

## CORPORATE PERFORMANCE PANEL REPORT

<b>Wards Affected:</b> All	<b>Type of Report:</b> Call-in
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<b>OPEN</b>	<b>Portfolio:</b> Leader

**Committee:** Corporate Performance Panel  
**Date:** 3 March 2022  
**Subject:** Call-in of Cabinet Decision

### REPORT OF THE INDEPENDENT REMUNERATION PANEL FOR MEMBERS' ALLOWANCES 2021/22 IN ACCORDANCE WITH THE LOCAL AUTHORITIES (MEMBERS' ALLOWANCES) (ENGLAND) REGULATIONS 2003 (THE REGULATIONS)

#### Summary

This report deals with the Cabinet Decision made on 9 February 2022.

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 by Cabinet on 9 February 2022 to consider the report of the Independent Members Remuneration Panel and Members Allowances. A copy of the report is attached at Appendix 1. The Decision Sheet from the Cabinet meeting of 9 February 2022 is attached at Appendix 2. The recording of the Cabinet Meeting is [available to view here](#).

## 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 below.

## 3 Call-in Requisition

- 3.1 The Call in was made by the Councillor T Parish and supported by Councillors Joyce, Jones, Morley, Bone, Wilkinson, Moriarty, A Tyler, Squire, Rust, Hudson, Rose, Bullen, Ratcliffe, Lawton and Nash.

Councillor Parish called in the decision as follows:

*“The Independent Review of Members Allowances has not been discussed at any panel. No opportunity for debate has been provided. The review affects all councillors and the opposition in particular. Cabinet made a decision without consultation and the impact of dismissal of the review falls mainly on the opposition. The reason given, ‘Its not the right time’, is naive at best and self serving.*

*No consideration of how the thrust of the review could be met, without increasing costs to the Borough, was made. Suggestions at Cabinet were dismissed. An equality impact assessment was, apparently, not required yet the independent review sort to begin addressing inequalities in allowances - the ruling group receives generous allowances, the opposition not so.*

*In summary, the Independent review needs to be referred to CPP for a proper debate to be held. A pre meeting of Group Leaders might facilitate that debate.”*

#### **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

The Cabinet Decision was contrary to views of the Independent Review Panel, paragraph 12.4 (b), and although the report on the Members Allowance Independent Review was included on the Cabinet Forward Decision List and could have been requested to be considered by the Corporate Performance Panel it was not, therefore in accordance with paragraph 12.4 (d) the views of Members requesting the call-in have not been fairly taken into account in arriving at the decision.

#### **5 Call-in Process**

- 5.1 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.

5.2 If the Panel upholds the call-in it may then take one of three courses of action in accordance with Standing Order 12.8:

(a) support the Cabinet/Cabinet Member's recommendation(s) or decision(s). In this case the recommendation(s) or decision(s) will, respectively, be free to pass to Council as they originally stood, or, be available for immediate implementation; or,

(b) uphold the call-in.

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 Cabinet Member requesting that the Cabinet/Cabinet Member's/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.

5.3 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 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.