

CORPORATE PERFORMANCE PANEL REPORT

Wards Affected: All	Type of Report: Call-in
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OPEN	Portfolio: Development

Committee: Corporate Performance Panel

Date: 26 November 2019

Subject: Call-in of Cabinet Members Delegated Decision

NORFOLK COUNTY COUNCIL MINERALS AND WASTE LOCAL PLAN REVIEW (M&WLPR) – PREFERRED OPTIONS CONSULTATION

Summary

This report deals with the Cabinet Members Delegated Decision made on 12 November 2019,

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 decision was taken as a Cabinet Members Delegated Decision on 12 November 2019 setting out proposed comments on the Norfolk County Council Minerals and Waste Local Plan Review. A copy of the report is attached at Appendix 1.
- 1.2 The decision made in respect of this matter is to submit comments to NCC on their Minerals and Waste Local Plan Review – preferred options consultation.

2 Grounds for Call-In

- 2.1 Standing Order 12.3 (d) requires grounds to be given for calling-in an executive decision, reasons given are set out in Appendix 2.

3 Call-in Requisition

- 3.1 Call ins were made by the following councillors, all who supported each other. The original call-in was proposed by Councillor Hipperson and indications of support were received from the following:

Councillor Ryves, who also submitted reasoning, and Councillors Howland, Moriarty and de Whalley who also submitted reasoning.

Call in made by Councillor Rust with reasoning

Call in made by Councillor Kemp with reasoning

In all 6 Councillors have supported call ins on the matter. Attached as appendix 2 to the report are the comments submitted by Councillors.

4 Validity of Call-in

- 4.1 The Chief Executive has made the following ruling:

The call-in is valid in respect of Standing Order 12.4(d):

12.4(d). (d) 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?

5 Call-in Process

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

- (a) The Proposer of the call-in and his 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 Chairman, other interested parties;
- (e) The Panel debates the call-in (in accordance with Standing Order 15.33) during which they may question or seek further information from any of the four parties referred to in (a), (b), (c) and (d) above;

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- (f) The proposer shall exercise a right of reply after the debate.
- 5.2 Following the debate, the Panel will decide (in accordance with Standing Order 12) either to support the Cabinet's decision, or to uphold the call-in.
- 5.3 If the Panel upholds the call-in it may then take one of three courses of action:
 - (a) report to Council, Cabinet or the relevant Portfolio Holder requesting that they amend or substitute the recommendations or decision; 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 in paragraphs 5.2 and 5.3 above.
- 5.4 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 decision remains in dispute); or
 - (b) refers the call-in directly to Council,

the Council shall determine whether to approve the recommendation that has been called-in or to revoke, vary, amend and/or remit it back to Cabinet for further consideration.