

By: Joel Cook – Democratic Services Manager
To: Scrutiny Committee – 13 May 2026
Subject: **Call-in of Decision 26/00007 - Heritage Conservation Strategy Amendment**

Summary: This decision, taken on 1 April 2026, has been called-in to the Scrutiny Committee by Mr Hood, Ms Russell & Mrs Hudson.

Background

1. Decision 26/00007 – Heritage Conservation Strategy Amendment was considered by the [Growth, Environment & Transport Cabinet Committee on Tuesday, 10th March, 2026](#) prior to the decision being taken by the Cabinet Member for Environment, Coastal Regeneration and Public Health, on 1 April 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. The key issue highlighted by the call-in which supports further Scrutiny consideration is summarised below:

Reason one: 8.5(f) explanation of options considered and giving reasons for decisions

- The call-in highlights a lack of proper consideration and assessment of the specific recommendation made by the Cabinet Committee. While the Executive was not obliged to accept or implement the recommendation, further information could have been included in the final decision documentation to articulate how the recommendation was considered and give substantive policy reasons for why it was rejected.

Process

6. 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 that 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 any reconsideration of the decision is necessary or appropriate.
7. 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.
8. 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.
9. 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.
10. 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. These provide a public record of suggestions for improvement or criticisms of an approach so as 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.

11. The Committee also has the option to refer the decision to Full Council; however, this is designed for responding to only the most extreme cases where there is a significant risk of improper decision-making, financial non-compliance or departure from the Strategic Statement without reasonable justification. It should also be highlighted that Full Council does not have authority to override or take Executive decisions – the County Council, in the event of a referral will have only the same power as the Scrutiny Committee; to refer the decision back to the decision-maker for reconsideration.
12. The decision papers remain [available online](#) but are republished in the agenda pack as appendices for ease of reference.

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 Hood, Ms Russell & Mrs Hudson
- b) Executive Response
- c) [26/00007 - Record of Decision](#)
- d) [26/00007 - Decision Report](#)
- e) [26/00007 - Appendix A - EQIA](#)
- f) [26/00007 Appendix 1 Kent Heritage Conservation Strategy Update](#)
- g) [26/00007 - Appendix 2 Background Information](#)

Background documents

- Recent Cabinet Committee reports
- a) [Agenda for Growth, Environment & Transport Cabinet Committee on Tuesday, 10th March, 2026, 10.00 am](#)
- Previous Decision (August 2024)
- b) [Decision - 24/00068 - KCC Heritage Conservation Strategy Revision - Change to Windmills Policy](#)

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