

By: Joel Cook – Democratic Services Manager

To: Scrutiny Committee – 3 March 2026

Subject: **Call-in of Decision 25/00104 – Future of Library Provision in Folkestone Town Centre**

Summary: This decision, taken on 6 February 2026, has been called-in to the Scrutiny Committee by Mr Prater, Mr Hood, Mr Brady, Ms Hudson, Mr Hook, Mr Samme and Mr Sefton.

Background

1. Decision 25/00104 – Future of Library Provision in Folkestone Town Centre was considered by the [Growth Environment & Transport Cabinet Committee meeting on 13 January 2026](#) prior to the decision being taken by the Cabinet Member for Community and Regulatory Services, in consultation with the Deputy Leader, on 6 February 2026.
2. Following the decision being taken, the call-in request was submitted by Non-Executive Members from more than one political group.
3. Call-in powers are held by the Scrutiny Committee in accordance with the Local Government Act 2000. These are intended, under the legislation, to provide an opportunity for non-Executive Members to further scrutinise significant decisions, where the call-in criteria are met, before they are implemented and to recommend reconsideration if deemed appropriate by the Committee.
4. The call-in was duly assessed by Democratic Services, including a review of the reasons given by those Members calling in the decision and an investigation into whether all issues raised in the call-in were adequately addressed by the decision documentation, committee reports, responses to written questions or committee debate. The results of this review were considered by the Democratic Services Manager and the call-in was determined to be valid under the call-in arrangements set out in the Constitution. Call-in reasons must be clear, correct and align to one or more of the following criteria under s17.67 of the Constitution:

Members can call-in a decision for one or more of the following reasons:

- (a) The decision is not in line with the Council's Policy Framework,
- (b) The decision is not in accordance with the Council's Budget,
- (c) The decision was not taken in accordance with the principles of decision making set out in 8.5, and/or
- (d) The decision was not taken in accordance with the arrangements set out in Section 12.

5. The full call-in request is set out in Appendix A, as submitted by the relevant Members. Some elements of the call-in did not meet the criteria – this recognises that the decision documentation is extensive and to a significant degree articulated the significant activity and work undertaken to develop, investigate and progress the options outlined in the reports. It should also be recognised that this decision is built upon a foundation [established through Key Decision 24/00116](#) and the overall position represents an extensive KCC programme demonstrating a great deal of professional due diligence, option appraisal and engagement with Members.
6. Discussion of the proposals at Growth, Environment & Transport Cabinet Committee on 13 January allowed for the consideration of a range of key issues relating to the decision by Members and the details of that debate were taken into account as part of the call-in validity review.
7. While not all elements of the call-in were valid, a range of points or themes set out within the call-in did meet the criteria. These are summarised below:

Reason one: 8.5 Due consultation

- While the decision and committee discussion did set out consideration of the historic consultation activity for the 2025 decision, which included confirmation that the Council’s likely intentions were to exit the Grace Hill in terms of building responsibility, there is limited consideration of to what extent the specific building, its location and history, should inform the future library arrangements and this was significant feedback point in terms of public and Member consultation and engagement.

Reason two: 8.5 A presumption in favour of openness and an explanation of the options considered and giving reasons for decisions.

- The decision documentation and Cabinet Committee discussion indicated that Community bids were assessed based on initial submission with limited scope for revision and the addressing gaps. In addition, there was a lack of clarity around the consideration of any negotiation or exploration of responsibility for long term maintenance costs which are relevant to the timing element of the Executive argument for pursuing a disposal outcome.
- The focus of the consideration of options and the justification for the final decision is Infrastructure focused, with limited explicit articulation of consideration of the community benefit and Library Service opportunities which are material to KCC’s Library Service duties and Best Value duties.

Process

8. In determining the validity of any call-in, no judgement is made by Democratic Services as to whether the decision itself is flawed, inappropriate or improper. The review found that there is scope to explore some elements further to secure appropriate assurance that the decision took account of required information and the reasoning is clear. In accordance with the call-in arrangements, it is for the Scrutiny

Committee to determine whether any recommendations should be made to the Executive and if any reconsideration of the decision is necessary or appropriate.

9. While the wider points within the call-in are not entirely out of scope, the Committee should focus its consideration, debate and attention on the points recognised as valid within the call-in arrangements, as detailed under paragraph 7 of this report when coming to any resolution.
 10. The Cabinet Member, or nominated representative, and relevant Officers will attend the Scrutiny Committee to present their response to the call-in and to respond to questions.
 11. The Scrutiny Committee should consider the reasons set out by the Members calling-in the decision, the documentation available and the response from the Executive given at the meeting, giving due regard to the information made available during questioning and discussion on this item. For clarity, the decision under consideration has been taken – call-in prevents implementation but does not reset or cancel the taking of the original decision.
 12. The Scrutiny Committee has a range of options in terms of responding to the call-in. The specific options are set out in the Recommendation section of this report. It will be for members of the Committee, having debated and reviewed the decision, to propose and second an appropriate resolution from that list of options. The Chair of the Committee will set out how this will be approached during the meeting to ensure appropriate debate and due consideration of the issues before any resolutions are sought.
 13. It is important to confirm that the Scrutiny Committee has no power to override or prevent the decision being progressed – it may formally resolve comments about the decision or the manner in which it was taken and make relevant recommendations to the Executive. These provide a public record of suggestions for improvement or criticisms of an approach to support learning and avoiding of prior mistakes in the future. If significant concerns about the decision-making remain after consideration by the Committee, it may refer the decision for reconsideration by the Decision-maker. Implementation of the decision will remain paused until after the decision-maker has reconsidered – the decision-maker may choose to confirm their decision and move to implementation if they so wish at that point.
 14. The Committee also has the option to refer the decision to Full Council; however, this is option is intended for use only in the most extreme cases where there are significant concerns of improper decision-making, financial non-compliance or clear departure from the Strategic Statement without reasonable justification. Full Council may, if concerns persist after review, refer the decision back to the decision-maker or Cabinet for review.
 15. The original decision papers remain [available online](#) but are republished in the agenda pack as appendices for ease of reference.
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Recommendation – Options for the Scrutiny Committee

The Scrutiny Committee may:

- a) make no comments
- b) express comments but not require reconsideration of the decision
- c) require implementation of the decision to be postponed pending reconsideration of the matter by the decision-maker in light of the Committee's comments; or
- d) require implementation of the decision to be postponed pending review or scrutiny of the matter by the full Council.

Appendices

- a) Scrutiny call-in reasons submitted by Mr Prater, Mr Hood, Mr Brady, Ms Hudson, Mr Hook, Mr Samme and Mr Sefton
- b) 25/0104 - Record of Decision
- c) 25-00104 - Decision Report
- d) Jan 2025 Decision report
- e) Jan 2025 Record of Decision
- f) Exempt – Folkestone Library Community Proposal
- g) 25/00104 – Decision Report Appendix D1 report
- h) Exempt - 25/00104 – Decision report Appendix D2 report
- i) 25-00104 – Equality Impact Assessment (Folkestone)
- j) 25-00104 – Sandgate Road Equality Impact Assessment

Background documents

- a) Recent Cabinet Committee reports
[\(Public Pack\)Agenda Document for Growth, Environment & Transport Cabinet Committee, 13/01/2026 10:00](#)

- b) Previous Decision (January 2025)
[Decision - 24/00116 - The future of library provision in Folkestone town centre](#)

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