Chapter 2 Part 7c: COUNCILLOR CALL FOR ACTION FLOW DIAGRAM

The Call for Action procedure enables elected Members to bring matters of local concern to the attention of the Council, via the Scrutiny Process.

Exceptions



The Call for Action procedure does not apply to:-

- planning decision
- licensing decision
- any matter concerning an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment
- any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of the Overview & Scrutiny Committee.
- any matter which is a local crime and disorder matter for the purposes of Section 19 of the Police and Justice Act 2006.

"LAST RESORT" OPTION AND CONSIDERATION

A Call for Action will only be included on the Overview & Scrutiny Committee agenda if the Chair, in consultation with the Monitoring Officer is satisfied that:

- The Member made all reasonable efforts to resolve the matter via direct liaison with the Council's Officers and/or relevant partners; and
- The issue of concern is a matter in respect of which the Council has a statutory power of duty and is not precluded by adopted Council Policy of legislation; and
- The issue of concern has a demonstrable impact on a part or whole part of the Member's electoral division.

Evidence should be provided to support the above criteria during the Call for Action request.

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A valid Call for Action will be considered at the next ordinary meeting of the Overview & Scrutiny Committee or at a special meeting of the Committee within 14 days of validation whichever is the sooner. The Committee may either decide to consider the matter itself or refer it to an appropriate Scrutiny Sub-Committee.

The Chair will provide reasons for the decision to the Member who made request.

NB: The subject matter of the Call for Action will be subject to a report from the relevant Head of Service. If the matter also or exclusively entails consideration of information held by another public body or partner, an appropriate representative shall be invited to the Overview & Scrutiny Committee or Scrutiny Sub-Committee meeting to provide that information, make representations and answer questions.

Reports and Recommendations on a Call for Action

Where the Overview & Scrutiny Committee or a Scrutiny Sub-Committee makes a report or recommendations to the Council or the Cabinet regarding a Call for Action, the Overview & Scrutiny Committee or Scrutiny Sub-Committee may publish the report, subject to the provisions of the Local Government Act 2000 (as amended) ("the 2000 Act") in relation to confidential or exempt information.

T H E R E P O R T

The Overview & Scrutiny Committee or Scrutiny Sub-Committee will, by notice in writing to the Monitoring Officer, require the Council or Cabinet:-

- to consider the report or recommendations
- to respond to the Overview & Scrutiny Committee or Scrutiny Committees indicating what, if any action the Council or Cabinet proposes to take
- if the Overview & Scrutiny Committee or Scrutiny Sub-Committee has published the report or recommendations, to publish the response, subject to the provisions the 2000 Act (as amended) relating to confidential or exempt information
- if the Overview & Scrutiny Committee or Scrutiny Sub-Committee provided a copy of its report or recommendations to the Member who referred the matter to the Committee, to provide that Member with a copy of the response, subject to the provisions 2000 Act (as amended) in relation to confidential or exempt information

Within two meeting of the date when the Council or Cabinet received the report or recommendations or (if later) the date when the Monitoring Officer received the notice.