

Report to: Cabinet

Date of Meeting 29/10/2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N/A



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## **Appointment of Specialist Contractor to Undertake Underwater Works at East Devon District Council Swimming Pools**

### **Report summary:**

The report informs Cabinet of an Exemption to Contract Standing Orders approved with regards to appointing specialist underwater contractor to undertake works at the Council's swimming pools.

### **Is the proposed decision in accordance with:**

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

### **Recommendation:**

That Cabinets notes the action taken.

### **Reason for recommendation:**

Under Contract Standing Orders item 2.3.2, Request for Exemption to Contract Standing Orders must be reported to cabinet for support. *"Where the Contract sum is £20,001 or above then the use of the exemption must be reported by the Officer, to the next meeting of the Cabinet for them to note their support for the action taken."*

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Portfolio(s) (check which apply):

- ☒ Assets and Economy
- ☐ Communications and Democracy
- ☐ Council, Corporate and External Engagement
- ☐ Culture, Leisure, Sport and Tourism
- ☐ Environment - Nature and Climate
- ☐ Environment - Operational
- ☒ Finance
- ☒ Place, Infrastructure and Strategic Planning
- ☐ Sustainable Homes and Communities

**Equalities impact** Low Impact

**Climate change** Low Impact

**Risk:** Low Risk;

**Links to background information** N/A

**Link to** [Council Plan](#)

Priorities (check which apply)

- ☒ A supported and engaged community
  - ☐ Carbon neutrality and ecological recovery
  - ☒ Resilient economy that supports local business
  - ☒ Financially secure and improving quality of services
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## **Report in full**

1. The Council has allocated £60,000 Capital funding in its 2025-2026 Budget to undertake specialist underwater works at the Council's three swimming pools sites. The swimming pools sites are currently operated by LED.
  2. Due to the specialist nature of the works there is a limited number of contractors that can do the work, which involves teams of divers undertaking underwater repairs to the swimming pool tanks and accessing underwater confine spaces. Market availability is further restricted by the need to undertake the work outside working hours to minimise disruptions to the services and loss of income to the operator.
  3. Based on the above considerations and the relatively low cost of the work, considerably under the Public Procurement Threshold (£884,720 for Small Lots Works), the competition requirements under the current Contract Standing Orders to obtain more than three quotations cannot be fulfilled and an Exemption to Contract Standing Orders was requested.
  4. The current specialist contractor undertaking cyclical underwater compliance surveys has provided a quote for the works. The contractor is well familiar with each site and the work, which is a key consideration in terms of the health and safety risks involved. In addition, it will allow for the works to be done in a shorter timeframe, reducing costs. The quote for £46,344 is considered good value and represents a considerable saving on the allocated budget, approximately £13,000 saving.
  5. The request for an Exemption to Contract Standing Orders has been granted and supported by the officer's Line Manager (Assistant Director Tim Child), Finance (Finance Director (CFO/S151) Simon Davey), and Governance and Licensing (Director of Governance (Monitoring Officer and Returning Officer) Melanie Wellman).
  6. As the contract value is over £20,001, the granting of the exemption must be reported for Cabinet to note.
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## **Financial implications:**

This work can be met from an existing approved budget.

## **Legal implications:**

The contract value falls below the threshold permitted and an exemption can be validly relied upon pursuant to the Council's Contract Standing Orders. The reason for using the exemption in this case has been agreed by S151 and Monitoring Officer.