

**REPORT FROM: DIRECTOR OF RESOURCES**

**TO: ACCOUNTS AND AUDIT COMMITTEE**

**DATE: 25<sup>TH</sup> MARCH 2025**

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**FOR INFORMATION**  
**EXEMPTION FROM CONTRACT PROCEDURE RULES**

**PURPOSE OF REPORT**

To report, for information, exemptions from Contract Procedure Rules.

**ISSUE**

**Exemptions from Contract Procedure Rules (CPRs)**

- 1 CPR 5 includes provision for exemption from the requirements to comply with CPRs in certain circumstances where the use of an alternative method of selection is considered justifiable, and propriety, value for money and compliance with domestic legislation can be demonstrated. Exemption from CPRs is, however, subject to the prior approval of the Director of Resources.

Details of such exemptions must be reported to the next possible meeting of the Accounts and Audit Committee.

2. Since the last meeting of the Accounts and Audit Committee, the following exemptions from Contract Procedure Rules have been granted –

**(i) Refurbishment of Canopies in Brierfield Town Centre**

**Name of Contractor**

Butler Sheetmetal Ltd

**Amount of the Contract**

£31,550

**Nature of Contract**

To carry out the refurbishment of canopies in Brierfield Town Centre.

**CPRs exempted**

5.2(e), 18.3

**Reason for exemption**

Only one quote has been received.

**Selection of contractor**

The tender was advertised through The Chest and only one tender was returned. The project is time sensitive, and the quote is within the expected budget cost.

**(ii) New Canopy in Brierfield Town Centre****Name of Contractor**

Butler Sheetmetal Ltd

**Amount of the Contract**

£14,800

**Nature of Contract**

To provide a new canopy in Brierfield Town Centre.

**CPRs exempted**

5.2(e), 18.3

**Reason for exemption**

Only one quote has been received.

**Selection of contractor**

The tender was advertised through The Chest and only one tender was returned. The project is time sensitive, and the quote is within the expected budget cost.

3. At its meeting on the 20<sup>th</sup> March, the Executive is being asked to agree the following exemption from Contract Procedure Rules. The outcome will be reported to the meeting.

**(i) Provision for disposal and recovery of commercial waste**

**Name of Contractor**

SUEZ Recycling and Recovery Ltd

**Amount of Contract**

£170 per tonne – estimated tonnage 2817  
£478,890 per annum

**Nature of Contract**

Provision of the disposal and recovery of commercial waste from Pendle's commercial waste collections.

A 12-month contract commencing 01/04/25 with an option to extend for an additional 12 months.

**CPRs exempted**

11.1, 18.2, 20.1(a)

**Reason for exemption**

Only one provider is able to carry out the work or service or to supply the goods for technical or artistic reasons or because of exclusive or proprietary rights.

SUEZ currently provide facilities to dispose of commercial waste via agreement with Lancashire County Council (LCC). We have been notified that LCC's rate will increase from 1<sup>st</sup> April 2025 resulting in disposal fees rising to £524,271. The Borough Council will need to recoup the disposal charge from its commercial waste customers resulting in our prices becoming less competitive and putting us at risk of losing customers.

**Selection of contractor**

SUEZ Recycling and Recovery Ltd are the only provider situated within the Borough.

Benchmarking of costs have been carried out against LCC and other providers. Savings against LCC charges found to be around £45,000 per annum based on current tonnages and charges.

**IMPLICATIONS**

**Policy:** None arising directly from the report.

**Financial:** The expenditure is within Budget and Policy Framework.

**Legal:** None arising directly from the report.

**Risk Management:** None arising directly from the report.

**Health and Safety:** None arising directly from the report.

**Sustainability:** None arising directly from the report.

**Community Safety:** None arising directly from the report.

**Equality and Diversity:** None arising directly from the report.

**APPENDICES:** None