

## **CITY OF PLYMOUTH**

<b>Subject</b>	Councillor Call for Action
<b>Committee</b>	Overview and Scrutiny Management Board
<b>Date</b>	31 March 2010
<b>Cabinet Member</b>	Not applicable - this is a scrutiny function
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### **Executive Summary**

This report considers the process and guidance to be put in place to enable the Overview and Scrutiny Management Board to respond appropriately to a 'Councillor Call for Action'.

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### **Corporate Plan 2010-2013**

The adoption of the Councillor Call to Action will assist in the delivery of CIP 1 (Improving customer service) and CIP 2 (informing and involving residents)

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### **Implications for Medium Term Financial Plan and Resource Implications: Including finance, human, IT and land**

None arising directly from this report. However, the volume of requests for use of the CCfA and number of committee meetings to consider such requests will need to be carefully monitored as far as resource requirements are concerned.

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### **Other Implications: e.g. Section 17 Community Safety, Health and Safety, Risk Management, Equalities Impact Assessment, etc.**

None arising from this report.

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### **Recommendations & Reasons for recommended action**

Recommend to council that the Guide to the Councillor Call for Action is approved and included in the council's constitution

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### **Alternative options considered and reasons for recommended action**

None. This is a legislative requirement.

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### **Background papers**

Local Government and Public Involvement in Health Act 2007 – section 119. Improvement and Development Agency – Councillor Call for Action best practice guidance

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## 1. **Introduction**

The purpose of the 'Guide to Councillor Call for Action' (CCfA) attached to this report is to allow members to consider a procedure to implement the provisions of the Local Government and Public Involvement in Health Act 2007 in relation to a CCfA.

## 2. **Background**

The best practice guidance issued by the Improvement and Development Agency (IDeA) describes the CCfA as providing members with the opportunity to ask for discussions where local problems have arisen and where other methods of resolution have been exhausted. The CCfA is meant to be a route of 'last resort'.

## 3. **Role of the Management Board**

The Management Board will look at steps already taken to resolve the concern and whether the member's desired outcomes are reasonable. The Board may also try to bring together all parties and make recommendations towards a resolution rather than acting as a decision making body.

It is hoped that there will be relatively few occasions when members find it necessary to activate the CCfA which is meant to be for intractable issues where other attempts at problem solving have not been successful.

## 4. **Consultation with city councillors**

The 'Guide to Councillor Call for Action' was circulated to all councillors for comment on 5 February. Six councillors responded. Four councillors thought the Guide was appropriate and two made comments as follows:

### 4.1 **Comment**

The document is too long and is unlikely to be attractive to those who are encouraged to seek an alternative to the normal processes which have clearly failed in some way.

#### *Response*

The Guide has been designed to be as clear as possible, is written in plain English and must explain all the relevant parts of the legislation.

### 4.2 **Comment**

A councillor calling for action should only need to alert the chair of the Scrutiny Management Board either by forwarding a report or by letter or email stating the nature of the problem and what unsuccessful attempts had been tried.

#### *Response*

The form has been amended to give members the option to attach an email or a letter to it, rather than completing all the sections. Members need to know what information is required by the Management Board in order for it to be able to properly consider the issue.

#### 4.3 Comment

The form might then be used as a “check list” supported by officers as a means of ascertaining the validity of the CCfA and whether to take it forward, call for more information or turn it down.

##### *Response*

If the information contained in the CCfA is incomplete (see section 5.2 of the attached Guide) the chair will consult the member making the CCfA and ask for clarification.

#### 4.4 Comment

The CCfA should primarily relate to groups/organisations and not individuals unless the situation for an individual is common to lots of individuals, e.g. obstruction of roadway.

##### *Response*

The legislation allows a councillor to refer a matter of local concern and act on behalf of the community to resolve an issue even if no resident has asked him or her to consider it.

#### 4.5 Comment

I wonder if it would be a good idea to have some 'concrete made up examples' and a diagram for CCfA which is appropriate and one which is inappropriate. This provides a quick reference.

##### *Response*

The following link is to the CCfA best practice guidance on the IDeA website and includes example scenarios. <http://www.idea.gov.uk/idk/aio/9410414>

#### 4.6 Comment

I would like to see a form that the chair of Management Board completes when considering a CCfA so that his/her decision making is transparent

##### *Response*

The Democratic and Member Support Manager and the chair will draft an appropriate template, based on the reasons outlined in 5.2 of the Guide.

### **5 Amendment to the council's constitution**

If the Management Board recommends that council (at its next meeting on 26 April) approves the Guide to the CCfA, the constitution will be amended accordingly.