
Report to: Audit and Scrutiny Committee

Date of Meeting: 28th August 2025

Subject: Exceptions from the Application of Contract Standing Orders

Report by Strategic Director Partnership & Performance

1.0 Purpose

- 1.1 It is a requirement of Contract Standing Orders that exceptions should be reported to the next available Audit & Scrutiny Committee. The purpose of this paper therefore is to provide detail on any Exceptions to Contract Standing Orders submitted in the previous quarter.

2.0 Recommendations

- 2.1 The Committee is asked to note the report, commenting and challenging as appropriate

3.0 Considerations

- 3.1 Contract Standing Orders (CSO's) apply to all contracts entered into by Council officers. In some circumstances however, exceptions may be granted.
- 3.2 The appropriate senior manager must record their reasons in writing in the form of an exception report for a decision, which must be submitted to the Strategic Director, Partnership and Performance, for consideration.

The Strategic Director is required to consult with the Chief Finance Officer (S95) and Procurement Manager before taking any action that binds the Council. It is a requirement that any such exception shall be reported retrospectively in full to the next Audit & Scrutiny Committee, including the reasons that fully justify the exception. A summary of CSO exemptions will also be provided as part of the Annual Procurement report to the Audit & Scrutiny Committee.

- 3.3 **One (1)** exception has been considered since the last report in April 2025:

- 3.3.1 To permit the Exception to request the appointment of Xayam 102 to Supply Secure storage of Gypsy travellers Caravans/Mobile homes over an 18 Month period from 03/02/2025 until 01/09/2026 to the value of no more than £54,000.00

The basis of the exception request is that, in terms of Contract Standing Orders section 6 (7) There is a genuinely justifiable case to use an existing contractor/supplier to maintain continuity of supply or site experience

Reference 2/6/2234

Granted

Based on the information provided the recommendation to approve the request for an exception to Council was due to the unforeseen liquidation of the previous contractor for the Westhaugh project this has led to an almost 15-month delay in project start date. This Exception is required to provide the continued safe and secure storage of caravans to the Gypsy Travellers.

Xayam 102 are the only Landlord with a suitable premises large enough to securely store these Caravans and Mobile homes within a reasonable location.

Conditions

A Procurement Form 2 should be completed and authorised for this requirement this should cover the 18-month period detailing the actual contracted period and overall value of £54,000

A Purchase order should be raised to cover the period as above

A Contract Award notice without competition should be published in Public Contracts Scotland

4.0 Sustainability Implications

- 4.1 There are no direct sustainability implications arising from the recommendations in this report.

5.0 Resource Implications

- 5.1 Financial Details - there are no direct implications for the Council's budget arising from this report
- 5.2 Staffing - there are no direct implications for the Council's establishment arising from this report

6.0 Exempt Reports

- 6.1 Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☒)

- Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all ☒
- Our families; children and young people will have the best possible start in life ☒
- Women and girls will be confident and aspirational, and achieve their full potential ☐
- Our communities will be resilient and empowered so that they can thrive & flourish ☒

(2) **Council Policies**

- Complies with relevant Council Policies ☒

8.0 Equalities Impact

- 8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

N/A

9.0 Legality

- 9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

10.0 Appendices

- 10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None

11.0 Background Papers

- 11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

No ☒ (please list the documents below)

Author(s)

NAME	DESIGNATION	TEL NO / EXTENSION
Derek Barr	Procurement Manager	452017

Approved by

NAME	DESIGNATION	SIGNATURE
Chris Alliston	Strategic Director Partnership & Performance	