of waivers in quarters 1 and 2. Overall there was an increase of 10 waivers in 2015/16 over the previous year, but 8 of these waivers related directly to the Transforming Torridge Programme. The subsequent reduction of the number of waivers in 2016/17 appears to confirm that waiver activity in the previous year was distorted by the Transforming Torridge Programme and that there is no significant underlying trend of waivers increasing.



Focusing on 2016/17, the 20 waivers were raised for the following reasons:

Reason for Waiver	Number
Community Facilities	4
New Office Build/Customer Hub	3
Recycling	3
ICT Software	3
Local Plan	2
Other	5
Total	20

The following graph shows that the services which raised the most waivers are the Property Team (29% of all waivers raised), IT (13%), Planning (8%), Housing (7%) and Waste (7%). As the Property Team manages the majority of the Council's external contracts, the IT Team have been moving the Council on to common IT platforms, Housing allocates grant monies, Planning have been commissioning surveys as part of the Local Plan, and there are ongoing changes to the delivery of the Council's Waste & Recycling Services, this is as should be expected.



Waiver requests are reviewed independently and challenged before being passed for approval. In addition to this process, we also review waivers to the FPR/CPR on a quarterly basis and report on any areas of concern to the Head of Paid Service and Section 151 Officer.

3. **IMPLICATIONS**

Legal Implications

None

Financial Implications

As set out above and in appendix B

Human Resources Implications

Agency appointments as set out in the report

Sustainability Implications

None

Equality/Diversity

None

Risk Management

Adequate controls are in place to ensure efficient application of the Financial and Contract Procedure Rules.

Compliance with Policies and Strategies

This report complies with the FPR and CPR as set out in the Constitution.

Ward Member and Leader Member Views

Councillor Philip Hackett, Chair of Audit & Governance Committee, commented “Waivers are independently scrutinised and also come under scrutiny from respective Lead Members to ensure they were raised for legitimate business reasons, as set out in the Financial Procedure Rules. I am satisfied that in all instances the Council has tried to achieve a best value approach.”

4. CONCLUSIONS

The Council’s arrangements allow for efficient approval of waivers for all of the Procedure Rules provided they meet at least one of the four stipulated criteria. The Governance Team maintains a record of waiver requests together with any transactions which are required to be noted and any matters of non-compliance with the Procedure Rules.

5. RECOMMENDATIONS

Committee are asked to note that since June 2016 there were:

- 17 waivers approved by the Head of Paid Service and Section 151 Officer

SUPPORTING INFORMATION

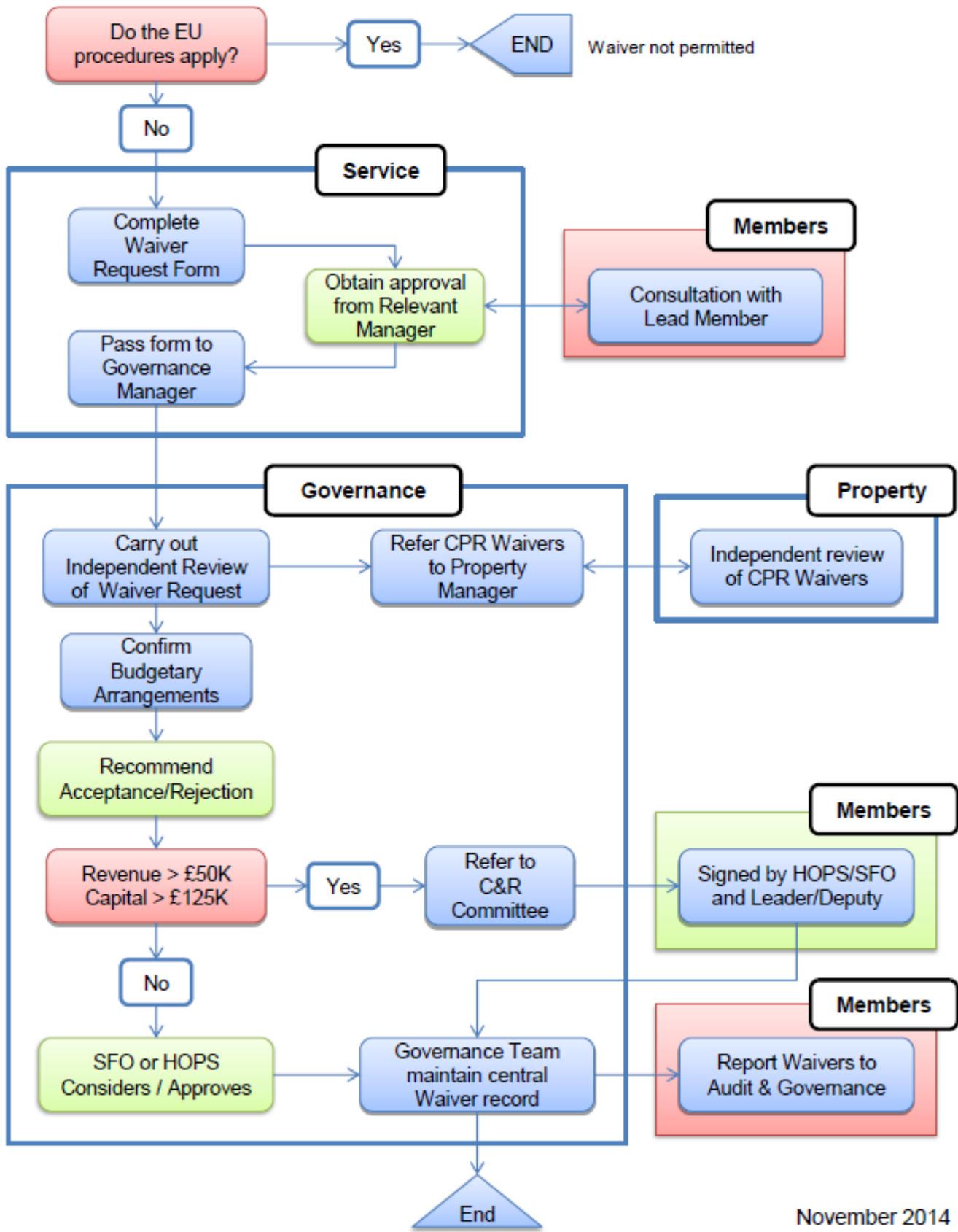
Consultations: Jenny Wallace
Steve Hearse
Cllr Philip Hackett

Contact Officer: Chris Dobbs

Background Papers: Audit files; Waiver records

Appendix A

FPR & CPR Waiver Process



APPENDIX B - WAIVERS OF FINANCIAL AND CONTRACT PROCEDURE RULES - 2016/17

A précis of the details of each waiver request received are listed below together with dates of approval.

No.	FPR or CPR?	Applicant	Reason	Which Rule?	Report to Committee	Date approved or note if rejected			
						Head of Service	Property Manager	Internal Audit	HOPS Section 151 Officer
94	Appointment of original Architect to update drawings and provide a tender pack for new office building at Riverbank House.								
	The original tender for the new build office at Riverbank House was a Design and Build Contract. Due to lack of interest by local contractors a decision at C& R on the 11 th July was agreed to change from a D&B contract to a more traditional JCT format. The result of this would mean that the original drawings would need to be enhanced and a full specification written. By going back to the original architect who clearly knows the project, we will avoid additional higher costs associated with new architects who would need to start the project from scratch.								
	F	Andy Champion	Increased Costs / Loss of Income	5.1.8	n/a	JH 18/7/2016	n/a	CD 18/7/2016	JW 18/7/2016
95	Appointment of Consultant for Local Plan Query from Inspectorate								
	<p>Torridge District Council in partnership with North Devon Council is seeking to appoint consultants to assist in responding to a request by the Planning Inspector appointed to examine the draft North Devon and Torridge Local Plan. The Inspector requires the Councils to provide an analysis of the potential implications of recently published household projections on the housing requirements set out in the draft Local Plan. In doing so, the Inspector is seeking a response on this matter by the 10th August 2016.</p> <p>The housing requirements within the North Devon and Torridge Local Plan are based upon the findings of the Housing and Employment Study completed by GL Hearn in April 2014, supported by an update, the Housing and Economic Needs Assessment, completed by the same consultant in May 2016. It is considered that there are compelling reasons to appoint GL Hearn to carry out works to inform the response to the Inspector on this matter. The consultants have familiarity with the existing assessments/ projections and access to the modelling data upon which the previous assessments were based. In doing so, it is considered that they are best placed to provide a continuity of service/ product and deliver a robust response to support the examination of the Local Plan in an expedient and cost effective manner.</p> <p>On the basis that this commission could be taken as an extension to the existing contract whereby the aggregated value is greater than £5,000+VAT, it is considered appropriate to apply the protocol of waiving the potentially applicable Financial Procedure Rules.</p> <p>Appointment of an alternative consultant to complete the works could offer a challenge to meet the prescribed deadline for responding to the Inspector in this matter; through the application of an extended procurement process and the potential for an extended contract period as the alternative consultant may not be familiar with the original works to which a comparison is required. Furthermore, the appointment of an alternative consultant may result in the preparation of an update that is not fully reflective of the pre-existing evidence on this matter. It is estimated that the update would cost £2,500 +VAT, to be shared equally between North Devon Council and Torridge District Council, equivalent to £1,250+VAT per local authority.</p>								
	F	Ian Rowland	Embarrassment	5.1.8	n/a	DG 26/7/2016	n/a	CD 26/7/2016	SH 26/7/2016

No.	FPR or CPR?	Applicant	Reason	Which Rule?	Report to Committee	Date approved or note if rejected			
						Head of Service	Property & Procurement Manager	Internal Audit	HOPS Section 151 Officer
96			<p>Aerial Imagery 2016</p> <p>The council has been using an aerial imagery map from a fly over conducted in 2010. The next survey of Devon will most likely be conducted in 2018 for the earliest (no guarantees). At the moment Council Tax Inspectors and the Local Land and Property Gazetteer (LLPG) use this map. The aerial imagery is also used by Planning, Building Control, Environmental Health and Housing</p> <p>As a council it would be beneficial to use a more up to date maps and I believe a 2015.</p> <p>This will help our Council Tax Revenue Inspectors discover assessments that should be on the list e.g. farms that have diversified and are using their land to store caravans etc. Getmapping are the UK's leading aerial survey provider to Local and have provided imagery to over 200 Local Authorities over the last 10 years</p> <p>In the UK market there are only 5 suppliers of aerial photography to Local Government: Getmapping; Bluesky; The Geo-Information Group; Blom; OS. Bluesky have not captured Devon since 2006/2007 and have no intention of capturing it as it is not within their remit or target areas. Getmapping and Bluesky work together on the Aerial Photography Great Britain (APGB) central government contract and Devon is one of the areas assigned to Getmapping when any new capture is required. Blom and The Geo-information Group have never captured imagery over Torridge and therefore do not have any data available to supply. They would have to provide a custom survey and based on their pricing this will be a lot more expensive than the data being provided by Getmapping. Ordnance Survey does have imagery of Torridge however a lot of it is more than 3 years old and it is only available at a lower resolution. The Ordnance Survey is also unable to provide the same flexible licensing terms as Getmapping provide to all local authorities as standard due to the issues surrounding derived data.</p> <p>Since the imagery is free of third-party licence restrictions, Getmapping are able to grant the council a corporate licence which will allow us to carry out any and all of the following activities in support of business:</p> <ul style="list-style-type: none"> to deploy the imagery and associated data sets in perpetuity, without restriction on numbers of users, applications, or transactions, and without the payment of additional annual fees. to deploy the imagery and associated data sets free of advertising, on internet, intranet, and extranet networks. to share the imagery and associated data sets with contractors working on your behalf. to copy, store, save, download, distribute, transmit, archive, and manipulate that imagery and associated data sets. to derive data from the imagery and associated data sets for non-commercial purposes, and to own that data in perpetuity. to print and copy the imagery and associated data sets, and publish the imagery in reports and presentations at full resolution. to share the imagery and associated data sets with schools and public libraries within Torridge. <p>The price being offered to the council by Getmapping is £12.97/km. The total cost equates to £12,886.24. This represents a 25% discount on the list price which is normally £17.50/sqkm for districts requiring new imagery. This represents a real saving of over £3,200 to the council on the normal cost of data.</p>						
F		Roger Bonaparte	Increased Cost/Loss of Income, Limited Markets, and Embarrassment	5.1.8	n/a	SH 16/8/2016	n/a	CD 16/8/2016	JW 22/8/2016

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						Head of Service	Property & Procurement Manager	Internal Audit	HOPS Section 151 Officer
97	<p>Dry Recycling Reprocessing This waiver is to cover the agreement with DWM and Torridge until Councillors decide on the future collection model for the Waste and Recycling Service. The reason for the waiver is that a formal tendering process was not undertaken due to the time constraints and the embarrassment that would occur due to the service not being re instated within a very short time scale. There were also no frameworks available which would have been value for money.</p> <p>Back ground information - South Molton Recycling LTD (SMRL) went into administration and ceased providing the kerbside service of dry recyclables on the 20th June 2015. To minimise disruption and to ensure the service provision, Torridge implemented a temporary solution and the service recommenced to all households within two weeks. To ensure the service was operational the authority had to source a number of vehicles and an outlet to reprocess the material. Due to the rural nature of Torridge there were limited companies that were interested in accepting the material collected without entering into long term contracts. The two nearby the Torridge area were Devon Waste Management (DWM) and South West Metals (SWM). Both companies provide a gate fee to process the material collected, SWM £25 per tonne, all the material to be collected co-mingled, delivered to their processing plant at Barnstaple. DWM £35 per tonne glass had to be collected separately delivered to the Deepmoor transfer station. Due to the additional cost of hiring split, bodied vehicles and the reduced gate fee the decision was taken to use SMW as the authority's reprocessor. The initial service level agreement with SWM was for twelve weeks with a review at ten weeks. During the ten-week review meeting SWM advised that the glass would need to be collected separately and the gate fee would rise to £125 per tonne from £25 if the authority did not enter into a two year minimum reprocessing contract. This was not an option due to the increase in cost and would have been in breach of contract procedure rules.</p> <p>Discussions were then held with DWM and the decision was taken to enter into a 12-month service agreement for the reprocessing service at a gate fee of £35 per tonne, except glass where there was no charge. The total estimated payment to DWM for this service is £108500 per annum.</p>								
	C	Richard Haste	Increased Costs/Loss of Income / Embarrassment	7.1.5	n/a	SH 23/8/2016	n/a	CD 23/8/2016	JW 23/8/2016

No.	FPR or CPR?	Applicant	Reason	Which Rule?	Report to Committee	Date approved or note if rejected			
						Head of Service	Property & Procurement Manager	Internal Audit	HOPS Section 151 Officer
98			<p>Dry Recycling Vehicle Hire</p> <p>This waiver is to cover the agreement with Euro municipal, Colin White Services (CWS) and Torridge District Council until Councillors decide on the future collection model for the Waste and Recycling Service. The reason for the waiver is that a formal tendering process was not undertaken due to the time constraints and the embarrassment that would occur due to the service not being reinstated within a very short time scale.</p> <p>Back ground information - South Molton Recycling LTD (SMRL) went into administration and ceased providing the kerbside service of dry recyclables on the 20th June 2015. To minimise disruption and to ensure the service provision, Torridge implemented a temporary solution and the service recommenced to all household within two weeks. To ensure the service was operational the authority had to source a number of vehicles suitable for separating glass from all the other material presented for collection. Quotations were provided from a number of reputable hire companies for six vehicles to be hired until April 2017 with an option to extend until change of service. As stated above a formal tender should have been undertaken but the authority was left with limited options due to two weeks until service recommenced. Quotations received</p> <p>██████████ - we are able to supply you with 4 dual compartment RCVs (70/30) split. All our dual compartment RCVs are 26 Tonners. Rental rate is £1050.00 plus vat per week for a years commitment</p> <p>██████████ - Prices for a hire only arrangement with Torridge looking after all the maintenance, inspections, tyres etc on a 1 year deal; 1x 26t 70/30 twin pack - £3,250.00 p/c/m. (£750.00 p/week) 3x 26t 70/30 twin packs - £3,033.33 p/c/m. (£700.00 p/week</p> <p>EURO MUNICIPAL - Euro municipal LTD supply TDC 5 x twin pack RCV's. 4 of these are charged at £500 p/w and the 5th being Free of charge to cover repairs/breakdowns. Maintenance of these vehicles is largely covered by TDC with Euro municipal covering major mechanic repairs and also supplying replacement parts wherever possible.</p> <p>COLIN WHITE SERVICES (CWS) - 2 X 7.5 Ton ex SMRL recycling vehicles charged at £300 per week, Torridge to undertake inspections and repairs with CWS undertaking major repairs.</p> <p>The decision was taken to hire four vehicles from Euro Municipal with one to be provided free of charge, which allows the authority to continue to provide the service in the event of a breakdown at no addition charge. The two 7.5 ton vehicles where hired from CWS to access the hard to reach properties. In addition these two vehicle do not require an HGV qualified driver to operate them.</p>						
	C	Richard Haste	Increased Costs/Loss of Income / Embarrassment	7.1.5	n/a	SH 23/8/2016	n/a	CD 23/8/2016	JW 23/8/2016

No.	FPR or CPR?	Applicant	Reason	Which Rule?	Report to Committee	Date approved or note if rejected			
						Head of Service	Property & Procurement Manager	Internal Audit	HOPS Section 151 Officer
99	Decorate Torridge Play Areas Minor works Contract to clean and decorate the fencing, safety surfaces and play equipment in 7 (no.) play areas in Torridge District. Four contractors expressed an interest in this tender but only two provided quotations despite an extension to the deadline for return of quotations. First quotation was for £15,564 and second quotation was for £28,644. This waiver has been produced to authorise the acceptance of the first quotation.								
	F	Chris Wilson	Limited Markets / Embarrassment	5.1.7	n/a	JH 9/9/2016	n/a	CD 9/9/2016	JW 12/9/2016
100	East the Water Wharves Four companies were approached based on experience and C&R decision. All indicated they would submit bids but only two bids were received. The winning bid was from ETW Marketing Agents (£28K) and the other bid was £34k.								
	F	Andrew Waite	Limited Markets / Embarrassment	5.1.7	n/a	JH 21/9/2016	n/a	CD 27/9/2016	JW 27/9/2016
101	Purchase of Oracle Database Appliance The Authority currently stores all its major Oracle databases on two off the shelf computers purchased to perform the role of database servers. The Oracle database is currently used by Planning, Building Control, EH, Housing, Food Safety, Local Land Charges, Licensing and Finance. This waiver is for the purchase of two specially designed Oracle hardware appliances (ODA) with storage, memory and operating systems built in, which addresses the need for greater capacity from the core applications used by various departments mentioned above. We will need two ODAs and the second will act as the hardware for disaster recovery and business continuity. The total cost of two Oracle Appliances is £28,324.75. The ODA is manufactured by Oracle and has built-in licensing controls. It is also the most efficient solution for Oracle licensing. The ODA is proved technology adopted by many organisations. As the operating system is built into the ODA hardware, there is no need to pay additional Oracle operating system that is usually an extra cost with other hardware vendors. The Authority currently has a support contract that covers our Oracle licenses. Every time we look to change the database hardware to support new applications we will find that the components within it, such as processors, operating system, and the chip will have the potential to expose the Authority to license risk from Oracle. By moving to the ODA – it is an Oracle environment that ensures that you are on the most optimal license metrics and mitigates license creep. We will be able to migrate our current licenses with oracle onto this solution and platform.								
	F	Roger Bonaparte	Increased Cost/ Loss of Income, Limited Markets and Embarrassment	5.1.8	n/a	SH 14/10/16	n/a	CD 14/10/16	JW 17/10/16

No.	FPR or CPR?	Applicant	Reason	Which Rule?	Report to Committee	Date approved or note if rejected																						
						Head of Service	Property & Procurement Manager	Internal Audit	Section 151 Officer																			
102		VFM Data Ltd																										
		VFM Data offer a unique service that seeks to increase the rateable value of holiday accommodation on the basis of increased bed space. VFM work on a 'no win, no fee' basis at the rate of 7.5% of the gross increase achieved. Indications suggest that the gross increase could be as high as £300,000 which would translate in to a cost to the Council of £22,500 but would generate circa £28,000 additional income for the Council each year. VFM are able to commence this piece of work immediately and it is something that the Council does not have the resource to do in-house																										
	F	Simon Toon	Limited Markets	2.5	n/a	SH 26/10/16	n/a	CD 28/10/16	JW 26/10/16																			
103		Installation to Support Oracle 12c Migration																										
		The authority currently has all of its major Oracle databases installed on version 11g of the Oracle database software. The Oracle database is currently used by Planning, Building Control, Environmental Health, Housing, Food Safety, Local Land Charges, Licensing and Finance. The finance system software provider notified the authority that its new version of the software will only work in an Oracle 12c environment and not the existing 11g. A project has been initiated to migrate to this new version. The software supplier has also stated it's the authority's responsibility to provide the physical environment for this new software. A waiver has been approved for the purchase of the hardware required. In our case a specific Oracle appliance. Since 2013 the authority has employed a company, Cintra, to look after the Oracle infrastructure after our database administrator left the authority. Cintra was selected after a tender exercise involving two other companies. This waiver is for Cintra to perform the installation of Oracle 12c environment for the finance upgrade and also ensure the Oracle installation is fit for purpose as and when we work with other suppliers to migrate from 11g to 12c for other databases. The sum required for the installation is £11,300 broken down as follows...																										
		<table border="1"> <thead> <tr> <th>Role</th> <th>Rate</th> <th>Hours</th> <th>Fees</th> </tr> </thead> <tbody> <tr> <td>DBA</td> <td>£125.00</td> <td>68</td> <td>£8,500</td> </tr> <tr> <td>Enterprise Architect</td> <td>£175.00</td> <td>8</td> <td>£1,400</td> </tr> <tr> <td>Project Manager</td> <td>£175.00</td> <td>8</td> <td>£1,400</td> </tr> <tr> <td>Totals</td> <td></td> <td>49</td> <td>£11,300</td> </tr> </tbody> </table>	Role	Rate	Hours	Fees	DBA	£125.00	68	£8,500	Enterprise Architect	£175.00	8	£1,400	Project Manager	£175.00	8	£1,400	Totals		49	£11,300						
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		Cintra has a proven track record working with Torridge DC for 3 years, which gives them an in depth understanding of the hardware and software applications running within our IT infrastructure. Cintra currently monitors our database environment 24x7 and proactively resolves issues continuously, often before the IT department noticed it. This has ensured continuous uninterrupted service to the authority over the 3 year period. Cintra has a good collaborative working partnership with the authority's IT service. They have proven that they can work with the IT team and other application providers. Cintra has a successful track record of delivering against critical projects including the recent data centre relocation in August, which was implemented below budget and without any issues. Cintra knows the Oracle appliance recently purchased better than any other Oracle partner worldwide, having implemented over 250 of these appliances globally. Cintra has all the required Oracle certifications to proof their expertise and many reference clients. As part of the process to move to an Oracle appliance and install an Oracle 12c environment, Cintra has reached out to various software suppliers to mitigate any potential migration risks to understand the software suppliers' position with using the Oracle appliance operating systems and the 12c environment to help reduce any further implementation costs.																										
	F	Roger Bonaparte	Increased Cost/Loss of Income/Limited Markets Embarrassment	5.1.8	n/a	SH 9/11/16	n/a	CD 9/11/16	JW 9/11/16																			

No.	FPR or CPR?	Applicant	Reason	Which Rule?	Report to Committee	Date approved or note if rejected			
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104	Local Plan expert witnesses Our Housing and employment experts have already produced reports to support the local Plan and it is necessary to have them attending the hearing sessions for the Local Plan to ensure that all issues that may be raised are covered. Matter 1 – Spatial Strategy Tuesday 22 nd - Nick Ireland Matter 2 – Housing Wednesday 23 rd - Justin Gardner & Aled Barcroft Matter 3 – Employment Friday 25 th - Nick Ireland & Aled Barcroft If we did not have them in attendance and a issue was raised which could not be addressed on that day there would be delays to the Local Plan adoption which could lead to increased costs / loss of income arising from delays or failure to get the local plan adopted. In terms of the costs these are quoted for the above attendance as a total cost of £11,040, this would be split 50/50, with North Devon District council paying half.								
	F	Ian Rowland	Increased Cost/Loss of Income/ Embarrassment	2.5	n/a	SH 9/11/16	n/a	CD 10/11/16	JW 10/11/16
105	Playing Pitch Strategy Two tenders have been submitted that adhere to the requirements set out within the scope of works, providing value for money returning at £11,970 and £16,950 respectively to a proposed budget of £20,000. There are pieces of work associated with this tender that are tied in with the timescales attributed to it such as the future planning model from Sport England which will calculate future supply and demand and the adjoining Playing Pitch Strategy which is being undertaken jointly with North Devon District Council. These works cannot be delayed as consultation discussions for 106 spend depend on this as a holistic, joined up piece of work.								
	F	James Jarroudi	Limited Markets	5.1.8	n/a	SH 12/12/16	n/a	CD 12/12/16	JW 12/12/16
106	Occupational Health Provision Up until March 2013 our occupational health provider was the NHS, based at Barnstaple. Due to changes within the NHS they were no longer able to offer the service locally from 1 April 2014. At that time we entered in to a joint arrangement (with NDC) with a local provider, Torrridge Occupational Medical Services (TOMS). We then entered into an agreement with TOMS for a further period of 3 years until 31 March 17. Recent research continues to show that providers within the area are very limited, with the majority of local organisations using TOMS. The service provided by TOMS over the last 4 years has been excellent and would request we extend for a further three year until 31 March 2020. Our current budget for occupational health provision is £10,000pa. It is essential that our staff and managers continue to have access to a professional and local provider.								
	F	Sarah Ayres	Limited Markets	5.1.7	n/a	JH 3/2/17	n/a	CD 6/2/17	JW 6/2/17

No.	FPR or CPR?	Applicant	Reason	Which Rule?	Report to Committee	Date approved or note if rejected			
						Head of Service	Property & Procurement Manager	Internal Audit	Section 151 Officer
107		<p>New Office Build at Riverbank House As part of the Accommodation project (transforming Torrige) – three tenders were received:</p> <ul style="list-style-type: none"> • [REDACTED] £705,698 • Devon Contractors £731,249 • [REDACTED] £912,271 <p>Only a small (3.5%) variance between the two lowest tenders and the tender was subject to Quality Analysis. In the cost/quality check Devon Contractors scored the highest. Therefore the “economically advantageous” tender is not the lowest. Winning tender is in budget.</p>							
	C	Adrian Redwood	Increased Cost/Loss of Income/ Limited Markets/Embarrassment	10.4	n/a	JH 16/2/17	n/a		JW 22/2/17
108		<p>Customer Hub Contract Only 2 tenders were received (three tenders are required to comply with the CPR) The lowest tender in within budget and on estimate at £208,000. The next lowest was £297,941. This is a retender and was advertised and is recommended for acceptance</p>							
	C	Adrian Redwood	Increased Cost/Loss of Income/ Limited Markets/Embarrassment	10.4	n/a	JH 16/2/17	n/a		JW 22/2/17
109		<p>Erection of Temporary Skate Park in Bideford The skate park in Bideford has been nearing end of life for some time and only patch repairs have kept it operational. It is now beyond repair and has been urgently decommissioned. The facility is of great importance to the local community and it had been intended that the old park would be made to last until a long term replacement had been planned and delivered. There is a budget available in the capital programme in future years for delivery of a new park but that cannot be drawn upon as no site has been agreed. The short term solution, to avoid criticism of the Council and maintain a level of service provision, is to provide a single replacement half pipe ramp for use by skaters on the same sight.</p> <p>We have looked at companies to help us with our immediate need and the responses have been limited to one, Maverick Industries. They are able to start on site on 13th March and deliver a completed ramp with 4 days (cost £24,500). And this can be funded from an off site Recreation 106 from Meddon St (£18,644) with the balance to come from capital reserves.</p> <p>There is a requirement for urgency in this matter and thus it has not been possible to seek authority to proceed from C&R in the usual manner. Members have been briefed on these proposals at Full Council (27th Feb) and were comfortable with the swift approach. Images of the proposed ramp and quotation for works attached.</p>							
	F	Sean Kearney	Limited Markets / Embarrassment	5.1.7	n/a	JW 2/3/17	n/a		SH 3/3/17

No.	FPR or CPR?	Applicant	Reason	Which Rule?	Report to Committee	Date approved or note if rejected			
						Head of Service	Property & Procurement Manager	Internal Audit	Section 151 Officer
110	Reprocessing Recyclables Materials The tender was valued at £100K and was advertised through the appropriate channels. Initially we had 24 expressions of interest, but when we came to tender submission we had 15 'no' responses, 8 opt outs, and only 1 tender submission. The main reason given by suppliers for the 'no' response or 'opt out' of the tender, was that they could not supply to this location.								
	C	Richard Haste	Limited Markets / Embarrassment	8.1.3	LEADER 14/3/2017	JW 10/3/17	n/a	CD 13/3/17	SH 13/3/17