

# Broads Authority

22 May 2020

Agenda item number 12

## Annual report on requests to waive Standing Orders 2019/2020

Report by Chief Financial Officer

---

### Purpose

This report shows the 2019/20 summary of instances where Standing Orders were waived by the Chief Executive.

### Recommended decision

To note the annual report of instances where Standing Orders have been waived.

---

## 1. Introduction

- 1.1. After the end of each financial year, the Broads Authority produces a report detailing instances when the Chief Executive authorised waivers of Standing Orders. Waivers can be approved only by certifying that there is an extreme urgency or only one supplier, and in certain other circumstances. All waivers authorised under delegated powers must be reported to the Authority on an annual basis.

## 2. Waivers authorised in 2019/20

- 2.1. Twelve separate waivers to Standing Orders were authorised by the Chief Executive in 2019/20, as shown in Table 1. The costs in the final column are shown exclusive of VAT.

**Table 1**

Summary of waivers authorised 2019/20

Ref	Details of Contract	Supplier	Amount (£)
A	Purchase of Earthwake equipment	Lland Ho Ltd	6,500
B	Purchase of barge and tug	KB Mason Marine	45,000
C	Contractors for DEFRA Test and Trial (ELMS)	Natural England/ Norfolk FWAG	15,200/ 16,065
D	Heritage Skills Project Officer	City College Norwich	81,850
E	Increase to cleaning contract hours	CLC Contractors Ltd	3,000

Ref	Details of Contract	Supplier	Amount (£)
F	Soil carbon mapping	Queen Mary University of London	9,963
G	Yare House electric charging points	Anglia Car Charging	12,834
H	Extension to soil carbon mapping	Queen Mary University of London	498
I	Mutford Lock operation 3 years plus option to extend for 2	Sentinel Enterprises Ltd	96,352
J	Microsoft Office 2019	Phoenix Software	25,714
K	Planning support	Martha Gray Works	27,407
L	Repairs to John Fox Cottage	Kereds Construction	7,950

2.2. Further details of the individual contracts and the reasons for waiving Standing Orders are set out below.

- A. **Sole supplier:** The Earthwake equipment was purchased and funded as part of the Broadland Catchment Partnership, to reduce run-off from winter cereal fields. As part of the partnership, the equipment is lent out within the catchment for farm estates to trial.
- B. **Second hand equipment:** Purchasing equipment second-hand means savings can be made, when compared to buying it new. However, it can be difficult to find other second-hand equipment to carry out market comparisons. The fitter team analyse all second-hand equipment service and repair histories to make sure the purchase makes economic sense.
- C. **Sole suppliers:** These suppliers had the expertise to deliver agri-environment support as part of the Broads Test & Trials (Environment Land Management Scheme) project. This project looks at agri-environment payment schemes post- Brexit and is 100% grant funded (in addition to National Park Grant) by DEFRA.
- D. **Competitive quotes not sought due to urgency:** Following the departure of the Heritage Skills Training Supervisor supporting the Water, Mills and Marshes project, the Authority required urgent cover to support the students working on the mill restoration. The project is in collaboration with a number of partners including Norwich City College and is funded by the grant from the National Heritage Lottery Fund.
- E. **Contract extension to original contract:** Although the contract was competitively tendered, it became clear that additional hours were required to

ensure cleanliness expectations could be met, given the increased use of the Dockyard facilities. This was only just 9.6% of the original contract value.

- F. **Competitive quotes not received:** Of the four contractors contacted, only two returned quotes. The carbon soil-mapping project is funded as part of the CANAPE project. A project of this type looks for innovative ways to achieve its aims and will help understanding of carbon and help influence land management practices.
- G. **Competitive quotes not received:** Requests were sent to three suppliers, but one declined to quote. The contract was awarded to the landlord's preferred contractor. Although slightly more expensive than the other supplier, the additional services for monitoring and extended warranty exceeded this.
- H. **Contract extension to original contract:** As the project progressed, it became clear that additional work was required to enhance the project. This work enabled an undergraduate student to transcribe the soil profiles so they could be put into the Geographic Information System (GIS). This was only just 5% of the original contract value. Also see paragraph F above.
- I. **Sole supplier:** Sentinel Enterprises are located in the Oulton Broad area, and contracted by Suffolk County Council and the Broads Authority to operate the lock and the road bridge. Both require specialised operation. Due to their proximity the contractors are able to respond to ad hoc requests. This waiver, and J, K and L in this list, were recognised as requiring waivers through the procurement audit carried out in 2019/20.
- J. **Competitive quotes not received:** Microsoft products need to be purchased through a licence agreement (Microsoft Select Plus Licence Agreement). One alternative quote was obtained, but Phoenix Software remained the most economically favourable supplier. See paragraph I above.
- K. **Competitive quotes not received:** Following the departure of a number of planning officers during 2018, support was required. Following little capacity within neighbouring districts to provide support, two contractors were approached. The most economically favourable contractor was chosen. See paragraph I above.
- L. **Competitive quotes not received:** Requests were sent to three suppliers, but one was unable to meet the timescales required. The contractor chosen was the most economically favourable and could meet the autumn deadline before further deterioration occurred. See paragraph I above.

### 3. Summary

- 3.1. Twelve waivers were approved by the Chief Executive in 2019/20 compared to nine in 2018/19. This is not unexpected, given that the externally funded projects (Water, Mills

& Marshes, CANAPE, and ELMS Test & Trial) are now into their delivery phases, which includes exploring alternative techniques. In purchasing second-hand equipment, it can be challenging to find comparisons in a competitive market. It should also be noted that the last four waivers approved arose out of internal audit recommendations from the procurement audit, which required retrospective approval. All approved waiver requests were considered to be justified and on the grounds of achieving the best outcome for the Authority at the best possible price.

Author: Emma Krelle

Date of report: 11 May 2020