

# Summary of Call in Procedure

Borough Council of  
**King's Lynn &  
West Norfolk**



## Introduction

Under Executive Arrangements operated by the Borough Council of King's Lynn and West Norfolk most decisions are made by Cabinet. In order to bring scrutiny and accountability to Cabinet decisions, Councillors are able to call-in Cabinet decisions, Member Delegated Decisions, and certain Officer delegated decisions.

Call-in provides a way for Councillors to ask that particular decisions are reconsidered by the Cabinet or Portfolio Holder.

The call-in process cannot overturn a decision, but can result in a recommendation that the decision be amended, reconsidered or withdrawn.

## Detail of what can be called-in

Any Cabinet decision, or Cabinet recommendation to the Council, delegated Cabinet Member's decision or officer delegated decision, may be called in.

Urgent decisions cannot be called-in. However, agreement must be sought from the Chair of the Corporate Performance Panel that the decision must be acted on urgently without the availability of call-in. There needs to be genuine reasons for this, which will be communicated to all Councillors as part of the Agenda for the meeting where the decision is being taken.

## What to do if you are considering calling in an item.

When the Cabinet Decision Sheet, or a Delegated Decision is published, detail of the timescale for call-in will also be published. No decision can be acted upon until the expiry of the call-in period.

Standing Order 12 provides more detail of the call-in process, which is also summarised below.

To be valid, the call-in must be supported by at least four Members of the Council. All supporters need to give notice in writing to the Chief Executive before the call-in deadline. Supporters of the call-in need to set out:

- The recommendation, decision, or part thereof, which they would like to call-in.
- The grounds for call-in, considering the following:
  - o Is the decision against a declared policy or budget provision of the Council?
  - o Is the decision contrary to the views of a key partner authority to the Borough?

- Has a relevant, material matter been overlooked or not considered in reaching the decision?
- Have the views of members requesting the call-in been fairly taken into account in arriving at the decision, so making a call-in unnecessary?
- Is the decision likely to cause distress, harm or significant concern to a local community or to prejudice individuals within it?
- Is the matter one which has already been subject to consultation or debate with relevant interested parties, so making further debate through Scrutiny unnecessary.
- Is the advice contrary to the advice of the relevant professional institution?
- Is there clear evidence of a breach of procedure?

The Chief Executive will then assess the call-in request against the criteria set out in the Constitution and determine if it is valid. The Chief Executive will inform the proposer and supporters of the call-in of their decision and the reasons for it.

### **Dealing with a valid call-in**

If the Chief Executive determines that the call-in is valid, Members will be notified of this and it will be passed onto the Corporate Performance Panel for consideration.

The Chair of the Corporate Performance Panel will be notified and the item will be added onto the Agenda for the next meeting of the Panel, or an additional meeting will be called to deal with the call-in. The call-in needs to be considered by the Panel within 30 days of notification that the call-in is valid.

The Chair of the Corporate Performance Panel can request additional information be collated so that the matter can be fully considered by the Panel and this information will be included in the Agenda.

### **Process at the Corporate Performance Panel**

Standing Order 15 sets out the call-in debating procedure, which is summarised below.

The Agenda will be published containing details of the call-in, the original report and any other information requested by the Chair of the Panel.

1. At the meeting the Proposer and Supporters of the call-in will be invited to address the Panel on why the call-in should be upheld.
2. The relevant Portfolio Holder will make a submission on why the decision was taken.
3. Officers will make a submission to the Panel.
4. The Chair can invite other Members or interested parties to make a submission if appropriate.
5. The panel will debate the call-in and can question any of the other parties present.
6. The original Proposer of the call-in has a right of reply at the end of the debate.

Following the debate the Panel will then decide either to:

- Support the original decision, in which case it can proceed as it originally stood and no further action is required from the Panel.
- Uphold the Call-in.

If the Panel decide to uphold the call-in they will need to decide on one of the below courses of action:

1. Request a report be presented to Cabinet, Council or a delegated decision to amend or substitute the recommendations/decisions.
2. If the issue is considered straightforward the Panel can formulate a counter-recommendation or amendment to the decision.
3. Investigate the matter further and repeat the call-in process. Please note that the matter still needs to be dealt with within thirty days of notification of the original call-in.

For further information please contact [democratic.services@west-norfolk.gov.uk](mailto:democratic.services@west-norfolk.gov.uk)