

## Central Register of Exemptions

The Audit Plan 2013/14 – “Procurement and Contract Management Baseline Assessment”  
Recommended: “We recommend that consideration should be given to maintaining a central record of waivers and exemptions that have been approved.”

The Council’s Contract Procedure Rules state:

### **Exemptions:**

- Acquisition or disposal of Land:

These Rules do not apply to the acquisition or disposal of Land except where a lease or licence is granted as a part of a principal contract for other Works, Supplies or Services.

- Unforeseeable emergency:

Where exemption from these Rules is unavoidable due to an unforeseeable emergency involving immediate risk to persons or property or likely to give rise to major or serious disruption to the Council’s services, a Head of Service and the Managing Director may jointly approve an exemption. They must inform the relevant Portfolio Holder and make a report to the next Cabinet meeting on the action taken. Urgency caused by undue delay will not be a valid reason for an exemption.

- Exceptional Circumstances:

An exceptional exemption may be considered by the Managing Director in limited and unusual circumstances. This may, for example, apply where a key supplier has gone into Administration or Receivership. It applies where the event will involve significant risk to a key contract and is likely to give rise to a significant disruption to a Council service. In such an event a Head of Service and the Managing Director may jointly approve an exceptional exemption. This may, for example, be a single tender action or the use of a substitute contractor from the original tender responses to complete a contract or part of a contract. They must inform the relevant Portfolio Holder and make a report to the next Cabinet meeting on the action taken.

- Limited market:

A partial exemption may apply where a supply or service is only obtainable from a single or a very limited number of contractors. In such a case, evidence of the limited market must be provided, such as by public advertisement or detailed market research. A Head of Service and the Managing Director may jointly approve a partial exemption. They must inform the relevant Portfolio Holder and make a report to the next Cabinet meeting on the action taken.

- Prior approval:

Other than as specified above no exemption from these Rules shall be made unless prior approval has been granted at a Cabinet meeting.

Record of Exemptions – Heads of Service must ensure that full details of approved waivers and exemptions are recorded in a central register held by the Corporate Procurement Manager on behalf of the MD.

A record form must be completed and signed for each approved Exemption.

## Approved Exemption Record Form

	Details
<p>Exemption category</p> <ul style="list-style-type: none"> <li>• Unforeseeable emergency</li> <li>• Exceptional Circumstances</li> <li>• <b><u>Limited market</u></b></li> <li>• Prior approval</li> </ul>	<ul style="list-style-type: none"> <li>• <b><u>Limited Market</u></b></li> </ul>
<p>Details / Circumstances / Explanation of why an exemption was required:</p>	<p>The BRE are in a unique position. Up until 1997 they were a Government department, which upon being privatised have overseen the methodology, delivery, analysis and reporting on the English House Condition Survey (now the English Housing Survey) since its inception over 40 years ago. The BRE were responsible for writing most of the recent Government Guidance for Local Authorities on undertaking Local House Condition Surveys. Using this knowledge the BRE has developed an alternative to the traditional House Condition Survey, known as the Housing Stock Modelling Service.</p> <p>The other organisation using similar methods is the Centre for Sustainable Energy but their sole offering is a very specialised model for fuel poverty only. This only other solution does not provide a full and comprehensive stock modelling and condition intelligence service that we require to inform our future private sector renewal strategy.</p> <p>As the BRE offers the only housing stock modelling service, it has been purchased by, or on behalf of over 230 other local authorities.</p> <p>The last House Condition Survey was completed in 2009 and conducted in a traditional manner. This method will provide more detailed analysis of the stock, make use of our existing data and provide the addition of a Health Impact Assessment (HIA). The HIA report will highlight the impact of intervention measures, showing the likely savings in terms of health costs, and provide a cost benefit analysis of interventions over a 10 year period.</p>

Approved by (Name and date): <ul style="list-style-type: none"> <li>MD: Manny Lewis</li> <li>HoS: Alan Gough</li> </ul>	DATED 07/12/16 Manny Lewis  07/12/16 Alan Gough
Portfolio Holder informed (Name and Date):	Councillor Stephen Johnson – 31/10/16
Date reported to Cabinet:	16 <sup>th</sup> January 2017
Contract Title:	Private Sector Stock Modelling Survey
Vendor / Contractor:	Building Research Establishment (BRE)
Date Contract let:	TBC following approval
Term of Contract:	Estimated at 4 months
End date:	April 2017
Total Value of Contract:	£74,200 net
WBC Contract Manager (Name and contact details):	Neil Walker, 01923 278149 Neil.walker@watford.gov.uk
Comments / Other Information:	The Head of Service has confirmed that provision has already been made in the capital budget for a housing stock modelling exercise to be commissioned.
Date entered onto Exemptions Register:	9/12/16
Signed by Head of Service:	Alan Gough

Copies to:

Contract File  
Head of Service  
Corporate Procurement Manager  
Central Register of Exemptions