

Appendix 1 – Breaches & Waivers 2024/25

Waivers granted 2024/25 (sorted by value)

Contract description	Contract value	Directorate	Service team	Background/Justification
Nitrate mitigation credits for residential development	£173,604	Housing & Communities	Housing Strategy & Development	To comply with conditions of planning the Council must demonstrate that any nitrates generated through its development must be mitigated, by purchasing the required number of nitrate credits from appropriate mitigation schemes. At present there are only two approved nitrate mitigation suppliers in the area, and therefore a quotation was requested from both, and awarded to the most economically advantageous.
Legal library and resources (3-year term)	£124,000	Corporate Resources & Transformation	Legal	The supplier (LexisNexis) is the sole provider of specific legal resources on-line. It is an on-line legal library containing precedents and legal books/case materials and practice notes. This enables legal officers to research legal points and obtain templates and case law which are essential to their work. There is therefore no market for what they provide and no other equivalent supplier.
Design, supply & installation of air source heat	£116,850	Corporate Resources & Transformation	Estates & Valuations	These services were required pursuant to grant funding from the Public Sector Decarbonisation (PSDS) scheme and had a strict deadline for the project to be completed and all monies to be drawn down before 31 st March 2025. The usual process

pumps at Appletree Court				would be an open tender, but given the timescales a restricted quotation process was undertaken instead, with 3 quotes obtained.
Contract description	Contract value	Directorate	Service team	Background/Justification
Design and draft specification for redesign works at Appletree Court	£68,140	Corporate Resources & Transformation	Estates & Valuations	The supplier was awarded a contract to undertake a feasibility study for this project, via a quotation exercise with 3 suppliers. The next stage of the project was to design and draft the specification for redesign works. The supplier had already assembled a project team through the feasibility stage and understood the project, which would add cost if a procurement exercise resulted in the appointment of a different supplier.
Training for social housing managers	£47,655	Housing & Communities	Various	Following amendments to the Social Housing (Regulation) Bill, professional housing qualifications have been made mandatory for social housing managers, to ensure residents receive a high-quality service and to rapidly professionalise the sector. Whilst other suppliers do provide this training, the Chartered Institute of Housing (CIH) are considered the centre of excellence, and the Council would prefer to receive this training directly from the source. Furthermore, the CIH have offered a discount on professional memberships (which the Council already purchases for many of its staff) whilst completing the training through them.

Contract description	Contract value	Directorate	Service team	Background/Justification
Extension of support for Community Energy New Forest project	£32,500	Place, Operations & Sustainability	Climate Change & Sustainability	This relates to an extension of an existing contract to continue facilitation, support and further development of the Community Energy New Forest project. The existing contract was intentionally short to align with Hampshire County Council's (HCC) contract renewal and enable joint procurement of a long term solution, however HCC will no longer be supporting these activities and NFDC wished to continue a direct contract with the supplier.
Phosphate mitigation credits for residential development	£30,500	Housing & Communities	Housing Strategy & Development	To comply with conditions of planning the Council must demonstrate that any phosphates generated through its development must be offset through an appropriate and approved mitigation scheme. At present there is only one supplier offering credits for development in the area. The market for phosphate mitigation credits will be tested at regular intervals to identify any additional approved suppliers in the market.
DSEAR (Dangerous Substances and Explosive Atmospheres Regulations 2002)	£26,460	Housing & Communities	Housing Maintenance Programmes & Servicing	An audit identified that existing DSEAR assessments were inadequate and not fit for purpose, and therefore 28 housing sites required immediate new DSEAR assessments. Due to the time sensitivity, this contract was awarded directly to a supplier with proven expertise.

Gas Risk Assessments				
Contract description	Contract value	Directorate	Service team	Background/Justification
Greater horseshoe bat study	£25,900	Place, Operations & Sustainability	Planning Policy, Infrastructure & Delivery	<p>A study was required, involving trapping, tagging and radio tracking the rare and protected greater horseshoe bats, to support and inform the drafting of the Local Plan. There are few individuals and companies which offer these services and fewer still with a proven track record in Hampshire and working with Local Planning Authorities. NFDC approached two of the leading local experts in this field and they agreed to put a joint bid in for the works, giving the Council the benefit of both their respective significant experience and expertise to further the project aims. The project was time sensitive twofold, firstly to make a tangible contribution to the emerging local plan it needed to be undertaken as soon as possible, and secondly, it needed to correspond with the timings when the bats are most numerous in the known roosts to be targeted by survey (April to May). There is a minimum 6-8 week lead in time for procuring the specialist equipment required and obtaining the project licence from Natural England. Therefore this contract was directly awarded.</p>

Contract description	Contract value	Directorate	Service team	Background/Justification
Social housing data insights software	£21,058	Housing & Communities	Housing Maintenance Programmes & Servicing	The Council attempted to run a procurement process and undertook market engagement to enter a contract with a provider of social housing data insights software. Unfortunately, the framework provider proved uncommunicative and therefore the decision was made to direct award outside of the framework process.
Single beam surveys in the Wareham Channel	£17,500	Place, Operations & Sustainability	Coastal	The contract was to undertake 14 single beam surveys in the Wareham Channel in Poole Harbour as part of the monitoring for the Arne Moors Scheme. Options were appraised and the most cost-effective approach was found to be renting a boat from Channel Surveys Ltd, which is moored in Poole Bay. Channel Surveys Ltd has the only local survey vessel equipped with a pre-installed single-beam echo sounder (SBES) sensor, reducing mobilisation complexity and ensuring operational efficiency. Additionally, the collection software used by this supplier matches that of the Channel Coastal Observatory, ensuring seamless data processing and quality control.
Victim support for tenants affected by anti-social behaviour	£14,650	Housing & Communities	Housing Resident Services	The current victim support provision in Hampshire is provided by Victim Support - this is commissioned by the Hampshire Police and Crime Commissioner. The contract has been directly awarded to Victim Support. They are a well-established service used

				by Hampshire Police, Winchester City council, and large housing associations. This is a specialist provider in the area, used by neighbouring authorities.
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Breaches in 2024/25 (sorted by value)

Contract description	Contract value	Directorate	Service team	Background	Action Required
Emergency accommodation for homeless people	£1,297,554	Housing & Communities	Housing Options and Tenancy Accounts	A total value of £1,297,554 cumulative spend across eight suppliers has been identified as not being subject to a tendering process or a waiver sought. The Council provides emergency accommodation for individuals and families experiencing homelessness within the District, using historic arrangements and in emergency situations where the Council must comply with its legal obligations under the Housing Act 1996 and Homelessness Reduction Act 2017. Preparations have begun to undertake a competitive tendering process for the establishment of a multi-supplier	Tender in 2025/26

				framework agreement to ensure a compliant arrangement which offers the Council value for money but also flexibility where urgent services are required.	
Contract description	Contract value	Directorate	Service team	Background	Action Required
Consultancy services, primarily to support the Waste Programme	£298,292	Place, Operations & Sustainability	N/A	A value of £298,292 with a single supplier has been identified as not being subject to a tendering process or a waiver sought. This primarily relates to the services of the Waste Programme Director, as well as an interim Programme Manager for the Shared Prosperity Fund. Both were short term arrangements that will not continue past July 2025. A tender is in progress for the provision of Temporary Workers, and the User Guide for Officers will be updated to include advice on procuring senior level staff, to ensure any future arrangements are compliant with Contract Standing Orders.	None (One-off spend, no longer required)

Contract description	Contract value	Directorate	Service team	Background	Action Required
Garden clearance services & fencing repairs	£289,896	Housing & Communities	Housing Maintenance Programmes & Servicing	A value of £289,896 with a single supplier has been identified as not being subject to a tendering process or a waiver sought. This relates to reactive garden clearance services including fencing repairs to void housing properties. There is an element of urgency as we wish to minimise the time the property spends unoccupied. We have previously unsuccessfully attempted to procure this contract and are preparing to undertake a tendering process in 2025/6. In this attempt we are simplifying the process to enable small businesses to have the capability to bid successfully.	Tender in 2025/26
Vehicle parts & repairs	£229,900	Place, Operations & Sustainability	Waste & Transport	A value of £229,900 with a single supplier has been identified as not being subject to a tendering process or a waiver sought. The implementation of the Waste Programme has resulted in lack of capacity to tender this contract. The Waste	Tender in 2025/26

				Programme will result in an increase in fleet which will increase the spend in this area and therefore it is planned for tender in 2025/6.	
Contract description	Contract value	Directorate	Service team	Background	Action Required
Tax & benefits software	£219,772	Housing & Communities	Revenues, Benefits & Customer Services	A value of £219,772 with a single supplier has been identified as not being subject to a tendering process or a waiver sought. This software has been used by the Council for many years and is integral to the functioning of the Revenues and Benefits team. The procurement team have identified an existing framework agreement that could be utilised to enter a compliant contract with this supplier, and this is planned for 2025/26.	Tender in 2025/26
Supply & servicing of tyres	£131,442	Place, Operations & Sustainability	Waste & Transport	A value of £131,442 with a single supplier has been identified as not being subject to a tendering process or a waiver sought. The implementation of the Waste Programme has resulted in lack of capacity to	Tender in 2025/26

				tender this contract. It is in preparation for tender in 2025/6.	
Contract description	Contract value	Directorate	Service team	Background	Action Required
Electrical services	£122,192	Corporate Resources & Transformation	Estates & Valuations	A value of £122,192 with a single supplier has been identified as not being subject to a tendering process or a waiver sought. This was identified in November 2024 and has since been through a competitive tendering process, with a contract successfully awarded. No further action is required.	None (this was procured in early 2025 and is now compliant)
Disposal of garden waste & purchase of aggregate	£82,110	Place, Operations & Sustainability	Public Realm & Sustainability	A value of £82,110 with a single supplier has been identified as not being subject to a tendering process or a waiver sought. This was identified in November 2024 and various options have been explored including whether we can dispose of the waste with other existing suppliers. We plan to work with the newly appointed Service Manager in this area to find a solution.	Tender in 2025/26

Contract description	Contract value	Directorate	Service team	Background	Action Required
Recruitment advertising	£46,906	Corporate Resources & Transformation	Human Resources	A value of £46,906 with a single supplier has been identified as not being subject to a tendering process or a waiver sought. This is an aggregate of 55 separate purchase orders across several service teams. The Procurement team will work with the Human Resources team to explore procurement routes and undertake a tendering process in 2025/26.	Tender in 2025/26