PROTOCOL – COUNCILLOR CALL FOR ACTION

1. The Councillor Call for Action is a mechanism for enabling elected members to bring matters of ward concern to the attention of the Council, via the Scrutiny process.
2. The Constitution provides that any councillor may request that an item is placed on a Scrutiny Panel agenda, for consideration. The member making that request does not have to be a member of the specific (or any) Scrutiny Panel. Inclusion of the matter on the agenda is at the discretion of the chairman.
3. The Constitution also provides for the consideration of petitions submitted by members of the public, subject to the Petition Procedure Rules. Ward councillors may encourage citizens to submit petitions as a means of bringing issues of concern to the Council's attention.
4. The Call for Action is deemed to be an option of "last resort". A Call for Action will only be included on the relevant Scrutiny Panel agenda if the Chairman, in consultation with the Monitoring Officer, is satisfied that:
    - the councillor has made all reasonable efforts to resolve the matter via direct liaison with council officers and/or relevant partners; and
    - the issue of concern is a matter in respect of which the Council has a statutory power or duty to deal with and is not precluded by adopted Council policy or legislation; and
    - the issue of concern has a demonstrable impact on a part or the whole of the councillor's ward; and
    - the Call for Action does not, in any event, relate to:
        - any matter relating to a planning decision;
        - any matter relating to a licensing decision;
        - any matter relating to 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 Panel or at a meeting of a sub-committee thereof.
5. A valid Call for Action will be considered at the next ordinary meeting of the relevant Scrutiny Panel or at a Special Meeting of the Panel, within 14 days of validation, whichever is the sooner.
6. The subject matter of the Call for Action will be the subject of a report from the relevant Director, with such supporting information and evidence as is reasonably available. 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 Scrutiny Panel meeting to provide that

information, make representations and answer questions.

7. The Call for Action will be considered by the Scrutiny Panel in public session unless consideration of the issues involves the disclosure of exempt or confidential information as defined by the Access to Information Procedure Rules of the Constitution.
8. A ward councillor may address the Scrutiny Panel in respect of the Call for Action for up to 10 minutes.
9. The Scrutiny Panel may also consider representations from any citizens of the ward affected by the Call for Action, subject to the discretion of the chairman.
10. If the Call for Action concerns issues that fall within the remit of the Cabinet, the relevant Portfolio Holder shall also attend the Scrutiny Panel to answer questions and make any representations.
11. The ward councillor's role in the consideration of the Call for Action, as with any other formal Council business, is subject to compliance with the Members' Code of Conduct.
12. Crime and Disorder Matters:

    In accordance with the provisions of Section 19 of the Police and Justice Act 2006, councillors may bring crime, and disorder matters to the attention of the designated crime and disorder committee as follows:

    Where a Councillor is asked to consider a local crime and disorder matter by a person who lives or works in the area that the councillor represents –

    - The councillor shall consider the matter and respond to the person who requested that the matter be considered, indicating what (if any) action the councillor proposes to take
    - The councillor may refer the matter to the Council's designated crime and disorder committee
    - In any case where the councillor declines to refer the matter to the crime and disorder committee, the person who asked the councillor to consider the matter may refer the issue to the Cabinet for consideration
    - In any case where the Cabinet considers a matter referred under sub-paragraph (c) above, the Cabinet shall consider the matter and indicate what action (if any) it proposes to take
    - The Cabinet, in considering any matter under sub-paragraph (d) may refer the matter to the crime and disorder committee for consideration.
    - In any case where the crime and disorder committee considers a matter referred to it under sub-paragraphs (b) or (e), the crime and disorder committee shall consider the matter and make a report or recommendations to the Council or the Cabinet with respect to it.
    - Where the crime and disorder committee makes a report or recommendations pursuant to sub-paragraph (f) it shall make a copy of the report or recommendations available to the Responsible Authorities and any other co-operating person or body it considers appropriate.
    - An authority, person or body to which a report or recommendations is

provided under sub-paragraph (g) shall:

- consider the report or recommendations
- respond to the crime and disorder committee indicating what (if any) action it proposes to take
- have regard to the report or recommendations in exercising its functions

- Section 19 of the Police and Justice Act defines a “local crime and disorder matter”, as a matter concerning:
  - Crime and disorder (including in particular forms of crime and disorder that involve anti-social behaviour or other behaviour adversely affecting the local environment) in the area represented by the member, or
  - The misuse of drugs, alcohol and other substances in that area.
  - Crime and disorder matters shall be referred to the crime and disorder committee in accordance with paragraphs 5-11 of this Protocol.