



Date: 13 July 2020
Our ref: Overview & Scrutiny Panel/Agenda
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OVERVIEW & SCRUTINY PANEL

21 JULY 2020

A meeting of the Overview & Scrutiny Panel will be held at **5.30 pm on Tuesday, 21 July 2020** via Online Viewing Only, in this link <https://youtu.be/soDFBowCNyw>

Membership:

Councillor R Bayford (Chairman); Councillors: Campbell (Vice-Chairman), Boyd, Coleman-Cooke, Hopkinson, Huxley, Keen, Moore, Paul Moore, L Piper, Rattigan, Roper, Rusiecki and Scott

AGENDA

Item
No

Subject

1. **APOLOGIES FOR ABSENCE**

2. **DECLARATION OF INTERESTS** (Pages 3 - 4)

To receive any declarations of interest. Members are advised to consider the advice contained within the Declaration of Interest advice attached to this Agenda. If a Member declares an interest, they should complete the [Declaration of Interest Form](#)

3. **MINUTES OF PREVIOUS MEETING** (Pages 5 - 8)

To approve the Minutes of the Overview and Scrutiny Panel meeting held on 26 May 2020, copy attached.

4. **CABINET MEMBER PRESENTATION - BEACH MANAGEMENT PLAN**

The Leader will make a presentation on the Beach Management Plan and the main focus of the presentation would be to address the following question:

"How is the Beach Management Plan working out and in the light of experience so far, are there any changes likely to be made?"

Pre Decision Scrutiny

5. **PROCUREMENT OF LIFT REFURBISHMENT PROGRAMME AND EXTERNAL REPAIRS AND DECORATIONS PROGRAMME** (Pages 9 - 12)

6. **CRITERIA FOR ANY REVIEW OF STREET AND BUILDING NAMES AND OTHER MONUMENTS** (Pages 13 - 16)

Item
No

Subject

Post Decision Scrutiny

7. **CALL-IN OF AN INDIVIDUAL CABINET MEMBER DECISION - MEMORIAL PLAQUE IN BROADSTAIRS** (Pages 17 - 22)

Work Programming

8. **REVIEW THE OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME FOR 2020/21** (Pages 23 - 34)
9. **FORWARD PLAN & EXEMPT CABINET REPORT LIST** (Pages 35 - 40)



Please scan this barcode for an electronic copy of this agenda.



Do I have a Disclosable Pecuniary Interest and if so what action should I take?

Your Disclosable Pecuniary Interests (DPI) are those interests that are, or should be, listed on your Register of Interest Form.

If you are at a meeting and the subject relating to one of your DPIs is to be discussed, in so far as you are aware of the DPI, you **must** declare the existence **and** explain the nature of the DPI during the declarations of interest agenda item, at the commencement of the item under discussion, or when the interest has become apparent

Once you have declared that you have a DPI (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote on the matter;
2. Withdraw from the meeting room during the consideration of the matter;
3. Not seek to improperly influence the decision on the matter.

Do I have a significant interest and if so what action should I take?

A significant interest is an interest (other than a DPI or an interest in an Authority Function) which:

1. Affects the financial position of yourself and/or an associated person; or
Relates to the determination of your application for any approval, consent, licence, permission or registration made by, or on your behalf of, you and/or an associated person;
2. And which, in either case, a member of the public with knowledge of the relevant facts would reasonably regard as being so significant that it is likely to prejudice your judgment of the public interest.

An associated person is defined as:

- A family member or any other person with whom you have a close association, including your spouse, civil partner, or somebody with whom you are living as a husband or wife, or as if you are civil partners; or
- Any person or body who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors; or
- Any person or body in whom such persons have a beneficial interest in a class of securities exceeding the nominal value of £25,000;
- Any body of which you are in a position of general control or management and to which you are appointed or nominated by the Authority; or
- any body in respect of which you are in a position of general control or management and which:
 - exercises functions of a public nature; or
 - is directed to charitable purposes; or
 - has as its principal purpose or one of its principal purposes the influence of public opinion or policy (including any political party or trade union)

An Authority Function is defined as: -

- Housing - where you are a tenant of the Council provided that those functions do not relate particularly to your tenancy or lease; or
- Any allowance, payment or indemnity given to members of the Council;
- Any ceremonial honour given to members of the Council
- Setting the Council Tax or a precept under the Local Government Finance Act 1992

If you are at a meeting and you think that you have a significant interest then you **must** declare the existence **and** nature of the significant interest at the commencement of the matter, or when the interest has become apparent, or the declarations of interest agenda item.

Once you have declared that you have a significant interest (unless you have been granted a dispensation by the Standards Committee or the Monitoring Officer, for which you will have applied to the Monitoring Officer prior to the meeting) you **must**:-

1. Not speak or vote (unless the public have speaking rights, or you are present to make representations, answer questions or to give evidence relating to the business being discussed in which case you can speak only)
2. Withdraw from the meeting during consideration of the matter or immediately after speaking.
3. Not seek to improperly influence the decision.

Gifts, Benefits and Hospitality

Councillors must declare at meetings any gift, benefit or hospitality with an estimated value (or cumulative value if a series of gifts etc.) of £25 or more. You **must**, at the commencement of the meeting or when the interest becomes apparent, disclose the existence and nature of the gift, benefit or hospitality, the identity of the donor and how the business under consideration relates to that person or body. However you can stay in the meeting unless it constitutes a significant interest, in which case it should be declared as outlined above.

What if I am unsure?

If you are in any doubt, Members are strongly advised to seek advice from the Monitoring Officer or the Committee Services Manager well in advance of the meeting.

If you need to declare an interest then please complete the declaration of [interest form](#).

OVERVIEW & SCRUTINY PANEL

Minutes of the meeting held on 26 May 2020 at 5.00 pm in View Online Only.

Present: Councillor Robert W Bayford (Chairman); Councillors Campbell, Boyd, Coleman-Cooke, Hopkinson, Huxley, Keen, Moore, L Piper, Rattigan, Rusiecki, Scott and Wing

In Attendance: Councillors Ashbee, Bailey, Dexter, Cllr Everitt, Garner, Cllr Rev. S Piper, Pugh, Rogers and Savage

233. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Roper, substituted by Councillor Wing.

234. DECLARATION OF INTERESTS

There were no declarations made at the meeting.

235. MINUTES OF PREVIOUS MEETING

Councillor Campbell proposed, Councillor Coleman-Cooke seconded and Members agreed the minutes as a correct record of the Panel meeting held on 20 February 2020.

236. THANET LOCAL PLAN - INSPECTORS' REPORT (REG 25) AND ADOPTION (REG 26)

Councillor Bayford, Chairman of the Panel made the opening remarks under this item and commented as follows:

- The report by the Independent Inspector concluded that the draft Local Plan was sound only if all the modifications proposed by the inspectors were accepted;
- This is because these modifications are considered by the Inspector's to be necessary to make the plan sound and legally compliant, capable of adoption;
- The decision to be made by the Council was either to adopt the plan with the Inspector's modifications or to not adopt the Plan;
- It was not up to the Council to either partially accept modification or to make further changes to the Plan that go beyond the inspector's report, as this would leave the Council with a Plan that was not sound;
- The role of the Panel was to consider the draft Plan and the Inspector's main modifications and make recommendations for Cabinet to consider prior to forwarding its final recommendations to Council;
- The recommendation in the report should be changed to read as follows:
 - ❖ The Overview and Scrutiny Panel is recommended to consider the main modifications from the Inspector's report and what representations if any to make to Cabinet, for Cabinet to consider before making its final recommendations to Council.

Adrian Verrall, Strategic Planning Manager led the discussion and said that the key modifications from the Inspector's report were highlighted in the committee report and the related annex. Mr Verrall also made the following comments:

- It was important to have an adopted Local Plan in place, as this ensured that the Council would have a strong Planning Policy Framework that gave greater control over the planning process;
- The plan also provided certainty for local communities about the scale and location of local development;
- The Plan also provided support to the work of the team that processed planning applications particularly when it came to dealing with planning applications for large housing sites and appeals;
- The document could also be used for funding bids and ensure that infrastructure was provided in a timely manner;
- Without a sound Local plan there was a risk of intervention by the Secretary of State. This would also place the council at risk in terms of appeal decisions and losing control of the development process.

Members made a number of comments for consideration by Cabinet as follows:

- Could the Climate Emergency Working Group and the Local Plan Review Cabinet Advisory Group work collaboratively in order that any key issues that emerge from the work of the Working Group that included climate change would be forwarded to the Cabinet Advisory Group and captured in the final recommendations going to Cabinet, as these issues could added to the Local Plan as part of the Local Plan review;
- Green infrastructure projects – could the publicly accessible woodlands projects that were not implemented in the previous plan that included Dane Valley Woods be included in the new plan?
- Could the Ramsgate Port be cited in the new plan as it would be playing a significant part in the economic development of the area?
- The population figures used in the draft Plan were out of date as they were from the 2014 census. Could these figures be updated?
- Employment and community wealth creation should be also be highlighted in the new Local Plan;
- The draft Plan was developed before the COVID-19 pandemic. How flexible was the new plan to address challenges posed by the post Covid-19 situation (the new normal)?
- Would the delayed decision regarding Manston Airport affect the Local Plan?
- Potential agricultural land would be lost through the current proposals in the Plan. If brown fields were found in the future, could these replace the green fields that were being proposed for housing?
- How was the Plan going to be treated post Covid-19?
- Could the plan be reviewed earlier than the six months stated in the current proposals?
- How were planning applications treated currently considering that there would be the 6 months review? How would those applications be treated after the review?

Mr Verrall responded as follows:

- The Modifications in the Inspectors' report are considered necessary "to make the Plan sound, legally compliant and capable of adoption;"
- It was not open to the Council either to partially accept the Modifications, or to make further changes to the Plan that go beyond the Inspectors' report, and have not been recommended by the Inspectors. It was therefore too late to make any material changes to the Local Plan at this stage;
- Many of the points raised by Members would be addressed through the Local Plan review and update process;
- It was correct that there were no specific sites identified for new woodland planting in this Local Plan. The two sites identified in the 2006 Plan were projects on which the Council was working at that time. None were being proposed or developed during this

Local Plan process. If new projects do emerge, these could be picked up in the review of the Local Plan;

- However, the Plan did require substantial areas of new open space on the strategic housing sites, of which part was likely to be landscaping and woodland areas. There were also other policies in the Plan which required or encourage new tree planting, landscaping and other “green infrastructure;”
- In relation to the Dane Valley Woods site, the Plan protects this area as Local Green Space. As this site was currently used as open space and woodland, that was sufficient to protect the site for that purpose in future;
- Officers were working in conjunction with the Climate Emergency Working Group (and the officer group) and would enable the planning aspects of that work to be picked up in the Local Plan review and update process;
- Port Ramsgate - at the time of the Examination, there was not a clear future direction emerging from the consultants’ study on the Port, and it was appropriate to maintain the Policy position until that happened. With the consultants’ work now published, any final decision about this can be incorporated in the Local Plan review and update;
- Population projections - the current Plan’s housing requirement is derived from the 2014-based population projections, and the subsequent household projections. In accordance with Government guidance, the Plan figures have not been updated with the 2016-based figures;
- Community wealth-building programme - any planning aspects could be addressed in the review of the Plan (as could other elements of TDC’s Corporate Statement);
- Resilience (COVID-19) - the review of the Plan will need to address resilience issues (including COVID-19), and it was likely that new advice and guidance would emerge with time. In relation to planning applications, it may be that in the meantime detailed designs would start to take these issues into account;
- Airport - the future of the airport is a matter for the Local Plan review process. Should the DCO be granted, a number of matters would need to be considered as part of the Local Plan review and update, such as aircraft noise contours; air pollution; Public Safety Zones; transport impacts; and any potential impact on housing requirements, depending on the level of job creation anticipated in the district. If the DCO was refused, the Council would need to consider what other uses might be appropriate for the site during the next Local Plan period;
- Agricultural land/“brownfield sites” - The Local Plan includes a significant amount of brownfield land, including 30ha of older employment sites released for housing development. It was likely that more brownfield sites may come forward in the next few years, and those can be considered through the Local Plan review process;
- Agricultural land issues were considered by the Inspectors as part of the Examination process. In their report, they did not recommend that any of the site allocations should be removed, including those on agricultural land. The strategic allocations account for just 5.6% of the total agricultural land in Thanet.
- Local Plan review and planning applications - The Local Plan review process was an internal process that probably take the full 6 months indicated, and any update to the Local Plan follows that review. Any planning applications that are received while the review process was being undertaken will need to be considered against this Plan.

In concluding the discussion, Councillor Campbell proposed, Councillor Rusiecki seconded and Members agreed that subject to noting the comments made above, the Panel recommends that the proposals and Inspectors’ main modifications in the committee report be forwarded to Cabinet and then Council for approval.

237. NO POST DECISION ITEMS ON THIS AGENDA

There were no post decision scrutiny items for consideration.

238. **REVIEW THE OVERVIEW AND SCRUTINY PANEL WORK PROGRAMME FOR 2020/21**

Members noted the report.

239. **FORWARD PLAN & EXEMPT CABINET REPORT LIST**

Members noted the report.

Meeting concluded: 5.40 pm

Procurement of Lift refurbishment Programme and External Repairs and Decorations Programme

Overview & Scrutiny Panel	21 July 2020
Report Author	Bob Porter, Head of Housing and Planning
Portfolio Holder	Cllr Helen Whitehead, Deputy Leader and Cabinet Member for Housing & Community Services
Status	For Decision
Classification:	Unrestricted
Key Decision	Yes
Reasons for Key	An Executive Decision that involves incurring expenditure anticipated to be £250,000 or above.
Previously Considered by	N/A
Ward:	N/A

Executive Summary:

This report will be presented to the council’s Cabinet on 30 July 2020 to seek authority for the council to enter into two new contracts for works to its housing stock.

The works include:

- the full refurbishment of passenger lifts in seven council owned residential blocks, and
- a five year term contract for the completion of external cyclical decorations as required.

The values of both contracts are detailed in the report and exceed £250,000.

Recommendation(s):

OSP is asked to consider the report and make any comments that it would like the Cabinet to take into account at its meeting on 30 July 2020.

CORPORATE IMPLICATIONS

Financial and Value for Money	<p>Housing Revenue Account revenue and capital budgets are reviewed annually and include provision for both external cyclical repairs and decorations and lift refurbishment.</p> <p>There is sufficient funding within HRA balances and the HRA Major Repairs Reserve to fund the revenue and capital costs set out in this report.</p>
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	Detailed budgets will be reviewed and amended in line with the actual tendered costs of these works at the earliest opportunity.	
Legal	The council, as a landlord of residential buildings, has a statutory responsibility to ensure that they are properly maintained.	
Corporate	The council's Corporate Statement sets out its commitment to, 'Improve standards and safety in homes across all tenures.'	
Equality Act 2010 & Public Sector Equality Duty	Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.	
	Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.	
	Please indicate which aim is relevant to the report.	
	Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	
	Foster good relations between people who share a protected characteristic and people who do not share it.	
	The council's tenants and leaseholders include residents that have protected characteristics as set out in the Public Sector Equality Duty. The completion of the works set out in this report will benefit all tenants and leaseholders, including those with protected characteristics.	

CORPORATE PRIORITIES (tick those relevant)	
Growth	
Environment	
Communities	✓

1.0 Introduction and Background

- 1.1 The council owns approximately 3,400 tenanted and leasehold homes. All costs, investment and income for these homes is managed with the council's Housing Revenue Account, and budgets for revenue and capital works are reviewed annually.
- 1.2 In addition to the annual review of revenue and capital budgets, key decisions are also required for any expenditure that:
- is for works or services that exceed £250,000, or

- is for a contract over a number of years with an expected value in excess of £750,000.

1.3 The letting of the contracts detailed in this report are therefore considered to be key decisions.

2.0 External Cyclical Decorations and Repairs

2.1 This is a programme of works to cover Thanet's Landlord obligations to maintain properties by carrying out cyclical external decorations to all Council owned residential properties which have decorated surfaces along with all internal common parts of block of flats. The procurement is for a contractor to cover the five year cyclical decorations programme and incorporates a break clause after the first three years with an option to extend for the further two years.

2.2 As part of the programme it will be necessary to initially carry out some making good and general repairs prior to decorating and this is allowed for within the tender documentation and pricing schedules. We envisage that around 25% of the value of this contract will be for making good works and the remaining 75% for re-decorations.

2.3 The procurement is via open tender and will be evaluated upon the most economically advantageous tender (MEAT). The terms of the contract will be under the JCT Measured Term contract 2016 with accompanying schedule of rates pricing document so that the tender can be used for the wide and diverse range of properties and works combinations across the Thanet housing stock and residential blocks.

2.4 The works planned for the coming 5 years have been valued at £1,028,895. Funding for this programme is included within the council's approved medium term HRA revenue budget. This budget is reviewed annually and projected forward for 5 years, giving the council the ability to vary the scope of works in line with the available resources and the need for external repairs and decorations.

3.0 Lift Refurbishment

3.1 The council has approved a capital budget for the refurbishment of the passenger lifts in seven residential blocks. The lifts in these blocks are 25 years old and the proposed refurbishments will extend their expected lifetime for a further 25 years. The seven blocks are:

- Staner Court
- Trove Court Evens
- Turner Court
- Brunswick Court
- Harbour Towers
- Kennedy House
- Janice Court

3.2 The approved capital programme currently includes £759,000 in 2020/21 for lift refurbishment, a figure that was based upon early estimates of the works required. However, more detailed work to assess and specify the work, using external lift consultants has revised the scope of works to include the complete renewal of a significant proportion of the component parts of each lift installation. The pretender

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estimated cost is now £1.6m as a result. The additional scope of work will extend the life of the lifts as set out in 3.1 above.

3.3 The programme is therefore split into two phases. Phase 1, starting in 2020/21 at an estimated cost of £700k will include:

- Staner Court
- Trove Court Evens
- Turner Court

Phase 2 will start in 2021/22 at an estimated cost of £900k. Phase 2 will include:

- Brunswick Court
- Harbour Towers
- Kennedy House
- Janice Court

3.4 The evaluation of tenders will include both quality and cost analysis so that the council can select the more economically advantageous submission.

4.0 Next Steps

4.1 This report will be considered by the council's Cabinet at its meeting on 30 July 2020. Cabinet will be asked to agree the following recommendations:

1. The letting of the contract for the refurbishment of seven passenger lifts, as detailed in this report.
2. The letting of a term contract for the completion of a programme of external cyclical decorations, as detailed in this report.

4.2 Once approved, the council will be able to enter into contracts for the works set out above and agree detailed programmes and start dates with the chosen contractors.

Contact Officer:	Bob Porter, Head of Housing and Planning, Tel: 01843-577006
Reporting to:	Tim Willis, Deputy Chief Executive and Section 151 Officer

Annex List

None	N/A
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Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Chris Blundell, Head of Financial & Procurement Services
Legal	Estelle Culligan, Head of Legal & Democratic Services

Criteria for any Review of Street and Building Names and other Monuments

Overview & Scrutiny Panel	21 July 2020
Report Author	Director of Corporate Governance
Portfolio Holder	Helen Whitehead, Deputy Leader and Cabinet Member for Cabinet Member for Housing & Community Services
Status	For Recommendation
Classification:	Unrestricted
Ward:	Potentially All wards

Executive Summary:

The views of the Panel are sought on the criteria and other matters that might be taken into account when reviewing the street and building names, signs and monuments in the district in an effort to end the celebration of figures associated slavery and racism (and potentially other matters).

Recommendation(s):

1. The Panel is asked to consider and recommend what matters the Executive might take into account in reviewing street and building names, signs and monuments in the district.

CORPORATE IMPLICATIONS	
Financial and Value for Money	In the future, the Executive will need to consider the costs of any specific recommendations and decisions which it makes. There are no financial implications at this stage.
Legal	<p>In undertaking any future review, consideration needs to be given to the Public Sector Equality Duty under section 149 of the Equality Act 2010.</p> <p>The street naming legislation covering England and Wales is contained in:</p> <ul style="list-style-type: none"> ● Section 64 and 65 of the Town Improvement Clauses Act 1847; ● Section 160 of the Public Health Act 1875; ● Section 21 of the Public Health Act 1907; ● Section 17, 18 and 19 of the Public Health Act 1925; ● The Local Government Act 1972. <p>In some cases planning permission or listed building consent may be required.</p>
Corporate	There are no corporate implications that are not included elsewhere in the report.
Equality Act 2010 & Public Sector	Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the

Equality Duty	<p>Duty are:</p> <p>(i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</p> <p>(ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and</p> <p>(iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 80%;">Please indicate which aim is relevant to the report.</td> <td style="width: 20%;"></td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center;">X</td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td style="text-align: center;">X</td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td style="text-align: center;">X</td> </tr> </table> <p>Consideration of the three 'limbs' of the PSED are clearly very important in this matter.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	X	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	X	Foster good relations between people who share a protected characteristic and people who do not share it.	X
Please indicate which aim is relevant to the report.									
Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	X								
Advance equality of opportunity between people who share a protected characteristic and people who do not share it	X								
Foster good relations between people who share a protected characteristic and people who do not share it.	X								

CORPORATE PRIORITIES (tick those relevant) ✓	
Growth	
Environment	
Communities	✓

1.0 Introduction and Background

- 1.1 Following the growth of the Black Lives Matter campaign, a spotlight has been placed on the commemoration of people, events and places in the district in building and street names and other monuments.
- 1.2 This report is not about any particular street and building name or monument. It is about the criteria which the Overview and Scrutiny Panel think that the Executive could take into account in any Thanet wide review of the relevance, suitability and acceptability of such street and building names or monuments.
- 1.3 It is anticipated that the Panel can have a general discussion about this matter from which guidance criteria can be recommended.

2.0 Next Steps

- 2.1 Following this discussion criteria will be drafted for consideration by the Executive in any future review.

Contact Officer:	Tim Howes, Director of Corporate Governance
Reporting to:	Madeline Homer, Chief Executive

Annex List

None	N/A
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation

Finance	Matthew Sanham, Financial Services Manager
Legal	N/A

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OVERVIEW AND SCRUTINY PANEL CALL-IN OF INDIVIDUAL CABINET MEMBER DECISION - MEMORIAL PLAQUE IN BROADSTAIRS

Overview & Scrutiny Panel **21 July 2020**

Report Author **Senior Democratic Services Officer**

Portfolio Holder **Councillor Everitt, Leader of Council**

Status **For Recommendation**

Classification: **Unrestricted**

Key Decision **No**

Reasons for Key **N/A**

Ward: **Broadstairs/District Wide**

Executive Summary:

The purpose of this covering report is to introduce a call-in regarding an individual cabinet member decision made relating to the 'Memorial Plaque in Broadstairs'. This decision is attached as Annex 1 to this covering report.

Recommendation(s):

Members guidance is sought on the following; whether:

1. The Panel wishes to forward some recommendations to the Leader of Council or;
2. Members wish to take no further action.

CORPORATE IMPLICATIONS	
Financial and Value for Money	There are no implications arising directly from this report. Any financial implications arising from the original called-in decision are explained in the report attached at Annex 1.
Legal	<p>In exercising the right to call-in an executive decision the Panel ought to satisfy itself that some or all of the principles of decision making as reflected in Article 13 of the Council Constitution have not been adhered to. These include the following:</p> <ul style="list-style-type: none"> (a) the presumption in favour of openness and transparency; (b) the need for due consultation; (c) the need to take account of relevant professional advice from appropriate staff; (d) the need for clarity of aims and desired outcomes; (e) the need to identify the range of options considered;

	(f) the need to give reasons and explanation for a decision; (g) the need to ensure that all necessary requirements of legality and confidence are observed.								
Corporate	There are no direct corporate risks associated with this report.								
Equality Act 2010 & Public Sector Equality Duty	<p>Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.</p> <p>Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td style="width: 80%;">Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="width: 20%;"></td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td></td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table> <p>There no equity and equalities issues arising directly from this report. However there may be equity and equality implications arising directly from the decision attached as Annex 1 to the report.</p> <p>The Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,		Advance equality of opportunity between people who share a protected characteristic and people who do not share it		Foster good relations between people who share a protected characteristic and people who do not share it.	
Please indicate which aim is relevant to the report.									
Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,									
Advance equality of opportunity between people who share a protected characteristic and people who do not share it									
Foster good relations between people who share a protected characteristic and people who do not share it.									

CORPORATE PRIORITIES (tick those relevant) ✓	
Growth	
Environment	
Communities	✓

1.0 Introduction and Background

- 1.1 This covering report is to introduce the call-in of a decision that was made by the Leader of Council on 26 June 2020.
- 1.2 The decision was that the James Summerson ('Uncle Mack') memorial plaque should be permanently removed from its site in Broadstairs.
- 1.3 The Panel Chairman called-in the decision by the Leader for review by the Overview & Scrutiny Panel in order to afford Members the opportunity to discuss and seek clarification on issues related to this decision from the Leader.

2.0 Reasons for Call-in

2.1 As the reason for calling in the decision, the Panel Chairman cited the following decision making principle as set out in article 13 of the Council's constitution:

(b) The need for due consultation.

3.0 Options

3.1 Members could choose one of the following options either:

1. Whether the Panel wishes to forward some recommendations to the Leader of Council
or;
2. The Panel wishes to take no further action.

4.0 Next Steps

4.1 If Members agree to take no further action, then the decision becomes implementable from the day of the Panel meeting.

4.2 If the Panel refers some recommendations to the Leader of Council for consideration, then the Leader shall reconsider them within 15 working days from the date of this Overview and Scrutiny meeting, to amending the decision or not, before adopting a final decision.

Contact Officer:	Charles Hungwe, Senior Democratic Services Officer
Reporting to:	Nick Hughes, Committee Services Manager

Annex List

Annex 1	Decision Notice - Memorial Plaque in Broadstairs
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Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Chris Blundell, Head of Financial Services
Legal	Tim Howes Director of Corporate Governance

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Ref:

Called in

Yes/No

THE THANET DISTRICT COUNCIL

DECISION OF INDIVIDUAL CABINET MEMBER

Name of Cabinet Member:

Relevant Portfolio:

Date of Decision:

Subject:

Key Decision In Forward Plan

Brief summary of matter:

Following the recent Black Lives Matter campaign and the concern about statues and other commemorative artifacts which are no longer acceptable, the Leader gave consideration to similar artifacts in the District.

In particular this concerned the memorial plaque to James Summerson, known as 'Uncle Mack', a seaside entertainer in Broadstairs between the 1880s and 1940s. This plaque has given rise to offence and hurt because the entertainment celebrated by it involved a Black and White Minstrels troupe where white entertainers blacked up their faces and behaved with distorted African-American stereotypes.

The plaque was initially covered up as a temporary measure until a decision was made on a permanent solution. Once removed, consideration will be given to the future of the plaque and whether it can usefully be put on display in a museum setting which describes its historical context to act as a lesson for the future.

Decision made:

The Leader has decided that the James Summerson ('Uncle Mack') memorial plaque should be permanently removed from its site in Broadstairs.

Reasons for decision:

Consideration was given to (i) the Council's public sector equality duty and in particular the advancement of equality of opportunity and the fostering of good relations between persons who share a protected characteristic and those who do not, and (ii) the raised sensitivities as a result of the Black Lives Matter campaign.

Alternatives considered and why rejected:

It could have stayed in place since the plaque represents what was acceptable a hundred years ago. However this might give the mistaken impression that the Council condoned this offensive entertainment and its racist overtones. It is also important that the Leader and the Council sends out a clear message to the Thanet community, that it listens and will act to maintain and foster good relations in the community.

Agenda Item 7

Annex 1

Details of any conflict of interest declared by any executive Member who has been consulted and of any dispensation granted by the Standards Committee:

None

Author of Officer report:

Tim Howes

Background papers

None

Statement if decision is an urgent one and therefore not subject to call-in:

None

Last date for call-in:

7 July 2020

REVIEWING THE OVERVIEW & SCRUTINY PANEL WORK PROGRAMME FOR 2020/21

Overview & Scrutiny Panel	21 July 2020
Report Author	Senior Democratic Services Officer
Status	For Decision
Classification:	Unrestricted
Key Decision	No
Ward:	Thanet Wide

Executive Summary:

This report sets out a framework for activities of the Overview & Scrutiny Panel for 2020/21 and asks the Panel to review the work programme.

Recommendations:

1. Members are requested to comment and note the report.

CORPORATE IMPLICATIONS

Financial and Value for Money	There are no financial implications arising directly from this report but elements of the suggested work programme may have financial and resource implications which would need to be managed within existing resources, or alternatively compensating savings found.
Legal	The role of scrutiny is set out in section 9F of the Local Government Act 2000. The council must also have regard to the statutory guidance on Overview and Scrutiny from the ministry of Housing, Communities and Local Government when exercising its functions.
Corporate	The work programme should help to deliver effective policy decision making by scrutinising executive decisions before, and at times after, implementation. The sub-committees assist the work of scrutiny as they would carry-out an in-depth study of any issue referred to the groups under their terms of reference. An active Scrutiny programme is part of good governance.
Equality Act 2010 & Public Sector Equality Duty	Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.

	<p>Protected characteristics: age, gender, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td style="width: 80%;">Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td style="text-align: center;">✓</td> </tr> <tr> <td>Advance equality of opportunity between people who share a protected characteristic and people who do not share it</td> <td></td> </tr> <tr> <td>Foster good relations between people who share a protected characteristic and people who do not share it.</td> <td></td> </tr> </table> <p>No implications arise directly but the Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure service delivery matches these.</p> <p>It was important to be aware of the Council's responsibility under the Public Sector Equality Duty (PSED) and show evidence that due consideration has been given to the equalities impact that may be brought upon communities by the decisions made by Council.</p>	Please indicate which aim is relevant to the report.		Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	✓	Advance equality of opportunity between people who share a protected characteristic and people who do not share it		Foster good relations between people who share a protected characteristic and people who do not share it.	
Please indicate which aim is relevant to the report.									
Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	✓								
Advance equality of opportunity between people who share a protected characteristic and people who do not share it									
Foster good relations between people who share a protected characteristic and people who do not share it.									

CORPORATE PRIORITIES (tick those relevant) ✓	
Growth	
Environment	
Communities	✓

1.0 Introduction and Background

- 1.1 This report allows the Panel to review and amend the work programme for the 2020/21 municipal year agreed at the meeting on 26 May 2020. Due to the ongoing national health emergency caused by COVID-19, Council meetings were now being conducted through the virtual facility.
- 1.2 As the Annual Council meeting has been deferred, it technically means that means that the 2019/20 work programme will continue until such time as the council committees are reconstituted at the annual meeting. However for ease of reference Democratic Services will refer to work scheduled to be carried out in 2020/21 as the 2020/21 work programme.
- 1.3 The current statutory guidance for the scrutiny function says, effective overview and scrutiny should:
- Provide constructive 'critical friend' challenge;
 - Amplify the voices and concerns of the public;
 - Be led by independent people who take responsibility for their role; and
 - Drive improvement in public services
- 1.4 With this in mind, Members may wish to ensure that the Panel work programme for the year provides opportunities for critical but constructive challenge to the Executive,

articulate any concerns about matters that are the business of the council and strive for improved service delivery by the Council and other public agencies working in Thanet.

2.0 Current Scrutiny Activities, including Cabinet Member Presentations

OSP Workshop

2.1 The Chairman hosted the Overview & Scrutiny Panel Workshop on 24 June, where both Panel and non Panel members suggested a number of potential scrutiny projects that the Panel could undertake. Further discussion still needs to be had to fine tune the topics by identifying the specific problem that Members would like to investigate and the outcomes they would like to achieve as a result of these investigations.

2.2 The topics that Members brought up for possible consideration by the Panel are detailed below:

- Private rented sector - How can council deal with issues like substandard repairs?
- Empty Properties;
- Planning enforcement;
- Street Scene: Abandoned vehicles -taking long to clear abandoned vehicles;
- Selective Licensing - Is selective licensing the best way forward and can it be replicated to other areas of the district?
- Camper Vehicles being parked on the street for too long;
- Promenades - safety concerns cyclists speeding and sharing the footpath;
- Replacement bins for litter/dog waste;
- Coastal waste clearance;
- Councillors - what should be the response times to questions from Members? (councillor portal database for case management on issues reported to officers that other Members can refer to in order to avoid duplication?)
- Are beach inspectors the best way to control or manage beach behaviour?
- Waste management in cliftonville - public bins are usually overflowing;
- Weed killer usage;
- Your Leisure;
- Water user regulations - who can use our slipways? What regulations need to be improved to stop dumping of rubbish on the coastlines?
- Recovery Plan - maintain a watching brief;
- Rough Sleepers - what are we doing about this as a long term plan of addressing the issue (post COVID-19)?
- Modern Slavery - hand car washes. Is there any intervention the council can do to address this issue?
- Health Outcomes;
- Statues and Blue Plaques. What would be the best approach for managing this discussion on suitability of statues and plaques in the district?
- Shellfish collection enforcement.

2.3 Officers were currently working with Members to flesh out the details of what the above suggested review topics and what specific questions Members wanted answered. The next stage would be to score and present to the next meeting of the Panel the scrutiny review topics in priority order of implementation.

Cabinet Presentations at OSP Meetings

2.4 Members may wish to rearrange the work programme in view of the delay caused by cancellation of meetings. The Panel was due to have received cabinet member

presentations at the 17 March and 21 April meetings, respectively. New dates for these presentations would need to be agreed, if Members still wished to receive the presentations on the topics highlighted below:

1. Coastal Development Review (focus on a the Beach Management Plan) 21 July 2020;
 2. The Leader of Council to share the current Cabinet's vision moving forward (TBC).
- 2.5 The rest of the work programme for 2020/21 is detailed in Annex 1 to the Council report. This schedule is subject to amendments during the course of the year as Members may add more items for reviewing.
- 2.6 Members may also wish to reflect and comment on the content in Annex 2 which provides an opportunity to review and keep track of the spread of the scrutiny review work, particularly between pre and post decision scrutiny activities.
- 3.0 Panel Recommendations to Cabinet - Implementation Monitoring**
The Panel keeps a watching brief on all the issues in this section, until the executive decisions are fully implemented.

Proposal for the disposal of the Dreamland freehold

- 3.1 The Panel called-in a Cabinet decision regarding the Dreamland freehold and recommended the following back to Cabinet:
1. That Cabinet seeks three independent valuations for the Dreamland site before an agreement is reached with a buyer, and;
 2. Cabinet requests an 18 year housing development restriction in the agreement instead of the proposed 10 years.
- 3.2 In response Cabinet agreed the following:
1. To authorise another market valuation of the Dreamland site in order to ensure that sufficient breadth of comparable evidence is considered for the sale. Both valuations to be used to demonstrate that best value is obtained.
 2. To retain the proposed 10 year housing development restriction on the Dreamland site as agreed by Cabinet on 01 August 2019. Delegated officers to continue the negotiations to explore the suggested extension fully as part of the sale process.
- 3.3 The Panel is maintaining a watching brief on this matter as the negotiations progress.

Adoption of a new Housing Assistance Policy

- 3.4 At the July meeting, the Panel considered a report on the "Adoption of a new Housing Assistance Policy" and recommended to Cabinet that Council writes to Kent County Council requesting that "KCC ring fenced the £405k (Top sliced/payment to KCC projected for 2019/20) for use by Thanet residents".

- 3.5 Cabinet forwarded the request to KCC via a letter sent to KCC by the Cabinet Member for Housing and Safer Neighbourhoods on 12 August 2019. The Panel is awaiting a response from KCC.

Travellers Review Recommendation

- 3.6 After a scrutiny review conducted by a working group, the Panel recommended to Cabinet that “further work be undertaken including extensive public consultation to assess the feasibility and cost implications of establishing temporary tolerated sites in the district.”
- 3.7 Having considered the Overview and Scrutiny Panel recommendations on 16 December 2019, Cabinet agreed to the following:

“That further work was undertaken to assess the feasibility and cost implications of three temporary tolerated sites in the District, at Potten Street, St Nicholas at Wade, Tivoli Brooks and Ramsgate Port, with a view to using them on a rotational basis”. Members are maintaining a watching brief on the issue.

Council Budget Setting 2020/21

- 3.8 Members reviewed the 2020/21 Council budget proposals forwarded to the Panel by Cabinet and engaged the Cabinet Member for financial Services in discussion at the January meeting.
- 3.9 After some debate, Members made the following recommendation to Cabinet to consider before submitting the budget proposals to Full Council for final decision:
- “that Cabinet considers identifying a resource to support coastal projects.”
- 3.10 Thereafter Cabinet recommended to Council and on 6 February 2020, Members agreed the following:
- That subject to funding availability, a resource be identified to support coastal projects.
- 3.11 The Panel will continue to monitor this issue to check if any progress has been made to secure the funding for coastal projects.

4.0 An Approach for Identifying Future Scrutiny Topics

- 4.1 At the February Panel meeting, Members agreed to hold a workshop to detail out an approach for identifying topics that Members could examine as part of scrutiny review projects.
- 4.2 The workshop could also look at scrutiny items from neighbouring seaside authorities to see how TDC could conduct better scrutiny. It had been initially scheduled for April this year. However a new date needs to be agreed. Any new approach agreed by Members that would emerge from this workshop would be used to plan the work programme for 2020/21.

5.0 Options

- 5.1 Members are asked to comment and note the report.

Agenda Item 8

5.2 Members can review the current work programme and make changes depending on the collective agreement by the Panel.

Contact Officer:	Charles Hungwe, Senior Democratic Services Officer, Ext: 57186
Reporting to:	Nick Hughes, Committee Services Manager, Ext 57208

Annex List

Annex 1	Overview & Scrutiny Panel Work Programme for 2020/21
Annex 2	Record of OSP Pre and Post Decision Reviews for 2019/20

Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Chris Blundell, Head of Financial Services
Legal	Tim Howes, Director of Corporate Governance & Monitoring Officer

Overview & Scrutiny Panel Work Programme for 2020/21		
Meeting Date	Indicative Agenda Items	Issue Source
21 July 2020	Cabinet Member Presentation - Beach Management Plan	Standing Agenda Item
	Call-In of Individual Cabinet Member Decision (Memorial Plaque in Broadstairs)	Leader of Council Item
	Procurement of Lift refurbishment Programme and External Repairs and Decorations Programme	Housing Services Item
	Establish the Panel Work Programme 2020/21 (TBC)	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
27 August 2020	Cabinet Member Presentation - Leader of Council (TBC)	Standing Agenda Item
	Empty Property Action Plan (TBC)	Housing Services Item
	EKH-bringing in-house council housing stock management update	Housing Services Item
	Review of the Panel Work Programme 2019/20	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
27 October 2020	Cabinet Member Presentation	Standing Agenda Item
	Review OSP Work Programme for 2020/21	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
24 November 2020	Cabinet Member Presentation	Standing Agenda Item
	Review OSP Work Programme for 2020/21	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item

19 January 2021	Cabinet Member Presentation	Standing Agenda Item
	Review OSP Work Programme for 2020/21	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
18 February 2021	Cabinet Member Presentation	Standing Agenda Item
	Review OSP Work Programme for 2020/21	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
20 April 2021	Cabinet Member Presentation	Standing Agenda Item
	Review OSP Work Programme for 2020/21	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item
25 May 2021	Cabinet Member Presentation	Standing Agenda Item
	Review OSP Work Programme for 2021/22	Standing Agenda Item
	Forward Plan & Exempt Cabinet Report List	Standing Agenda Item

OSP Pre and Post Decision Reviews for 2020/21

Date of scrutiny meeting	Item	Pre-decision	Post Decision	Cabinet Presentation	Work Planning
28/05/19	Establish the Overview & Scrutiny Panel Work Programme for 2019/20				<input checked="" type="checkbox"/>
28/05/19	Corporate Performance Report Quarter 4 2018-19		<input checked="" type="checkbox"/>		
28/05/19	Forward Plan & Exempt Cabinet Report List				<input checked="" type="checkbox"/>
18/07/19	Cabinet Member Presentation - The Leader of Council - 'the development work going on and the future of the Ramsgate Port.'			<input checked="" type="checkbox"/>	
18/07/19	Adoption of a new Housing Assistance Policy	<input checked="" type="checkbox"/>			
18/07/19	Reviewing the OSP Work Programme for 2019/20				<input checked="" type="checkbox"/>
18/07/19	Forward Plan & Exempt Cabinet Report List				<input checked="" type="checkbox"/>
15/08/19	Proposal for the disposal of the Dreamland freehold		<input checked="" type="checkbox"/>		
27/08/19	Reviewing the OSP Work Programme for 2019/20				<input checked="" type="checkbox"/>
27/08/19	Corporate Statement 2019-2023	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	

27/08/19	Forward Plan & Exempt Cabinet Report List				<input checked="" type="checkbox"/>
01/10/19	East Kent Housing Q1 Performance Report for 2019/20		<input checked="" type="checkbox"/>		
01/10/19	TDC Corporate Performance Report for Q1 2019/20		<input checked="" type="checkbox"/>		
01/10/19	Call-in of Individual Cabinet Member decision-Port and Harbour Projects - Variation to 2019/20 Capital Programme		<input checked="" type="checkbox"/>		
22/10/19	Cabinet Member Presentation - Fees & Charges Proposals for 2020/21	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	
22/10/19	Crime Stats for Thanet		<input checked="" type="checkbox"/>		
22/10/19	Reviewing the OSP Work Programme for 2019/20				<input checked="" type="checkbox"/>
22/10/19	Forward Plan & Exempt Cabinet Report List				<input checked="" type="checkbox"/>
19/11/19	Draft Housing Strategy 2020-2025	<input checked="" type="checkbox"/>			
19/11/19	EKH Quarterly Performance Report Q2 2019/20		<input checked="" type="checkbox"/>		
19/11/19	Corporate Performance Report Quarter 2 2019-20		<input checked="" type="checkbox"/>		
19/11/19	Review of Unauthorised Traveller Encampment in Thanet - Report back by the Traveller Review Group	<input checked="" type="checkbox"/>			

19/11/19	Review the Overview and Scrutiny Panel Work Programme for 2019/20				<input checked="" type="checkbox"/>
19/11/19	Forward Plan & Exempt Cabinet Report List				<input checked="" type="checkbox"/>
21/01/20	Medium Term Financial Strategy (MTFS) 2020-24	<input checked="" type="checkbox"/>			
21/01/20	2020-21 Budget Setting	<input checked="" type="checkbox"/>			
21/01/20	Review the Overview and Scrutiny Panel Work Programme for 2019/20				<input checked="" type="checkbox"/>
21/01/20	Forward Plan & Exempt Cabinet Report List				<input checked="" type="checkbox"/>
20/02/20	Cabinet Member Presentation - The Future of Council Housing Stock Management - An Update Report		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
20/02/20	East Kent Housing Performance Report Q3 2019/20		<input checked="" type="checkbox"/>		
20/02/20	Corporate Performance Report Quarter 3 2019-20		<input checked="" type="checkbox"/>		
20/02/20	Review the Overview and Scrutiny Panel Work Programme for 2019/20				<input checked="" type="checkbox"/>
20/02/20	Forward Plan & Exempt Cabinet Report List				<input checked="" type="checkbox"/>
26/05/20	Thanet Local Plan - Inspectors' Report (Reg 25) And Adoption (Reg 26)	<input checked="" type="checkbox"/>			

26/05/20	Review the Overview and Scrutiny Panel Work Programme for 2019/20				<input checked="" type="checkbox"/>
26/05/20	Forward Plan & Exempt Cabinet Report List				<input checked="" type="checkbox"/>

FORWARD PLAN AND EXEMPT CABINET REPORTS LIST

Overview & Scrutiny Panel **21 July 2020**

Report Author **Committee Services Manager**

Status **For Information**

Classification: **Unrestricted**

Key Decision **No**

Ward: **Thanet Wide**

Executive Summary:

To update Panel Members on the revised Forward Plan and Exempt Cabinet Reports List (hereby referred to as the Forward Plan) of key decisions and allow the Panel to consider whether it wishes to be consulted upon any of the items.

Recommendation(s):

Members' instructions are invited.

CORPORATE IMPLICATIONS

Financial and Value for Money	There are no financial implications arising directly from this report.	
Legal	There are no legal implications arising directly from this report.	
Corporate	The Forward Plan is a publication of key decisions, policy framework.	
Equalities Act 2010 & Public Sector Equality Duty	Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to the aims of the Duty at the time the decision is taken. The aims of the Duty are: (i) eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act, (ii) advance equality of opportunity between people who share a protected characteristic and people who do not share it, and (iii) foster good relations between people who share a protected characteristic and people who do not share it.	
	Protected characteristics: age, sex, disability, race, sexual orientation, gender reassignment, religion or belief and pregnancy & maternity. Only aim (i) of the Duty applies to Marriage & civil partnership.	
	Please indicate which aim is relevant to the report.	
	Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,	
	Advance equality of opportunity between people who share a protected characteristic and people who do not share it	
Foster good relations between people who share a protected characteristic and people who do not share it.	✓	

Agenda Item 9

	There no equity and equalities issues arising directly from this report but the Council needs to retain a strong focus and understanding on issues of diversity amongst the local community and ensure that policy decisions being made and service delivery to residents match these.
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CORPORATE PRIORITIES (tick those relevant) ✓	
Growth	
Environment	
Communities	✓

1.0 Introduction and Background

- 1.1 The law requires that the Council regularly publish a Forward Plan of Key Decisions. Thanet's Forward Plan and Exempt Cabinet Report List is updated monthly and published on the Council's internet site www.thanet.gov.uk
- 1.2 The aim of the Forward Plan is to allow the general public and Council Members to see what decisions are coming up over the next few months and how they will be handled i.e. whether a decision will be taken by Cabinet or Council, and whether there will be input from Overview & Scrutiny during the process.
- 1.3 Overview & Scrutiny receives an updated copy of the Forward Plan at each Panel meeting. The Panel can identify any item on the Forward Plan to be added to the Overview and Scrutiny work programme in order to be scrutinised further. A copy of the latest version of the Forward Plan is attached at Annex 1 to the report.
- 1.4 Members may wish to note that the new The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires that the Council gives 28 clear days' notice of any key decision or of any reports which the Cabinet intends to consider in private session.

Contact Officer:	Charles Hungwe, Senior Democratic Services Officer, Ext 57186
Reporting to:	Nick Hughes, Committee Services Manager, Ext 57208

Annex List

Annex 1	Forward Plan & Exempt Cabinet Reports List
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Background Papers

Title	Details of where to access copy
None	N/A

Corporate Consultation

Finance	Matt Sanham, Financial Services Manager
Legal	Tim Howes, Director of Corporate Governance & Monitoring Officer



FORWARD PLAN AND EXEMPT CABINET REPORT LIST

08 JULY 2020 TO 31 DECEMBER 2020

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 requires the Council to give 28 clear days' notice of any key decision or of any reports which the Cabinet intends to consider in private session.

Key decisions

A key decision is an executive decision (taken by cabinet or by an individual Cabinet member on cabinet's behalf):

- 1) Which involves the incurring of expenditure, or the making of savings, by the Council, which are anticipated to be £250,000 or above. The exception to this rule being where approval has previously been received to incur that expenditure by the Executive, notwithstanding criterion 3; or
- 2) Where the Council is entering into a contractual obligation with a value of £750,000 or above; or
- 3) For the acquisition or disposal of land or property with a value of £750,000 or above; or
- 4) Where the effect would be on communities living or working in the district, in an area comprising two or more wards. However, decisions that impact on communities living or working in one ward will be treated as "key" if the impact is likely to be very significant.

If an executive decision does not fall into any of the above categories, it is included as non-key. Thanet District Council also includes in its published Forward Plan decisions affecting Policy Framework and Budget Setting. Other Council decisions may also be included if they have a significant impact on communities. In such cases, the decision type will be denoted as "other".

Reports to be considered in private session

The second last column of the Plan indicates where a report is likely to contain exempt information and result in the public and press being asked to leave the meeting for the consideration of the whole or part of the item.

If you wish to make any representations relating to a proposal to hold part of a meeting in private due to the potential disclosure of exempt information, please contact Nicholas Hughes, Committee Services Manager, PO Box 9, Cecil Street, Margate, Kent CT9 1XZ, nicholas.hughes@thanet.gov.uk, telephone number 01843 577208, at least 14 calendar days before the date of that meeting.

Agenda Item 9

Annex 1

At least 5 clear (working) days before the meeting, the Council will publish on its website a notice giving details of representations received about why the meeting should be open to the public and a statement of its response.

The Plan represents a snapshot of decisions in the system as at the date of publication. It is updated 28 clear days before each meeting of Cabinet. The Plan is available for inspection at all reasonable hours free of charge at Thanet Gateway Plus, Cecil Street, Margate, Kent CT9 1RE.

Availability of documents

Subject to any prohibition or restriction on their disclosure, copies of, or extracts from, any document listed in the Plan will be available from Thanet Gateway Plus, Cecil Street, Margate, Kent CT 9 1RE. Other documents relevant to those matters may be submitted to the decision makers; if that is the case, details of the documents as they become available can be requested by telephoning Democratic Services on 01843 577500 or by emailing committee@thanet.gov.uk.

The documents listed in the Plan will be published on the Council's website at least five clear (working) days before the decision date. Other documents will be published at the same time or as soon as they become available.

The Cabinet comprises the following Members who have responsibility for the portfolio areas shown:

Councillor Rick Everitt	Leader of the Council
Councillor Helen Whitehead	Deputy Leader of the Council and Cabinet Member for Housing and Community Services
Councillor Steve Albon	Cabinet Member for Operational Services
Councillor Ruth Duckworth	Cabinet Member for Estates and Economic Development
Councillor Rob Yates	Cabinet Member for Finance, Administration and Community Wealth Building

08 July 2020 to 31 December 2020

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Procurement of Lift refurbishment Programme and External Repairs and Decorations Programme	Agreement to enter into new contracts for: 1. Refurbishment of lifts in TDC owned residential blocks, and 2. External repairs and decorations to TDC owned residential buildings.	1. Overview & Scrutiny Panel Cabinet 2. Bob Porter, Head of Housing and Planning	Councillor Helen Whitehead, Deputy Leader of the Council and Cabinet Member for Housing and Community Services	21 Jul 20 30 Jul 20	Key		OSP report Cabinet report

Annex 1

Agenda Item 9

Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Decision to be Considered	What the Decision will mean	1. Decision Path/ 2. Lead Officer	Lead Cabinet Member	For Decision by (in case of O & S, consultation date)	Decision Type	Details of any information likely to be considered in private under Schedule 12A of the Local Government Act 1972	Documents submitted to the Decision Maker
Thanet Local Plan - Inspectors' Report (Reg 25) And Adoption (Reg 26)	To adopt the Local Plan with the recommended modifications. This would provide the Council with a "sound" Local Plan, on which it can base planning decisions; provides certainty for local people, agents and developers, in terms of where development should happen and where it should not; and helps to guide investment and provides the basis for infrastructure bids to Government. It will also provide a 5-year supply of housing land, and a robust framework for Planning Appeals. To adopt the Thanet Landscape Character Assessment as a Supplementary Planning Document	1.Cabinet Overview & Scrutiny Panel Cabinet Council 2.Adrian Verrall, Strategic Planning Manager	Leader of the Council Councillor Rick Everitt, Leader of the Council	23 Apr 20 26 May 20 18 Jun 20 9 Jul 20	Policy Framework		Cabinet Report OSP report 2nd Cabinet report Council Report