

CORPORATE PERFORMANCE PANEL REPORT

Wards Affected: All	Type of Report: Call-in
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OPEN	Portfolio: People and Communities

Committee: Corporate Performance Panel
Date: 1 February 2024
Subject: Call-in of Cabinet Member Delegated Decision – Making West Norfolk a Marmot Place

Summary

This report deals with the Cabinet Member Delegated Decision advertised on 17 January 2024. The deadline for call-in was 31 January 2024.

The decision has been called-in and the Chief Executive has determined that the call-in is valid.

The report outlines to Members how the call-in process may be used in this case and what the issues are relating to the matter.

1 Introduction

- 1.1 A Cabinet Member Delegated Decision was advertised on 17 January 2024 with a deadline for call-in of 31 January 2024. A copy of the report is attached at Appendix 1.

2 Grounds for Call-In

- 2.1 Standing Order 12.3 (d) requires grounds to be given for calling-in a Cabinet Members delegated decision, reasons given are set out below.

3 Call-in Requisition

- 3.1 The Call in was made by Councillor S Dark and supported by Councillors Bubb, Crofts and Dickinson.

Councillor Dark called in the decision as follows:

“I believe a call-in is necessary as the important decision to go into a Marmot place with key partners, due to serious health inequalities in the region, alongside an initial financial commitment of £50k with potential for ongoing future costs, is of high interest to councillors and the community. Currently the ‘delegated decision’ is a short paper alongside a short slide deck for councillors’ information – meaning councillors have not had the opportunity to explore the themes, ask for clarification or expansion of certain points or provide input – they will also potentially not be able to explain this decision to the public they represent at their meetings on the current level of information.

Consequently, I believe sections 12 c) and d) have been particularly engaged (relevant consideration been overlooked) and d) (have members views been taken fairly into account) whilst several others including e) (issue of significant concern to the community – ie health outcomes) may be also relevant

Whilst, I am personally not against us going into this partnership and have an open mind, I am mindful from our previous discussions that any announcement of our intention to enter into it is not so time critical to come under ‘urgency’ provisions (and certainly not before the intended meeting to discuss it at CPP on the 1st February) so I do hope you will concur the ‘added value’ of councillors on CPP and s.34s who wish to attend to make points and ask questions of officers and input clearly outweighs the reasons for not occurring on such an important matter likely to have long-term impacts.”

3 Validity of Call-in

3.1 The Chief Executive has made the following ruling:

I confirm that your notice of call-in below complies with paragraph 12.3 of Council Standing Orders and can therefore be determined as to whether or not the call-in is sufficiently valid to pass to the Corporate Performance Panel for consideration.

In assessing the validity of the call-in I have made regard to the grounds you have included in your email below and to paragraph 12.4 (a) to (h) of Council Standing Orders.

I have determined that the call-in of the Cabinet Member Delegated Decision is sufficiently valid as follows:

The Cabinet Member Delegated Decision, in accordance with paragraph 12.4 (d), has not fairly taken into account the views of Members requesting the call-in.

4 Call-in Process

- 4.1 Standing Orders 15.33 and 15.34 sets out the call-in debating procedure, as follows:

15.33 On receiving valid notice of a call-in under Standing Order 12, the Corporate Performance Panel should follow the steps outlined below (a-f) in debating the subject matter:

(a) The Proposer of the call-in and their supporters address the Corporate Performance Panel about the call-in and why it should be upheld;

(b) The Panel Members receive a submission from the relevant Portfolio Holder;

(c) The Panel Members receive submissions from Officers;

(d) The Panel Members receive submissions from members and, at the discretion of the Chair, other interested parties.

(e) The Panel debates the call-in (in accordance with this Standing Order) during which they may question or seek further information from any of the four parties referred to in (a), (b), (c) and (d) above.

(f) The Proposer shall exercise a right of reply after the debate.

15.34 Following the debate, the Panel will decide (in Accordance with Standing Order 12) either to support the Cabinet/Officer's/Cabinet Member's recommendation(s)/decision(s), or, to uphold the call in.

- 4.2 If the Panel upholds the call-in it may then take one of three courses of action in accordance with Standing Order 12.9:

(a) report to Council, Cabinet or the relevant Cabinet Member or officer requesting that the Cabinet/Cabinet Member or officer amend or substitute the recommendation(s) or decision(s); or,

(b) if the issue is considered urgent or straightforward, formulate a counter-recommendation or amendment; or,

(c) investigate the matter further at another meeting within thirty working days (beginning with the day after the issue of the notification of the call-in) and then follow the same process as set out above.

- 4.3 If the Corporate Performance Panel:

- (a) does not end the call-in within 30 days from the date of the decision which has been called in (and the recommendation or decision remains in dispute); or
- (b) refers a call-in directly to Council under paragraph 12, the Council shall determine whether to approve the recommendation or decision that has been called-in or to revoke, vary, amend and/or remit it back to the Cabinet/Cabinet Member/officer for further consideration.