

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

Overview & Scrutiny Panel	<b>21 July 2020</b>
Report Author	<b>Senior Democratic Services Officer</b>
Portfolio Holder	<b>Councillor Everitt, Leader of Council</b>
Status	<b>For Recommendation</b>
Classification:	<b>Unrestricted</b>
Key Decision	<b>No</b>
Reasons for Key	<b>N/A</b>
Ward:	<b>Broadstairs/District Wide</b>

**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**

<b>Financial and Value for Money</b>	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.
<b>Legal</b>	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:  (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.								
<b>Corporate</b>	There are no direct corporate risks associated with this report.								
<b>Equality Act 2010 &amp; Public Sector Equality Duty</b>	<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 &amp; maternity. Only aim (i) of the Duty applies to Marriage &amp; civil partnership.</p> <table border="1"> <tr> <td colspan="2">Please indicate which aim is relevant to the report.</td> </tr> <tr> <td>Eliminate unlawful discrimination, harassment, victimisation and other conduct prohibited by the Act,</td> <td></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.									

<b>CORPORATE PRIORITIES (tick those relevant) ✓</b>	
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
---------	--

## 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