

COUNCILLOR CALL FOR ACTION

Guidance for Members

Councils must make arrangements for the CCfA in order to comply with the requirements of the Local Government and Public Involvement in Health Act 2007, and the Police and Justice Act 2006.

The Councillor Call for Action (CCfA) is a mechanism whereby individual Ward Councillors can bring forward issues of local concern relating to 'a local government matter' for consideration by overview and scrutiny. Section 21(10)b of the Act says that a local government matter is a matter which 'affects all or part of the electoral area for which the member is elected or any person who lives or works in that area'. Under the Representation of the People Act an "electoral area" is, in this context at least, a ward. So it does actually need to be the Councillor's own ward.

However, the Councillor Call for Action is seen as a last resort, and the Councillor bringing forward the action should have exhausted all other possibilities to resolve the issue, prior to bringing it to scrutiny.

At the City of Lincoln the Committee considering CCfAs will be the Policy Development Scrutiny Committee. Any City of Lincoln Council Elected Member can bring a call for action, but must first complete a checklist to be submitted to Committee Support. A copy of the checklist is attached at Appendix 1, and flow chart detailing the procedure is attached at Appendix 2. When completing the checklist Members should take into account the following points:

1. Excluded matters:
 - (a) Any matter relating to a planning or licensing decision
 - (b) All other areas where a person has an alternative avenue to resolve an issue through the Council's complaints process.
 - (c) Any matter that is vexatious, that is likely to cause distress, disruption or irritation, without any proper or justified cause. If a CCfA is considered vexatious clear reasons as to why this is the case will be provided to the Ward Councillor.
 - (d) Matters that are discriminatory, that is something that specifically excluded a particular sector the community on the grounds of age, race, gender, sexual orientation, disability, religion or belief.
 - (e) Any matter which it is not reasonable for discussion at a Scrutiny Committee. This is likely to also be vexatious.
2. No CCfAs will be considered during the election period.
3. A CCfA may not be accepted if it is already on the work programme for the next meeting of another Scrutiny Committee.

4. You will need to provide full details of what you have done already to try to resolve the issue, to demonstrate that you have exhausted all other avenues. Examples of this might be that they have engaged in discussions in the community, contacted other agencies, and discussed the matter with officers.
5. You will need to suggest how you would anticipate the matter has reached resolution. For example it may be that resolution is seen as the Scrutiny Committee referring the matter to Executive for consideration, holding the Portfolio Holder to account, or requesting an officer report.
6. The matter must be of genuine local concern within your ward. That is it “affects all or part of the electoral area for which the Member is elected or any person who lives or works in that area.”

CHECKLIST

This form is to be completed by all Councillors bringing forward a Councillor Call for Action

ISSUE (Subject of Call for Action):	Yes/No
PART 1: Is the issue eligible as a CCfA?	
Does the matter refer to an individual?	
Is it a quasi-judicial matter (e.g. planning or licensing)?	
Is the issue of genuine local concern (please provide details)?	
Does it refer to a matter within your electoral area	
Is the matter vexatious or discriminatory (i.e. is it likely to cause distress, disruption or irritation without proper or justified cause?)	
Additional information in support of answers:	
PART 2: What have you/others already done to resolve the issue?	
Has the issue been discussed at ward level with all Ward Councillors?	
Has the Ward Councillor discussed the issue with the Portfolio Holder, officers, or relevant partners?	
Has the matter previously been discussed at another meeting of Council Members, or the LSP?	
Is the matter already on a scrutiny committee work programme or full council agenda for debate?	
Has the matter already been the subject of recent debate (within the last six months) at a Scrutiny Committee or Full Council	
Have significant new evidence/concerns been identified since the last debate if within last six months?	
Please provide details to support your answers:	
PART 3: What do you want to get out of the CCfA/what would you consider as a resolution to the issue?	
Profile raised through debate at scrutiny following evidence from officers or Portfolio Holder	
Scrutiny debate involving external stakeholders	
Recommendations made to Executive	

Other (please give details)	
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FLOW CHART FOR COUNCILLOR CALL FOR ACTION

