Stockton-on-Tees BOROUGH COUNCIL
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# Executive Scrutiny Committee

Agenda

**Date:**
Tuesday 17 November 2026 at 1.00 pm

**Venue:**
Council Chamber, Dunedin House, Columbia Drive, Thornaby, Stockton-on-Tees TS17 6BJ

**Cllr Sylvia Walmsley (Chair)**
**Cllr Kevin Faulks (Vice-Chair)**

Cllr Jim Beall, Cllr Marc Besford, Cllr Carol Clark, Cllr Stephen Dodds, Cllr Lynn Hall, Cllr Shakeel Hussain, Cllr Niall Innes, Cllr Mrs Ann McCoy, Cllr Sufi Mubeen, Cllr Tony Riordan and Cllr Marilyn Surtees

## Agenda

**1. Livestreaming**

This meeting will be filmed for live and / or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for 12 months. A copy of it will also be retained in accordance with the Council's data retention policy.

If you attend and make a representation to the meeting, you will be deemed to have consented to being filmed. When admitted to the Council Chamber you are also consenting to being filmed and to the possible use of those images and sound recordings for livestreaming and / or training purposes. If you do not wish to have your image captured, please contact Democratic Services prior to attending the meeting.

If there are any technical difficulties with the livestreaming, the meeting will still proceed.

**2. Evacuation Procedure** (Pages 7 - 10)

**3. Apologies for Absence**

**4. Declarations of Interest**

**5. Minutes** (Pages 11 - 22)

To approve the minutes of the last meetings held on 22 September 2026 and 20 October 2026.

**6. Call In Meeting Procedure** (Pages 23 - 24)

**7. Call In - Procurement Plan/ Higher Value Contracts** (Pages 25 - 48)

**8. Call In - Opportunities for Young People into Employment** (Pages 49 - 52)

**9. Exclusion of Press and Public**

RECOMMENDED that under Section 100A of Part 1 of the Schedule 12A of the Local Government Act 1972, the press and public be excluded from the meeting on the grounds that it is likely to discuss exempt information as defined in Paragraph 1 and 4 of the Act.

**10. Call In - Opportunities for Young People into Employment** (Pages 53 - 82)



Jonathan Nertney
Head of Democratic Services
Monday 9 November 2026

**Members of the Public - Rights to Attend Meeting**

With the exception of any item identified above as containing exempt or confidential information under the Local Government Act 1972 Section 100A(4), members of the public are entitled to attend this meeting and/or have access to the agenda papers.

Persons wishing to obtain any further information on this meeting, including the opportunities available for any member of the public to speak at the meeting; or for details of access to the meeting for disabled people, please.

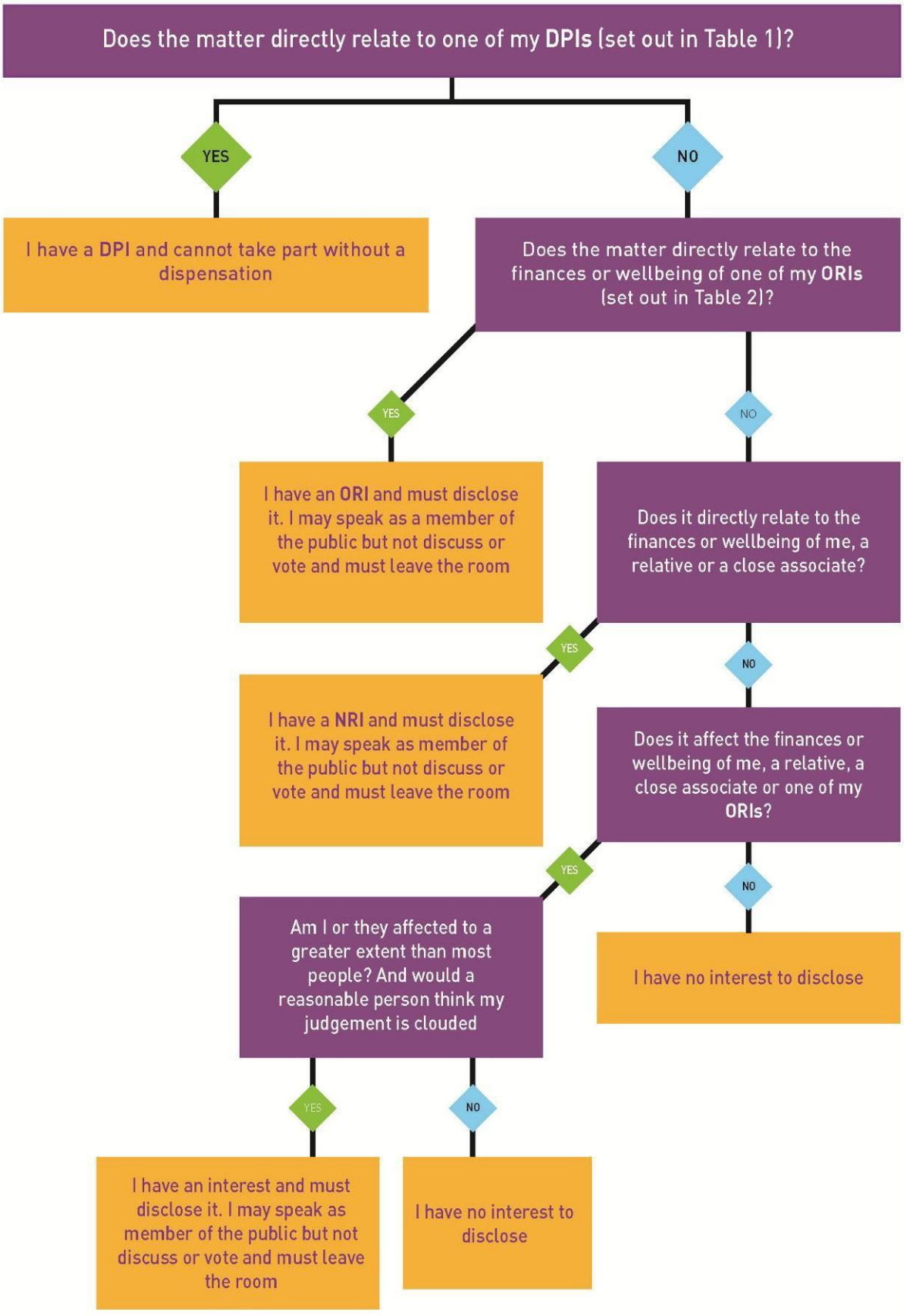
Contact: Democratic Services Manager, Judy Trainer on email Judy.Trainer@stockton.gov.uk

Stockton-on-Tees BOROUGH COUNCIL

**Key – Declarable interests are :-**

- Disclosable Pecuniary Interests (DPI's)
- Other Registerable Interests (ORI's)
- Non Registerable Interests (NRI's)

**Members – Declaration of Interest Guidance**



Stockton-on-Tees
BOROUGH COUNCIL

## Table 1 - Disclosable Pecuniary Interests

| Subject | Description |
|---|---|
| **Employment, office, trade, profession or vocation** | Any employment, office, trade, profession or vocation carried on for profit or gain |
| **Sponsorship** | Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses.<br>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992. |
| **Contracts** | Any contract made between the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or<br><br>a body that such person has a beneficial interest in the securities of*) and the council —<br>(a) under which goods or services are to be provided or works are to be executed; and<br>(b) which has not been fully discharged. |
| **Land and property** | Any beneficial interest in land which is within the area of the council.<br>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners (alone or jointly with another) a right to occupy or to receive income. |
| **Licences** | Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer. |
| **Corporate tenancies** | Any tenancy where (to the councillor's knowledge)—<br>(a) the landlord is the council; and<br>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/ civil partners is a partner of or a director* of or has a beneficial interest in the securities* of. |
| **Securities** | Any beneficial interest in securities* of a body where—<br>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and<br>(b) either—<br>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or<br>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/ her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners have a beneficial interest exceeds one hundredth of the total issued share capital of that class. |

* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

## Table 2 – Other Registerable Interest

You must register as an Other Registrable Interest:

a) any unpaid directorships

b) any body of which you are a member or are in a position of general control or management and to which you are nominated or appointed by your authority

c) any body

(i) exercising functions of a public nature

(ii) directed to charitable purposes or

(iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union) of which you are a member or in a position of general control or management

**Council Chamber, Dunedin House**
**Evacuation Procedure & Housekeeping**

**Entry**

Entry to the Council Chamber is via the Council Chamber entrance indicated on the map below.




In the event of an emergency alarm activation, everyone should immediately start to leave their workspace by the nearest available signed Exit route.

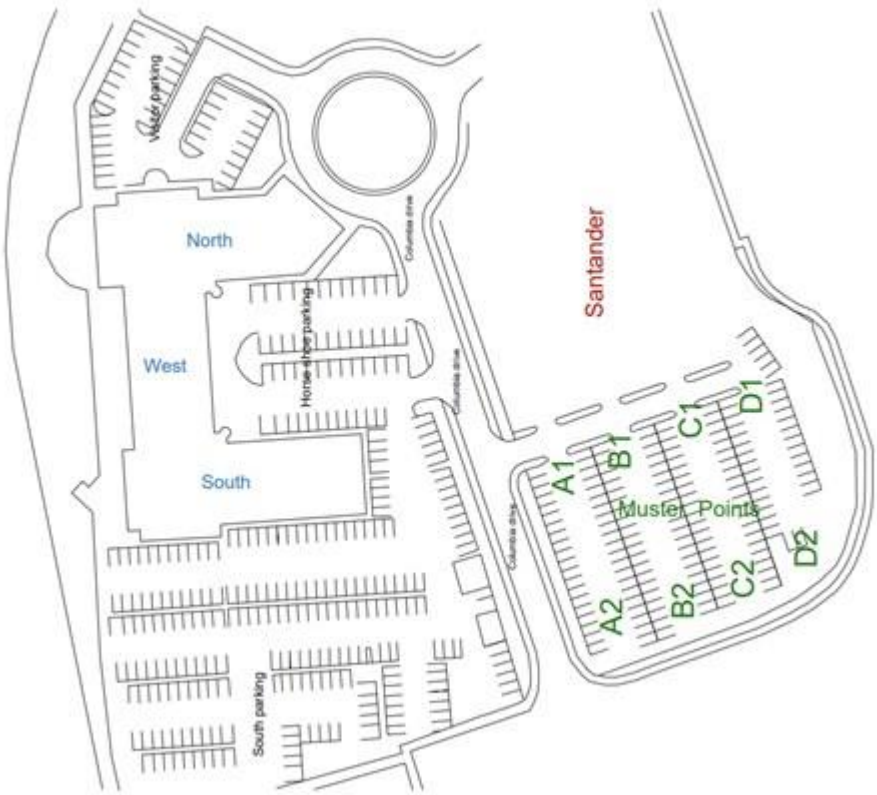
The emergency exits are located via the doors to the left of the raised seating area at the front of the Council Chamber and the rear of the Council Chamber.

Fires, explosions, and bomb threats are among the occurrences that may require the emergency evacuation of Dunedin House. Continuous sounding and flashing of the Fire Alarm is the signal to evacuate the building or upon instruction from a Fire Warden or a Manager.

The Emergency Evacuation Assembly Point is in the overflow car park located across the road from Dunedin House.

**The allocated assembly point for the Council Chamber is:** D2

Map of the Emergency Evacuation Assembly Point - the overflow car park:




All occupants must respond to the alarm signal by immediately initiating the evacuation procedure.

When the Alarm sounds:

1. **stop all activities immediately**. Even if you believe it is a false alarm or practice drill, you MUST follow procedures to evacuate the building fully.

2. **follow directional EXIT signs** to evacuate via the nearest safe exit in a calm and orderly manner.

    - do not stop to collect your belongings
    - close all doors as you leave

3. **steer clear of hazards**. If evacuation becomes difficult via a chosen route because of smoke, flames or a blockage, re-enter the Chamber (if safe to do so). Continue the evacuation via the nearest safe exit route.

4. **proceed to the Evacuation Assembly Point.** Move away from the building. Once you have exited the building, proceed to the main Evacuation Assembly Point immediately - located in the **East Overflow Car Park**.

    - do not assemble directly outside the building or on any main roadway, to ensure access for Emergency Services.

5. **await further instructions.**

    - **do not re-enter the building under any circumstances without an "all clear"** which should only be given by the Incident Control Officer/Chief Fire Warden, Fire Warden or Manager.
    - do not leave the area without permission.
    - ensure all colleagues and visitors are accounted for. Notify a Fire Warden or Manager immediately if you have any concerns

**Toilets**

Toilets are located immediately outside the Council Chamber, accessed via the door at the back of the Chamber.

**Water Cooler**

A water cooler is available at the rear of the Council Chamber.

**Microphones**

During the meeting, members of the Committee, and officers in attendance, will have access to a microphone. Please use the microphones, when invited to speak by the Chair, to ensure you can be heard by the Committee and those in attendance at the meeting.

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# Executive Scrutiny Committee

A meeting of Executive Scrutiny Committee was held on Tuesday 22nd September 2026.

**Present:** Cllr Sylvia Walmsley (Chair), Cllr Jim Beall, Cllr Marc Besford, Cllr John Coulson (sub for Cllr Lynn Hall), Cllr Stephen Dodds, Cllr Niall Innes, Cllr Mrs Ann McCoy, Cllr Sufi Mubeen, Cllr Hugo Stratton (sub for Cllr Tony Riordan) and Cllr Marilyn Surtees

**Officers:** Clare Harper, Neil Bramma, Ged Morton, Jonathan Nertney, Gemma Jackson, Judy Trainer, Gary Woods and Michelle Gunn

**Also in attendance:** None

**Apologies:** Cllr Kevin Faulks, Cllr Carol Clark, Cllr Lynn Hall and Cllr Tony Riordan

## ESC/26/26 Livestreaming

The Chair announced to those present that the meeting would be live streamed.

## ESC/27/26 Evacuation Procedure

The evacuation procedure was noted.

## ESC/28/26 Declarations of Interest

There were no declarations of interest recorded.

## ESC/29/26 Minutes

AGREED that the minutes of the meeting on 21 July 2026 be approved as a correct record and signed by the Chair.

## ESC/30/26 Financial Update and Medium-Term Financial Plan (MTFP)

The Committee received a report summarising the Council's financial performance and projected position at the end of the first quarter of the 2026/27 financial year.

The Council continued to face expanding and emerging cost increases and demand pressures, leading to greater costs and financial challenges. The Quarter 1 budgetary control position identified significant budget pressures across Council services, driven by a combination of increasing costs and continued demand for services. Based on activity to date and current intelligence, the most significant forecast pressures related to Children's Social Care, Special Educational Needs and Disabilities (SEND) services, and Community Services.

A forecast overspend of £5.8m against the approved revenue budget for the current financial year was reported. It was noted that the projected overspend represented a

significant financial challenge which would need to be actively managed throughout the remainder of the year. Members were advised that work was underway across services to identify mitigating actions and opportunities to reduce the forecast overspend and improve financial performance. It was further noted that, should the forecast overspend materialise by the end of the financial year, it would result in a further call on earmarked reserves, reducing the resources available to support existing commitments and placing additional pressure on the Council's financial sustainability and Medium-Term Financial Plan (MTFP).

The Committee was advised that the Council had developed a programme of transformation and savings through Phase 2 of the Powering Our Futures Programme (PoF) to help address the underlying budget gap and support long-term financial sustainability. It was reported that the budget report to Council in February had identified a budget gap of £6.7m for the current financial year and that savings of £5.3m had been identified to date, with work continuing across the Powering Our Futures Programme to identify the remaining savings.

It was highlighted that growing demand for Council services and increases in service delivery costs were continuing to place pressure on the budget for the current financial year and were likely to place additional strain on the Council's Medium Term Financial Plan, increasing the budget gap and the level of savings and efficiencies required in future years. Whilst it was acknowledged that these pressures were not unique to the Council and reflected challenges being experienced across the local government sector, it was noted that both local and national factors presented significant financial challenges. Maintaining financial sustainability would require continued focus on robust financial management, delivery of transformation plans and timely corrective action.

Key issues discussed were as follows:

- With regard to addressing the savings gap of £1.4m in 2026/27, Members were advised that outcome based PoF reviews were anticipated to generate further savings. This included the Environment, Leisure and Green Space review but there were other reviews in progress and further details would be provided after the meeting
- Members raised concerns about the income shortfall on recycling and extra collection costs. Officers highlighted that the Council was six months into the roll out and the data was being carefully examined to establish resident engagement and take up to forecast likely future demand for collection and establish the most efficient level of service. Consultants had been commissioned to help with that work. At this stage it was difficult for officers to be firm on timescales but further details of the work going on in the background would be provided to the Committee
- Regarding the overspend in SEND, Members asked what contingencies were in place if the expected grant funding was not received. Officers advised that the Government announcement was still awaited but budgets were currently assuming a 10% uplift which was in line with similar assumptions being made by other Councils. If the Government took a different approach, this would then be addressed as a risk in the MTFP. The Council had submitted its Local Area Reform Plan, and it was hoped that an announcement would be made in the next month or so. There was an override that still existed until March 2028, which meant that the Council would not have to account for it until the 1 April 2028
- Members queried the higher concessionary fare costs resulting from increased scheme charges set by the TVCA. Officers advised that the increase was a result

of the Council being notified of the charges after setting the budget. The Council had approached the TVCA to seek to align this in future years. Further details would be provided to the Committee of the percentage that each Local Authority funded
- The Committee noted that pressures arising from social care had been predicted over many years and hoped that the Government tackle the problem and establish a fairer funding system
- The Committee thanked officers for all their work in pulling together the report

AGREED that the report be noted and responses be provided to the queries set out above.

**ESC/31/26 Local Government and Social Care Ombudsman Annual Complaints Report 2025/26**

The Committee received a report setting out the details of the Local Government and Social Care Ombudsman's (LGSCO) annual review letter for 2025/26.

It was reported that 69 enquiries had been submitted to the Ombudsman during 2025/26 and that the Ombudsman had responded to 51 complaints, representing an increase from 30 complaints in the previous year.

Members were advised that seven complaints had met the threshold for a detailed investigation by the Ombudsman, which was a similar number to the eight investigations undertaken in 2024/25.

It was noted that all seven investigations had been upheld.

The Committee was informed that all recommendations made by the Ombudsman following the investigations had been accepted and implemented by the Council.

It was further reported that the Ombudsman had been satisfied that the Council had remedied three of the seven complaints prior to the Ombudsman's investigation.

Key issues discussed by Members were as follow:

- Members asked if there were recurring themes from upheld complaints and who was responsible for overseeing the implementation of the Ombudsman's recommendations. Officers advised that an action plan was developed with the service area. Information Governance had oversight, but the actions are owned by the management team within the service area and all actions were monitored. Internal audit could also be involved if there was something of significant concern. Themes were considered throughout the complaints process and brought to the attention of the services
- The Committee highlighted that considering complaints was part of a healthy learning organisation and asked for assurances that lessons learned were being fed back into future performance and practice. Officers confirmed that once complaints were dealt with, time was taken to reflect on the lessons learned to ensure improvements were made

AGREED that the report be noted.

**ESC/32/26 Forward Plan**

AGREED that the Forward Plan be noted.

**ESC/33/26 Chairs' Updates**

Members were provided with updates from the Chairs of each Select Committee.

AGREED that the Chairs' Updates be noted.

**ESC/34/26 Chair's Update and Executive Scrutiny Work Programme**

AGREED that the Work Programme be noted.

Chair: .....

# Executive Scrutiny Committee

A meeting of Executive Scrutiny Committee was held on Tuesday 20th October 2026.

**Present:** Cllr Sylvia Walmsley (Chair), Cllr Jim Beall, Cllr Marc Besford, Cllr Carol Clark, Cllr Stephen Dodds, Cllr Lynn Hall, Cllr Niall Innes, Cllr Mrs Ann McCoy, Cllr Sufi Mubeen, Cllr Ross Patterson (sub for Cllr Kevin Faulks), Cllr Tony Riordan and Cllr Marilyn Surtees

**Officers:** Ged Morton, Julie Butcher, Jonathan Nertney, Judy Trainer, Clare Harper, Majella McCarthy and Elisha Dyball

**Also in attendance:** Cllr Marcus Vickers, Cllr Clare Besford and Cllr Paul Rowling

**Apologies:** Cllr Kevin Faulks

**ESC/35/26 Livestreaming**

The Chair announced to those present that the meeting would be live streamed.

**ESC/36/26 Evacuation Procedure**

The evacuation procedure was noted.

**ESC/37/26 Declarations of Interest**

There were no declarations of interest recorded.

**ESC/38/26 Call in Meeting Procedure**

The Committee noted the meeting procedure.

**ESC/39/26 Call In - SEND Reform Programme - Education White Paper and Local Area Reform Plan Update**

The Head of Democratic Services presented a report setting out the background to the call-in and supporting documents.

The decisions taken at Cabinet on 17 September 2026 in relation to SEND Reform Programme – Education White Paper and Local Area Reform Plan Updated had been subject to a valid call-in. The call in applied to decisions 5 – 13 of the following decisions:

RESOLVED

1) The closure of the national SEND Reform consultation and the submission of the Local Area Reform Plan to the Department for Education, be noted.

2) It be noted that Council and the North East and North Cumbria Integrated Care Board were awaiting the outcome of the assessment process, expected in October 2026.

3) The significant financial implications of approval of the Local Area Reform Plan, including the potential write-off of approximately 90% of the cumulative DSG High Needs deficit, be noted

4) The continued delivery of the SEND Reform Programme and associated transformation activity set out within the Local Area Reform Plan be endorsed.

5) The investment of up to £2m of capital funding, to create a new 50 place SEMH school, be agreed. This was to undertake necessary building work to adapt and expand an older building to create the required places.

6) The investment of £1.4m of capital funding to expand the existing Early Support Nursery to create up to 10 extra spaces, be agreed. This was to undertake necessary building work to adapt the existing provision to create the required places.

7) The investment of £3.75m of capital funding to expand the Ash Trees Academy Special School in building onto the Sandown Road site to create up to 40 additional specialist primary spaces, be agreed. This was to undertake necessary building work to adapt the existing provision to create the required places.

8) Delegated authority be given to the Director of Children's Services, in consultation with the Cabinet Member for Children and Young People, to take all necessary steps to deliver the projects within the approved budgets.

9) Delegated authority to the transfer of budget caused by cost variations within the approved programme be given to the Section 151 Officer and the Director of Children's Services, in consultation with the Cabinet Member for Resources and Transport and the Cabinet Member for Children and Young People.

10) Delegated authority be given to the Director of Children's Services, in consultation with the S151 officer and Cabinet Member for Children and Young People, to allocate the contingency of £860,000 if required within the three schemes, within the approved programme.

11) Delegated authority be given to the Director of Children's Services in consultation with the Director or Corporate Services to award the construction contract to deliver recommendation 1 to a value of £1.7m including variation, annual inflationary uplifts (where allowed in the contract terms and conditions) and extension decision.

12) The Director of Children's Services be appointed as the Council's authorised representative for the purposes of exercising the Council's rights as a Member of Spark of Genius LLP in relation to the SEMH Special School project and associated matters, including attendance at, participation in and voting at Members' meetings of the LLP.

13) Authority be delegated to the relevant Director or Assistant Director to make the specific contract award decision and any subsequent contract variation, annual inflationary uplifts (where allowed in the contract terms and conditions) and extension decision in respect of all contracts required to deliver the SEMH Special School project approved by the report.

Members who had signed the call-in request had been invited to attend the meeting.

The Monitoring Officer presented his report which set out the reasons for the validation of the call-in in relation to the following principles of decision-making:

a) Due consultation and the taking of professional advice;
b) Clarity of aims and desired outcomes, insofar as this relates to the erroneous cross-reference within the relevant contractual resolution;
c) Explanation of options and reasons; and
d) Clarity and explanation of information provided.

In addition, the Monitoring Officer advised that he had considered whether he should excuse himself from the validation exercise, given his role in advising Cabinet at the meeting in question. Having consulted with relevant Members, he concluded that it was appropriate to participate in the process as his participation at Cabinet had been relatively limited. The Monitoring Officer wished it to be made clear that this had been considered at the outset of his validation exercise.

The following documents had been included with the agenda for the meeting for consideration by Executive Scrutiny Committee:

- Call in Form
- Cabinet Report
- Decision Record
- Report of Monitoring Officer

On behalf of the Councillors who had submitted the call-in request of the Cabinet decision, Councillor Marcus Vickers set out the rationale for the call in which related to:

- Insufficient evidence and safeguards to support the commitment of over £8 million and the delegation of significant powers to officers
- Errors and inconsistencies in the decision documentation
- Introduction of significant proposals at the meeting that were not fully set out in the published report
- Failure to consider or present alternative options
- Insufficient clarity regarding legal, financial and governance implications, including the Council’s exposure and liabilities
- Lack of assurance on procurement, value for money and contractual arrangements
- Reliance on unconfirmed funding and concerns regarding the contingency
- Inadequate definition and oversight of delegated powers
- Cumulative concerns regarding the transparency, accountability and robustness of the decision-making process

The Cabinet Member for Children and Young People explained why she believed the decision-making principles had been complied with. She stated that Cabinet's primary objective had been to improve outcomes for children and young people with SEND by increasing local specialist provision and reducing reliance on out-of-area placements. It was argued that Cabinet had sufficient evidence to make an informed decision, based on extensive preparatory work including needs assessments, options appraisal, consultation and business case development.

Whilst acknowledging that aspects of the report could have been more detailed, particularly regarding alternative options, it was maintained that these options had been considered and that Cabinet had sufficient information on the need, proposed solutions, risks and financial implications to reach a sound decision.

It was further argued that the issues raised through the call-in related mainly to the presentation of the report rather than the merits of the proposals. She concluded that even if Members believed the report could have been improved, the decision would have been unchanged.

The Deputy Leader and Cabinet Member for Resources and Regeneration addressed the financial and governance aspects of the decision and stated that both officers and Cabinet had been fully aware of the relevant considerations, financial implications and proposed delegations when the decision was made.

It was acknowledged that the report could have been drafted more effectively; however, it was maintained that Cabinet had the necessary information to make an informed decision and that shortcomings in the presentation of the report did not undermine the validity of the decision-making process.

Questions from Committee Members and responses included:

1. Would the inclusion of additional information, particularly on alternative options, have changed Cabinet's decision?

Cabinet Members stated that a number of alternative approaches had been considered during the development of the proposals, including maintaining existing arrangements and options that would not have delivered the scale of SEND provision required. Whilst acknowledging that the report could have set out this assessment more fully, it was maintained that the preferred option was clearly the most effective means of meeting the identified need. As a result, inclusion of additional detail on alternatives would not have altered Cabinet's decision.

2. As Section 151 Officer, was there anything in the process that caused concern?

The Chief Financial Officer advised that an options appraisal had been undertaken as part of the governance process, including consideration of different options and financial models. It was explained that the financial implications of the proposals had been assessed and discussed with Cabinet Members prior to the decision. While financial modelling necessarily involved assumptions, these had been reflected within the business case and options appraisal. There was nothing within the report or decision-making process that would have caused concern to the extent that they would have advised Cabinet that the decision should not proceed.

3. Can the Monitoring Officer clarify his role in advising Cabinet and whether the two additional recommendations introduced at the meeting had been appropriately brought forward and were these recommendations outside the provisions of the Constitution?

The Monitoring Officer explained that, whilst legal advice to Cabinet was often provided by the Head of Legal Services, he remained ultimately responsible for ensuring that appropriate legal advice was available to Cabinet. He advised that the two additional recommendations had been introduced to enable implementation of the substantive decisions already before Cabinet, including arrangements relating to the

Spark of Genius LLP and the procurement of services required to deliver the proposals. The Monitoring Officer considered these additions to be technical and consequential in nature rather than material changes to the proposals. He had advised Cabinet on that basis and confirmed that, had he considered the additional recommendations to be material changes, he would have recommended that Cabinet defer the decision. He further confirmed that he did not consider the inclusion of the additional recommendations to be outside the provisions of the Constitution.

4. What briefing and engagement had taken place outside the Cabinet meeting, given that alternative options had been considered and Cabinet Members appeared familiar with those options?

The Cabinet Member for Children and Young People advised that the proposals had been developed through a considerable programme of work involving a range of partnership forums, internal meetings and Member briefings. Discussion of the SEND sufficiency challenges and potential solutions had taken place through bodies including the Strategic Education Board, SEND Improvement Board and the Local Area Reform Plan. The Cabinet Member also referred to regular meetings with officers, Corporate Management Team briefings and discussions with Cabinet colleagues. It was explained that these various forums had considered a range of options and contributed to the development of the preferred proposals that were ultimately presented to Cabinet for decision.

5. There was an apparent inconsistency between statements that alternative options had been considered and the decision record, which stated that no alternative options had been considered and rejected. What were the alternative options and why they had not been reflected in the Cabinet report?

Cabinet Members clarified that alternative approaches had been considered during the development of the proposals, including a do-nothing option, expansion of alternative provision placements and expansion of existing educational provision. However, these options were not included within the Cabinet report as they had not been considered viable solutions capable of delivering the scale of intervention required. Whilst it was acknowledged that the report could have provided detail on the options appraisal undertaken, it was maintained that inclusion of those alternatives would not have altered Cabinet's decision. It was emphasised that Cabinet's decision had been informed by discussions and briefings undertaken over a period of time rather than solely by consideration of the report at the Cabinet meeting itself.

The Monitoring Officer advised that there was a valid criticism of the report in that the options appraisal documents had not been identified in background papers. He acknowledged this as a drafting error and confirmed that documents setting out the options considered did exist and had informed the recommendations presented to Cabinet. However, he noted that the question of whether this omission affected the adequacy of the information available to Cabinet was a separate matter for the Committee to determine.

6. Where were the documented appraisals of alternative sites, providers, delivery models, procurement routes and costs as no alternative options had been formally considered by Cabinet at the meeting?

Cabinet Members acknowledged that the options appraisal should have been referenced within the report as a background paper but maintained that this omission

had not materially affected Cabinet's decision, as Members had been briefed on the alternatives and were satisfied that the recommended option was the most appropriate solution.

The Monitoring Officer advised that officers had prepared an options appraisal which considered a range of alternatives and informed the recommendations presented to Cabinet. He reiterated that this document should have been listed as a background paper because it had been relied upon in formulating the recommendations. However, he explained that Cabinet had only been asked to consider a single recommended option rather than choose between a number of alternatives. The decision record therefore correctly stated that no alternative options had been considered and rejected by Cabinet, as those options had been assessed and refined by officers before the matter was presented for decision.

7. Was approval of the Local Area Reform Plan by the Department for Education received after the Cabinet decision and, if so, did this absence affect the decision-making process?

The Cabinet Member for Children and Young People advised that the Local Area Reform Plan had been completed and submitted to the Department for Education prior to the Cabinet meeting, with formal approval being received subsequently. It was explained that the Plan formed part of the wider SEND reform programme and informed much of the Council's ongoing work. Whilst Government approval had not been available at the time of the Cabinet decision, there had been no indication that approval would not be forthcoming, and the subsequent approval did not alter the basis on which Cabinet had reached its decision.

8. Were Cabinet Members satisfied that the full programme was financially and operationally viable without the anticipated High Needs Stability Funding?

The Deputy Leader and Cabinet Member for Resources and Regeneration advised that Cabinet Members relied on professional officer advice when reaching their decision. Members had been advised that the programme was viable and, based on that advice, were able to make an informed judgement. No concerns had been raised by officers regarding the viability of the programme or the funding assumptions, and there had been no indication that approval of the relevant funding arrangements would not be forthcoming.

9. What Council assets and funding were being committed through the proposals and what financial contribution would be made by Spark of Genius?

The Deputy Leader and Cabinet Member for Resources and Regeneration advised that the financial and asset implications of the arrangements had been considered as part of the decision-making process, although the specific figures were not available at the meeting and would be provided afterwards. It was stated that Cabinet had considered the wider financial implications of the proposals and had received no advice indicating any material risks which would affect the decision.

The Chief Finance Officer referred Members to the relevant sections of the report concerning the Council's proposed asset contributions. It was explained that the financial model would follow the existing Spark of Genius joint venture arrangements, whereby the Council would retain ownership of the assets and lease them to the LLP.

10. What procurement procedure would be used for the proposed construction contract and what competition or value for money assessment had already been undertaken?

The Deputy Leader and Cabinet Member for Resources and Regeneration advised that any procurement arising from the proposals would be conducted in accordance with the Council's procurement policies and procedures. It was explained that Cabinet's role was to approve the recommendations and desired outcomes, with the relevant Director then empowered through delegated authority to undertake the procurement process in line with the Council's rules.

11. Could a contract be entered into before the incorrect reference contained within Recommendation 11 had been formally corrected, noting that the recommendation referred to Recommendation 1?

The Deputy Leader and Cabinet Member for Resources and Regeneration acknowledged that Recommendation 11 contained an incorrect cross-reference but maintained that Cabinet clearly understood the purpose of the recommendation.

The Monitoring Officer accepted that any error within the recommendations was undesirable. However, having considered the report as a whole, he advised that the intention and purpose of the recommendation remained sufficiently clear, particularly in relation to the procurement arrangements it was intended to authorise. He confirmed that officers considered the resolution capable of being implemented without referral back to Cabinet and did not regard the incorrect reference as being sufficiently material to invalidate the decision or prevent action being taken under the delegated authority granted.

With regard to the corresponding error in the Cabinet decision record, the Monitoring Officer advised that the published decision record could not be amended retrospectively. However, the intention and effect of the resolution were sufficiently clear to enable it to be implemented. The Monitoring Officer further noted that the Executive Scrutiny Committee had identified the typographical error during its consideration of the matter, and that the minutes of that meeting would provide a clear record of the discussion and clarification provided.

12. What precise financial and contractual limits apply to decisions taken by Directors or Assistant Directors under the Cabinet delegations?

The Deputy Leader and Cabinet Member for Resources and Regeneration advised that delegated powers operated within the Council's established scheme of delegation and decision-making framework. It was explained that, when agreeing delegations, Cabinet considered both the intended outcomes and whether the proposed delegation was within the thresholds set by the Council. If something was outside of those thresholds it would need to go back to Cabinet.

13. How were the additional recommendations introduced at the Cabinet meeting and did Cabinet Members understood their implications before the decision was taken?

The Deputy Leader and Cabinet Member for Resources and Regeneration advised that the additional recommendations had been shared with him prior to the meeting and circulated to all Cabinet Members at the meeting itself.

The Monitoring Officer added that whilst the recommendations had been introduced late in the process, he considered them to be technical and consequential in nature rather than material changes requiring deferral of the decision.

14. A Member noted that when authority was delegated to officers, reports often included an explicit requirement for officers to consult the relevant Cabinet Member and queried why this was not the case on this occasion.

The Monitoring Officer advised that, whilst it was common practice to include a specific requirement to consult the relevant Cabinet Member within delegated authority recommendations, there was no legal requirement to do so. He explained that the Council's Constitution and Scheme of Delegation already required officers to consult appropriately with Members when exercising delegated powers and he would expect consultation with the relevant Cabinet Member to take place before any significant delegated decisions were made.

15. What was the actual contingency figure and why was more than a quarter of the £8 million programme being held as contingency?

Officers advised that the contingency allowance reflected the current stage of development of the schemes and the level of certainty available in the cost estimates. It was explained that any drawdown of contingency funding would be subject to the Council's financial procedure rules, documented justification and capital programme governance processes. Members expressed concern that the contingency provision appeared high for a project at that stage of development.

16. How much had already been spent or committed on design work and other preparatory activity, and were the costs included within the estimates?

The Chief Financial Officer undertook to provide details following the meeting. It was explained that the Council maintained funding to support initial design and development work for capital schemes prior to formal approval by Cabinet.

AGREED that the decision was taken in accordance with the decision-making principles as set out in the Council’s Constitution and no further action be taken.

Chair: .....

This document was classified as: OFFICIAL


**Meeting Procedure for Call In**

At this meeting, it is suggested that the following procedure be followed, at the discretion of the Chair:

1. The Statutory Scrutiny Officer will present the report to the Committee.

2. The Monitoring Officer/Proper Officer will present their report (attached as an appendix) and explain their reasons for validating the call in request.

3. A spokesperson for the Members who have requested the call in, will present and explain the reasons for calling in the decision and why they submit that it does not meet the decision making principles. The decision making principles are detailed at paragraph 1.35 of the Constitution.

4. The Cabinet Member(s) will present and explain why the decision making principles were complied with. On more technical or professional issues the Cabinet Member(s) may wish to call on Directors or specialist Officers to assist the Committee.

5. The Committee may ask questions and/or seek clarification on what has been presented. Also, with the permission of the Chair, a Member/Officer, who has been required to attend the meeting, may request clarification of any points.

6. The Committee may ask questions and/or seek clarification from Members, Officers and other interested parties who have been requested/required to attend the meeting.

7. The Committee will deliberate and come to a decision.

Executive Scrutiny Committee can take one of the following actions in response to a call in:

a) If the Committee considers that the decision was taken in accordance with decision making principles as set out in the constitution, it need take no further action and the decision will become effective immediately at the close of the meeting

**OR**
b) If the Committee makes a finding that the decision did not meet/comply with the decision-making principles, it may refer it back to Cabinet for reconsideration, providing a statement of the reasons for the referral. All Members who signed the call in petition will be invited to the relevant Cabinet meeting. The Cabinet's reconsideration of the matter, and subsequent decision, (i.e. whether to amend or retract the decision) will be final.

(Note: If the Committee, having taken appropriate advice, considers the decision is contrary to the Council's policy framework or approved budget/Medium Term Financial Plan, or is not within the Cabinet's remit or powers, it can refer the matter to Council.)

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Agenda Item 7

**REPORT TO EXECUTIVE SCRUTINY COMMITTEE**

**17 NOVEMBER 2026**

**REPORT OF HEAD OF DEMOCRATIC SERVICES**

# Call In – Procurement Plan/ Higher Value Contracts

## Detail

The decisions of Cabinet taken on 15 October 2026 in Procurement Plan/ Higher Value Contracts have been subject to a valid call in.

CABINET RESOLVED

1) The contract listed in Annex 1 of the report be approved.

2) Authority be delegated to the relevant Director or Assistant Director to make the specific contract award decision and any subsequent contract variation, annual inflationary uplifts (where allowed in the contract terms and conditions) and extension decision in accordance with the delegations listed in Annex 1 of the report.

1. The reasons for the validation of the call in relate to the following principles of decision-making:

- Proportionality
- An explanation of what options have been considered and giving the reasons for decisions
- Relevant matters have not been ignored

2. The following Members and Officers have been requested to be present at the meeting:

- Deputy Leader and Cabinet Member for Resources and Regeneration (Councillor Paul Rowling)
- Cabinet Member for Environment, Leisure and Culture (Councillor Nigel Cooke)
- Kellie Hopkins, Director of Neighbourhoods (and relevant officers)
- Clare Harper, Chief Financial Officer (and relevant officers)
- Ged Morton, Director of Corporate Services (Monitoring Officer)

3. The documents detailed below are attached for consideration by Executive Scrutiny Committee:

| | |
|---|---|
| Call in Form | Appendix 1 |
| Cabinet Report | Appendix 2 |
| Decision Record | Appendix 3 |
| Report of Monitoring Officer | Appendix 4 |

**Background Papers**

None

Name of Contact Officer: Jonathan Nertney
Post Title: Head of Democratic Services
Telephone number: 01642 526312
Email address: jonathan.nertney@stockton.gov.uk

**Stockton-on-Tees Borough Council**

**Call-In Request Form**

I/We request that the following matter be called-in for consideration by the Executive Scrutiny Committee for the reason(s) stated below.

I/We understand that a minimum of six Members of the Council excluding Cabinet Members, or two Education representatives with voting rights in respect of education matters, must submit this request before the call-in procedure is implemented.

| | |
|---|---|
| **Decision making body ie. Cabinet, Officer, or Joint Arrangement** | Cabinet |

| | |
|---|---|
| **Details of decision** | Procurement Plan / Higher Value Contracts |
| **Ref. number (if any)** | |
| **Date of decision** | 15th October 2026 |

| **We consider that the decision is not in accordance with the following principle(s) of Paragraph 1.35 of the Constitution for the reason stated -** | |
|---|---|
| **Principle(s) (overleaf)** | **Reason(s)** |
| • proportionality (i.e. the action must be proportionate to the desired outcome);<br>• due consultation and the taking of professional advice from Officers;<br>• respect for human rights and equality of opportunity;<br>• a presumption in favour of openness;<br>• clarity of aims and desired outcomes; and<br>• an explanation of what options have been considered and giving the reasons for decisions<br>• relevant matters have not been ignored<br>• clarity and explanation of information provided | The report presented to Cabinet on the 15th of October 2026 focuses on the replacement of 8 winter gritting vehicles through leasing.<br><br>The proposed procurement of the gritter vehicles raises several questions concerning contract valuation, financial transparency, procurement route, value for money, contract duration and the adequacy of the information provided to Cabinet.<br><br>There are several points within the very brief report made available to the Cabinet that require clarification and explanation.<br><br>The recommendations in the report are, that Cabinet<br><br>*1. approves the contract listed in Annex 1;*<br><br>*2. gives authority to the relevant Director or Assistant Director to make the specific contract award decision and any subsequent* |

| | |
|---|---|
| | *contract variation, annual inflationary uplifts (where allowed in the contract terms and conditions) and extension decision in accordance with the delegations listed in Annex 1;*<br><br>But Annex 1 says the Council will:<br><br>*"undertake a further competition under an appropriate Framework Agreement."*<br><br>Clarity and an explanation are sought as to whether Cabinet is approving the award of the contract, as in recommendation 1, or merely authorising commencement of a procurement exercise and delegating authority for the eventual award, as in recommendation 2.<br><br>The decision record shows that no alternative options were considered to demonstrate that a three-year lease with two possible extensions provides better value for money than outright purchase, alternative leasing arrangements or continuation of the existing arrangements. An explanation is sought as to why other options were not considered<br><br>The contract value is not transparently stated. It provides an annual figure only.<br><br>The maximum estimated value should be clarified, including the treatment of VAT and other contractual payments. The Procurement Act 2023 requires the estimated value to account for the maximum amount payable, including relevant extension options.<br><br>The report appears to rely upon an annual figure for procurement governance. Is it following the guidance in relevant legislation when estimating a contract value. Clarification is sought.<br><br>Paragraph 5 of the report states;<br><br>*The report includes a higher value contracts to be awarded in the 2026/27 financial year. The expenditure committed as a result of these tenders/ quotes is planned and remains within the Council's approved budget/ MTFP/ Capital* |

| | |
|---|---|
| | *Programme* ***or is subject to a bid for external funding which will ensure that at the point of contract award, funds are available within the MTFP/ Capital Programme.***<br><br>The report references committed expenditure in the present financial year and is opaque and uncertain beyond that. Clarification is sought as to how the proposed leasing of the vehicles will be funded in the next 3/5 years.<br><br>The report does not explain if the proposed £330,000 annual expenditure represents an increase, reduction or continuation of existing fleet expenditure, and what is the net financial impact over the five-year maximum term. Clarity is sought as to what information was provided to Cabinet for them to make an informed decision.<br><br>The report proposes a three-year contract with two optional 12-month extensions, at an estimated annual cost of £330,000. This implies potential expenditure of £1.65 million over five years, yet the report does not provide a sufficiently detailed comparison of alternative approaches.<br><br>The report (annex 1) refers to 'an appropriate framework agreement'. Clarity and information is sought as to what specific framework the council intend to use.<br><br>Annex 1 states the existing gritters are approaching the end of their efficient and reliable service life. That is an assertion rather than demonstrated evidence. What evidence was made available to the Cabinet to demonstrate that all eight vehicles require replacement now, rather than replacement being phased or existing arrangements being extended?<br><br>The potential five-year expenditure is substantial, yet the report does not clearly disclose the maximum contract value or sufficiently demonstrate the options considered, the whole-life costs, the evidence |

| | |
|---|---|
| | supporting replacement, or the assessment of key operational and financial risks. |
| | |
| | |

| **We request that the following Cabinet Member(s)/Officer(s) to be required to attend the Executive Scrutiny Committee** | |
|---|---|
| Council Leader, and Cabinet Member for resources and regeneration. | |
| **Signed** | **Print Name** |
| | TONY RICHARDS |
| | NIALL INNES. |
| | LYNN HALL |
| | SUFI MUBEEN |
| | STEPHEN DODDS. |
| | Shakeel Hussain |
| | |

**This form must be submitted to the Proper Officer (via Democratic Services) within four working days of the publication of the decision i.e. by 12 midnight on the fourth day.**

**Multiple forms (including faxed and e-mailed versions) may be submitted in respect of the same decision. If the form is e-mailed it must be subscribed to by one person only.**

**This form may be returned as follows:**

By hand to any Democratic Services Officer

Email – 'DL Democratic Services'

| **Office use only** | |
|---|---|
| Date received: | Initials: |
| Valid: Yes/No<br>Reasons for invalidity: | |

| Reasons notified |
| --- |
| Executive Scrutiny Committee date: |

**Extract from Constitution – Paragraph 1.35**

Decisions of the Council will usually be made in accordance with the following principles:

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from Officers;
- respect for human rights and equality of opportunity;
- a presumption in favour of openness;
- clarity of aims and desired outcomes; and
- an explanation of what options have been considered and giving the reasons for decisions
- relevant matters have not been ignored
- clarity and explanation of information provided

Please also see the guidance contained with the Scrutiny Toolkit, and Constitution.

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Agenda Item 8

**REPORT TO CABINET**

**15 OCTOBER 2026**

**REPORT OF CORPORATE MANAGEMENT TEAM**

## CABINET DECISION

**Deputy Leader of the Council and Cabinet Member for Resources and Regeneration – (Councillor Paul Rowling)**

# PROCUREMENT PLAN/ HIGHER VALUE CONTRACTS


### Summary

This report seeks approval from Cabinet for the award of planned higher value contracts where the value exceeds the limit on officer delegated authority and which are either funded within the approved MTFP/ Capital Programme or are subject to a bid for external funding.


### Reasons for Recommendation(s)/Decision(s)

To enable Cabinet to exercise its strategic oversight of higher value planned procurement projects, in accordance with the constitution.

### Recommendations

That Cabinet

1. approves the contract listed in Annex 1;
2. gives authority to the relevant Director or Assistant Director to make the specific contract award decision and any subsequent contract variation, annual inflationary uplifts (where allowed in the contract terms and conditions) and extension decision in accordance with the delegations listed in Annex 1;

### Detail

1. The constitution defines a range of decisions that require a specific Cabinet approval, the financial threshold for which is set at a level of £500k or more. Annex 1 lists contracts that exceeds the financial threshold and have not otherwise been delegated to officers.

2. Further Procurement Plan/ Higher Value Contracts Reports will be presented to Cabinet for approval during the year as details of new contracts needed to deliver capital schemes are developed or new revenue funded contracts are identified.

### Community Impact and Equality and Poverty Impact Assessment

3. N/A

## Corporate Parenting Implications

4. N/A

## Financial Implications

5. The report includes a higher value contracts to be awarded in the 2026/27 financial year. The expenditure committed as a result of these tenders/ quotes is planned and remains within the Council's approved budget/ MTFP/ Capital Programme or is subject to a bid for external funding which will ensure that at the point of contract award, funds are available within the MTFP/ Capital Programme.

## Legal Implications

6. Notwithstanding Cabinet approval it remains the responsibility of officers to ensure that the correct processes within Contract Procedure Rules have been followed and that where applicable the Procurement Act 2023 or the Provider Selection Regime introduced by the Health and Care Bill (2022) is complied with.

7. Where the value of goods, services or works exceeds the threshold at which the procurement process must comply with the Procurement Act 2023, either a tender exercise or the use of a suitable framework agreement will comply with the Regulations.

## Risk Assessment

8. There are several risks relating to procurement. Firstly, the Council spends a considerable amount of public money on goods, services and works. Having effective Contract Procedure Rules and ensuring compliance with the Procurement Act 2023 can help mitigate the risk of accusations of corruption and help demonstrate value for money and transparency. Secondly, effective tender/ quote processes and contract management also reduce the risk of poor supplier selection and subsequent performance which can impact service delivery.

## Wards Affected and Consultation with Ward/Councillors (refer to Concordat for Communication and Consultation with Members)

9. N/A

## Background Papers

10. N/A

Name of Contact Officer: Martin Skipsey

Post Title: Assistant Director Procurement & Governance

Telephone number: 01642 526364

Email address: martin.skipsey@stockton.gov.uk

# Annex 1

| **Contract Title: Lease of 8 Gritter Vehicles** | |
|---|---|
| **Contract Purpose**<br><br>The contract is required to replace the existing fleet of leased gritters that will be end of lease after this winter's gritting season.<br><br>The gritters are now approaching the end of their efficient and reliable service life, leading to reduced efficiency. Orders need to be placed soon for the 2027/28 season due to extended lead times. | |
| **Contract Term**<br><br>3 years plus optional 2 x 12 month extensions. | |
| **Contract Value**<br><br>The anticipated annual spend is circa £300k. | |
| **Procurement Process**<br><br>The Council will undertake a further competition via an appropriate Framework Agreement. | |
| **Key Decision**: Yes | **Funding within MTFP/ Capital Programme**: Yes |
| **Delegated Officer**: Kellie Hopkins, Director of Neighbourhood Services | |
| **Checks and Balances**: Decision in consultation with other appropriate officers for professional advice to include Finance and Procurement. Legal for certain specified decisions. | |

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**Stockton on Tees Borough Council – Decisions taken by the Cabinet on Thursday 15 October 2026**

| Agenda Item No | Topic | Decision |
|---|---|---|

**Part A – Items considered in public**

| | | |
|---|---|---|
| **A7** | Procurement Plan | **STOCKTON-ON-TEES BOROUGH COUNCIL**<br><br>**CABINET DECISION**<br><br>**PROFORMA**<br><br>Cabinet Meeting ..... 15 October 2026<br><br>1. Title of Item/Report<br><br>Procurement Plan / Higher Value Contracts<br><br>2. Record of the Decision<br><br>Consideration was given to a report that sought approval for the award of planned higher value contracts where the value exceeds the limit on officer delegated authority and which are either funded within the approved MTFP / Capital Programme or are subject to a bid for external funding.<br><br>The constitution defined a range of decisions that required a specific Cabinet approval, the financial threshold for which was set at a level of £500k or more. Annex 1of the report lists contracts that exceeds the financial threshold and have not otherwise been delegated to officers.<br><br>Further Procurement Plan / Higher Value Contracts Reports would be presented to Cabinet for approval during the year as details of new contracts needed to deliver capital schemes were developed or new revenue funded contracts identified. |

**Stockton on Tees Borough Council – Decisions taken by the Cabinet on Thursday 15 October 2026**

| Agenda Item No | Topic | Decision |
|---|---|---|
| | | RESOLVED that:-<br><br>1. The contract listed in Annex 1 of the report be approved.<br><br>2. Authority be delegated to the relevant Director or Assistant Director to make the specific contract award decision and any subsequent contract variation, annual inflationary uplifts (where allowed in the contract terms and conditions) and extension decision in accordance with the delegations listed in Annex 1 of the report.<br><br>3. <u>Reasons for the Decision</u><br><br>To enable Cabinet to exercise its strategic oversight of higher value planned procurement projects, in accordance with the constitution.<br><br>4. <u>Alternative Options Considered and Rejected</u><br><br>None<br><br>5. <u>Declared (Cabinet Member) Conflicts of Interest</u><br><br>None<br><br>6. <u>Details of any Dispensations</u><br><br>None |

**Stockton on Tees Borough Council – Decisions taken by the Cabinet on Thursday 15 October 2026**

| Agenda Item No | Topic | Decision |
|---|---|---|
| | | 7. Date and Time by which Call In must be executed<br><br>Midnight, 23 October 2026<br><br>Proper Officer |

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**REPORT TO EXECUTIVE SCRUTINY COMMITTEE**

**17 NOVEMBER 2026**

**REPORT OF THE MONITORING OFFICER**

# Call-In Validity Report: Procurement Plan / Higher Value Contracts – Winter Gritting Vehicles

## Summary

This report considers whether the call-in of Cabinet's decision of 15 October 2026 on the Procurement Plan / Higher Value Contracts is valid, insofar as it relates to the proposed replacement of eight winter gritting vehicles.

The question for determination is a narrow one: whether the reasons advanced by the requesting Members are sufficiently connected to the Council's Decision-Making Principles to justify examination through the Council's call-in arrangements.

The assessment distinguishes the merits of Cabinet's decision from the process by which it was reached. It is not the function of the Monitoring Officer, at validation stage, to determine whether the preferred procurement arrangement was correct, whether another approach would have represented better value for money, or whether the concerns raised by Members will ultimately be upheld. Those are matters for the Executive Scrutiny Committee. My role is to consider the request as submitted and determine whether it raises identifiable concerns which are sufficiently connected to the Council's Decision-Making Principles, rather than simply expressing disagreement with the outcome or seeking information without a meaningful link to those principles.

Having considered the grounds individually and in the round, I am satisfied that the request is valid. The strongest issues raised concern the explanation of alternative approaches, the financial information underpinning the proposed commitment and the evidence supporting replacement of the existing fleet. Other grounds are weaker or substantially overlap with those matters. Nothing in this report determines the substantive issues in advance of scrutiny.

## Recommendations

That the Executive Scrutiny Committee:

1. Notes the Monitoring Officer's determination that the call-in request is valid; and
2. Proceeds to consider the call-in by reference to the grounds identified in this report.

## Background

1. This report considers the call-in of Cabinet's decision of 15 October 2026 on the Procurement Plan / Higher Value Contracts. In undertaking this assessment I have had regard to the Local Government Act 2000, the Council's Constitution and, in particular, the Decision-Making Principles at paragraph 1.35. The question for determination is whether the matters raised in the call-in are sufficient to justify further scrutiny by the Executive Scrutiny Committee.

2. The proposal is to lease eight winter gritting vehicles at an estimated annual cost of approximately £330,000 for an initial three-year period with provision for two further one-year extensions. The Members submitting the call-in point out that this equates to potential expenditure of approximately £1.65 million over the maximum five-year term. Cabinet approved the recommendations and delegated the contract award decision to the relevant Director or Assistant Director. Annex 1 of the report presented to the Cabinet refers to a further competition under an appropriate framework agreement.

## The Call-In Process

3. Call-in is the statutory mechanism by which Members may hold the Executive (the Cabinet) to account by examining how a decision was reached before it is implemented. It sits within the overview and scrutiny framework established by section 9F of the Local Government Act 2000 and is given effect through the Council's Constitution.

4. Once a call-in has been validated, it is for the Executive Scrutiny Committee to consider the issues raised by the call-in, the information available to Cabinet when the decision was taken and any explanations subsequently provided by Members and officers. My role at this stage is more limited. It is to determine whether the matters raised are sufficiently connected to one or more of the Council's Decision-Making Principles to justify further scrutiny.

5. There is an important distinction between saying that a relevant matter was not considered or adequately explained, disagreeing with the decision reached, and seeking further information. A request framed as a question may nevertheless raise a valid issue where it identifies a specific apparent deficiency which could be material to the decision. Equally, not every request for clarification establishes a valid ground. The question is whether the concern identified is reasonably capable of engaging one or more of the Decision-Making Principles, not whether a breach has already been demonstrated.

6. The principles relied upon within the request are:

    - proportionality;
    - due consultation and the taking of professional advice;
    - respect for human rights and equality;
    - a presumption in favour of openness;
    - clarity of aims and desired outcomes;
    - an explanation of options and reasons for decisions;

- relevant matters not being ignored; and
- clarity and explanation of information provided.

7. Where appropriate, I have considered whether concerns raised under one principle are more properly examined under another.

### The Decision Being Challenged

8. The report presented to Cabinet proposed replacement of eight winter gritting vehicles through a leasing arrangement. Cabinet was asked to approve the procurement proposal identified in Annex 1 and to delegate authority to the relevant Director or Assistant Director to make the contract award decision and any subsequent contractual decisions. Annex 1 envisaged a further competition under an appropriate framework agreement. Whilst the drafting may have been capable of clearer expression, when read as a whole the report appears to distinguish between approval of the proposed procurement approach and the subsequent award of a contract following competition. The intended effect appears to have been that Cabinet approved the requirement for procurement and the proposed approach, whilst responsibility for conducting the procurement exercise and making the eventual contract award was delegated to officers. It does not appear that Cabinet was seeking to award an unidentified contract before any competition had taken place.

9. That interpretation addresses part of the concern raised within the call-in regarding the apparent tension between approval of the contract and delegation of the award decision. It does not, however, answer the separate questions raised about why this approach was selected, what information underpinned the decision and what evidence supported replacement of all eight vehicles. Those matters require separate consideration.

### Summary of Grounds Raised

10. The call-in raises concerns regarding replacement of all eight vehicles at this stage; the consideration and explanation of alternative approaches including outright purchase, alternative leasing arrangements, phased replacement and continuation of existing arrangements; the maximum value and financial implications of the proposal; future funding; the identification of the framework to be used; and the evidence concerning the condition and remaining life of the existing fleet. It also questions whether the recommendations clearly distinguished approval of a procurement proposal from the later award of a contract.

11. The central theme of the call-in is not simply that Members would have preferred a different procurement solution. Rather, it is that the report and decision record did not, in their view, sufficiently explain the options considered, the reasons for the preferred approach, the financial consequences arising from it and the evidence supporting replacement of the vehicles. In assessing those concerns I have not assumed that the absence of a particular detail from the published report necessarily means that Cabinet lacked that information.

## Summary of Assessment Against the Decision-Making Principles

| Decision-Making Principle | Monitoring Officer's Assessment | Determination |
|---|---|---|
| Proportionality | Raises a question regarding the scale and timing of the proposed replacement programme. Whilst not one of the stronger grounds advanced, it is sufficiently connected to this principle to justify scrutiny. | Valid ground |
| Due Consultation and Professional Advice | The request does not identify any consultation omission or any specific professional advice which was unavailable to, or not considered by, Cabinet. The concerns raised are more appropriately considered under other principles. | Not a valid ground |
| Respect for Human Rights and Equality | No human rights issue, equality issue or impact upon protected characteristics is identified within the request. | Not a valid ground |
| Presumption in Favour of Openness | The issues raised relate primarily to the adequacy of information available to decision-makers rather than openness of the decision-making process itself. | Not a valid ground |
| Clarity of Aims and Desired Outcomes | The objective of the proposal appears sufficiently clear. The challenge relates to the chosen approach rather than the stated purpose of the decision. | Not a valid ground |
| Explanation of Options and Reasons | Raises substantive questions regarding the alternatives considered and the reasons for selecting the preferred procurement approach. | Valid ground |
| Relevant Matters Not Ignored | Raises questions concerning matters capable of being material to the decision, including fleet condition, affordability and replacement rationale. | Valid ground |
| Clarity and Explanation of Information Provided | Raises substantive questions regarding the financial implications of the proposal and the evidential basis for replacement of the existing fleet. | Valid ground |

12. For the avoidance of doubt, a determination that a matter constitutes a valid ground of call-in does not amount to a finding that the relevant Decision-Making Principle was breached. It indicates only that the issue raised is sufficiently connected to that principle to justify further scrutiny by the Executive Scrutiny Committee.

### Assessment Against the Decision-Making Principles

### Proportionality

13. The Members question whether replacing all eight vehicles at the same time is proportionate, compared with replacing them in phases or retaining some existing vehicles for longer. The aim of maintaining a reliable and resilient winter maintenance fleet is clearly legitimate and Cabinet was entitled to reach a judgement on the appropriate scale and timing of replacement after considering the advice available to it. Proportionality does not require Cabinet to adopt the least expensive option, nor does it require every alternative approach to have been ruled out conclusively. Nevertheless, the call-in identifies a specific concern about whether the information available to Cabinet sufficiently supported the scale and timing of the proposed programme. That concern is capable of engaging the principle of proportionality, although it is closely connected to the questions about alternatives and evidence considered later in this report.

14. This is a relatively narrow ground, but one that is capable of scrutiny. Treating it as such should not be taken as suggesting that replacement of all eight vehicles was disproportionate. Nor does the mere existence of a possible phased approach establish that Cabinet acted outside the principle.

    Assessment: This constitutes a valid ground of call-in.

### Due Consultation and Professional Advice

15. The request identifies this principle but does not point to any consultation which ought to have taken place but did not, nor does it identify any specific professional advice which Cabinet failed to obtain or consider. The fact that Members seek further information about the technical or financial basis of the proposal is not, without more, evidence that such advice was absent. In substance, the concern is more appropriately considered under the principles dealing with relevant considerations and the clarity of information available to decision-makers. I do not therefore regard this as a separate ground in its own right.

    Assessment: This does not constitute a valid ground of call-in.

### Respect for Human Rights and Equality

16. The request does not identify any human rights issue, equality consideration or impact upon persons with protected characteristics. The principle is listed, but the grounds advanced do not explain how it is said to be engaged by the decision.

    Assessment: This does not constitute a valid ground of call-in.

### Presumption in Favour of Openness

17. The request refers to financial transparency and the clarity of the procurement arrangements, but the report was considered in public session and no allegation is made that information was improperly withheld or that exempt processes were inappropriately used. The real concern raised by Members is whether Cabinet was provided with sufficient information to understand the proposal before it. In my view, that issue is more appropriately examined under the principle concerned with the clarity and explanation of information.

    Assessment: This does not constitute a valid ground of call-in.

### Clarity of Aims and Desired Outcomes

18. The aims of the proposal were reasonably clear. Cabinet was being asked to secure replacement winter gritting vehicles in support of a reliable and resilient winter maintenance service. The call-in does not materially challenge that objective. Its focus is on the procurement approach chosen to achieve it.

    Assessment: This does not constitute a valid ground of call-in.

### Explanation of Options and Reasons

19. This is one of the stronger grounds advanced within the request. Members identify specific alternatives including outright purchase, alternative leasing structures, phased replacement and continuation of existing arrangements. They also point to the decision record and its statement that no alternative options were considered and rejected.

20. Members have identified potential alternatives and questioned whether the reasons for selecting the leasing arrangement were sufficiently explained. Whether the decision record accurately reflects the options considered, and whether Cabinet was given adequate information to understand the reasons for the recommendation, are matters which fall naturally within scrutiny.

    Assessment: This constitutes a valid ground of call-in.

### Relevant Matters Not Ignored

21. Members identify matters which could properly be regarded as material to Cabinet's decision, including the condition and remaining life of the fleet, the rationale for replacing all eight vehicles together, the Council's future financial commitment and the affordability of the arrangement over its lifespan.

22. Nonetheless, the call-in questions the extent to which the supporting evidence and future financial implications informed the decision. Those are identifiable issues which could be material to the decision and which Members may properly examine.

    Assessment: This constitutes a valid ground of call-in.

### Clarity and Explanation of Information Provided

23. A significant proportion of the call-in concerns the clarity and adequacy of the information available to Cabinet. Members raise questions about the nature of the approval being

sought, the overall financial commitment, funding over the life of the arrangement, the framework to be used and the evidential basis for replacement.

24. The financial concerns are more substantial. Members have raised specific concerns regarding the overall commitment, future funding, the relationship between proposed expenditure and existing fleet costs, and the affordability of the arrangement over time.

25. Similar considerations apply to the evidential basis for replacement. Members have identified a specific concern about what evidence supported replacement of all eight vehicles at this stage rather than phased replacement or continuation of existing arrangements.

    Assessment: This constitutes a valid ground of call-in.

### Overall Determination

26. Validation is not concerned with whether Cabinet reached the correct decision, whether satisfactory answers exist to the questions raised, or whether another procurement method would ultimately have represented better value. The question is whether the call-in request, read fairly and as a whole, raises concerns which are sufficiently connected to the Council's Decision-Making Principles to justify further examination through the constitutional scrutiny process.

27. Having considered the request in that way, I am satisfied that a number of the grounds meet the threshold. In particular, the call-in raises identifiable questions concerning the explanation of alternative procurement approaches, the information available to Cabinet regarding the financial implications of the proposal and the evidential basis for replacing the existing fleet.

28. Other principles relied upon by Members are less persuasive and do not provide a separate basis for validation. The existence of weaker grounds does not, however, undermine the validity of the stronger grounds which independently satisfy the threshold.

29. I have not found that any Decision-Making Principle has been breached, nor should anything in this report be taken as suggesting that the concerns raised will ultimately be upheld. My conclusion is simply that the issues raised are sufficiently arguable and relevant to warrant examination by the Executive Scrutiny Committee.

30. The call-in request is therefore valid.

### Scope of Scrutiny

31. In light of the grounds supporting validation, the Committee may properly consider:

    - what alternative procurement approaches were considered and why the preferred option was selected;
    - what information was available to Cabinet regarding the financial implications of the proposal and how those commitments would be funded;
    - the evidence supporting replacement of all eight vehicles; and

- the relationship between Cabinet's approval of the proposal and the subsequent delegated procurement and contract award arrangements.

32. The purpose of identifying these matters is to focus scrutiny on those aspects of the request which engage the Decision-Making Principles. It is not intended to prescribe exhaustively the questions which Members may ask or the evidence they may wish to receive.

### Legal Implications

33. This report concerns the operation of the Council's constitutional call-in arrangements and has been prepared having regard to the Local Government Act 2000, the Council's Constitution and *Knowles on Local Authority Meetings*.

### Risk Assessment

34. No direct risks arise from this report. Any risks associated with the substantive procurement proposal are matters for Cabinet, officers and the Executive Scrutiny Committee to consider as part of the call-in process.

### Background Papers

- Cabinet Report – Procurement Plan / Higher Value Contracts, 15 October 2026.
- Cabinet Decision Record – 15 October 2026.
- Call-In Request.
- Recording of Cabinet Meeting – 15 October 2026.

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**REPORT TO EXECUTIVE SCRUTINY COMMITTEE**

**17 NOVEMBER 2026**

**REPORT OF HEAD OF DEMOCRATIC SERVICES**

# Call In – Opportunities for Young People into Employment

## Detail

The decisions of Cabinet taken on 15 October 2026 in Opportunities for Young People into Employment have been subject to a valid call in.

CABINET RESOLVED

That the recommendations contained within the report be agreed.

1. The reasons for the validation of the call in relate to the following principles of decision-making:
   - Proportionality
   - Due consultation and the taking of professional advice from officers
   - Respect for human rights and equality of opportunity
   - A presumption in favour of openness (limited)

2. The following Members and Officers have been requested to be present at the meeting:

   - Deputy Leader and Cabinet Member for Resources and Regeneration (Councillor Paul Rowling)
   - Cabinet Member for Children and Young People (Councillor Clare Besford)
   - Tracey Carter, Director of Regeneration and Inclusive Growth (and other relevant officers)
   - Majella McCarthy, Director of Children's Services (and other relevant officers)
   - Clare Harper, Chief Financial Officer

3. The documents detailed below are attached for consideration by Executive Scrutiny Committee:

| | |
|---|---|
| Decision Record | Appendix 1 |
| Call in Form | Appendix 2 - Exempt |
| Cabinet Report | Appendix 3 - Exempt |
| Report of Monitoring Officer | Appendix 4 - Exempt |

**Background Papers**

None

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**Stockton on Tees Borough Council – Decisions taken by the Cabinet on Thursday 15 October 2026**

| Agenda Item No | Topic | Decision |
|---|---|---|

**Part A – Items considered in public**

| | | |
|---|---|---|
| **A9** | Opportunities for Young People into Employment | **STOCKTON-ON-TEES BOROUGH COUNCIL**<br><br>**CABINET DECISION**<br><br>**PROFORMA**<br><br>Cabinet Meeting ..... 15 October 2026<br><br>1. Title of Item/Report<br><br>Opportunities for Young People into Employment<br><br>2. Record of the Decision<br><br>Consideration was given to an exempt report on Opportunities for Young People into Employment.<br><br>RESOLVED that the recommendations contained within the report be agreed.<br><br>3. Reasons for the Decision<br><br>To consider the Opportunities for Young People into Employment.<br><br>4. Alternative Options Considered and Rejected<br><br>As set out in the report.<br><br>5. Declared (Cabinet Member) Conflicts of Interest |

**Stockton on Tees Borough Council – Decisions taken by the Cabinet on Thursday 15 October 2026**

| Agenda Item No | Topic | Decision |
|---|---|---|
| | | None<br><br>6. Details of any Dispensations<br><br>None<br><br>7. Date and Time by which Call In must be executed<br><br>Midnight, 23 October 2026<br><br>Proper Officer |

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of the Local Government Act 1972.

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