

## **ANNUAL PROCUREMENT WAIVER REPORT 2025**

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<b>Wards affected:</b>	(All Wards);
<b>Appendices (attached):</b>	Appendix 1: 2025 Waiver Table

### **Summary**

This report provides the Committee with an overview of the procurement Waivers between January 2025 and December 2025. In the year there were a total of fourteen waivers, with a cumulative spend of £479,121.

### **Recommendation (s)**

#### **The Committee is asked to:**

- (1) Note the Waivers used in 2025.**

#### **1 Reason for Recommendation**

- 1.1 To provide the Committee with oversight of Waiver usage at the council.

#### **2 Background**

- 2.1 A procurement waiver is the formal approval to depart from a council's Contract Standing Orders (or Procurement Rules), allowing a contract to be awarded without following the standard process.
- 2.2 Essentially a Waiver is permission to bypass normal tendering requirements in justified circumstances. Typical reasons include:
  - 2.2.1 Only one supplier is genuinely available
  - 2.2.2 Unavoidable urgency
  - 2.2.3 Short-term extensions of existing contracts
  - 2.2.4 Highly specialised or proprietary services
  - 2.2.5 Situations where competition is not possible or practical / cost-effective

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- 2.3 A waiver must be formally justified, authorised by two senior officers, and recorded. Waivers are not permitted for 'Above Threshold' procurements, which are governed by the Procurement Act 2023. The current Threshold is £166,176 ex. VAT for goods, services and minor works, and £4,154,400 for substantial works.
- 2.4 The rules on Waivers, and which officers are authorised to sign them, are available in Section 21 of the [Contract Standing Orders](#) (Annex 5-2 of the council's Operating Framework).
- 2.5 All Waivers are reviewed by External and Internal Audit. They were examined as part of the Procurement Audit
- 2.6 Officers have received training in the year, on procurement rules and how to procure goods, services, and works in a compliant manner.

## 3 2025 Waivers

- 3.1 The total number of waivers approved in 2025 was 14, with an overall expenditure of £479,121, and average value of £34,223.
- 3.2 The highest value waiver related to the Planning Inspectorate, which supported the council Planning Policy team during the Epsom and Ewell Local Plan Examination. This service was required for a 12-month period and had a total value of £100,000.
- 3.3 To view the 2025 Waiver table please see Appendix 1

## 4 Risk Assessment

Legal or other duties

### 4.1 Equality Impact Assessment

4.1.1 No direct implications from this report.

### 4.2 Crime & Disorder

4.2.1 No direct implications from this report.

### 4.3 Safeguarding

4.3.1 No direct implications from this report.

### 4.4 Dependencies

4.4.1 No direct implications from this report.

### 4.5 Other

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4.5.1 If committee members have a detailed question(s) on particular elements of this report (including its appendices), it is requested that these be submitted in advance of the meeting where possible, to enable officers time to prepare complete answers.

### 5 Financial Implications

5.1 The level and value of procurement waivers used during 2025 are consistent with the Council's operational activity and reflect circumstances where a compliant alternative procurement route was not practicable. All waivers were subject to appropriate justification and authorisation in line with Contract Standing Orders.

5.2 **Section 151 Officer's comments:** There are no direct financial implications arising from this report beyond the spend already contained within approved budgets. Procurement activity and waiver trends will continue to be monitored to ensure value for money and strong financial governance.

### 6 Legal Implications

6.1 **Legal Officer's comments:** None arising from the content of this report.

### 7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- N/A

7.2 **Service Plans:** The matter is included within the current Service Delivery Plan.

7.3 **Climate & Environmental Impact of recommendations:** No direct implications from this report.

7.4 **Sustainability Policy & Community Safety Implications:** No direct implications from this report.

7.5 **Partnerships:** No direct implications from this report.

7.6 **Local Government Reorganisation Implications:** No direct implications from this report.

### 8 Background papers

8.1 The documents referred to in compiling this report are as follows:

**Previous reports:**

- None.

**Other papers:**

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- None.