

CHESHIRE EAST COUNCIL

Constitution Committee

Date of Meeting: 24th March 2011
Report of: Borough Solicitor
Subject/Title: Councillor Call For Action (CCfA) Protocol

1.0 Report Summary

- 1.1 To commend the Constitution Committee to make a recommendation to Council to amend the Councillor Call for Action Protocol, to allow the Scrutiny Chairmen's Group to take the lead in determining which of the Council's 5 Overview and Scrutiny Committees should deal with cross cutting issues raised under CCfA.

2.0 Recommendations

- 2.1 That the role of the Scrutiny Chairmen's Group in determining which of the 5 Overview and Scrutiny Committees should deal with cross-cutting issues raised under Councillor Call for Action be recognised and Council be recommended to authorise the Borough Solicitor to make appropriate reference to the role of the Scrutiny Chairmen's Group in the CCfA protocol by amending section 7 of the protocol.

3.0 Reasons for Recommendations

- 3.1 Currently, the Councillor Call for action protocol provides advice for Members and Officers on the steps necessary to refer to an Overview and Scrutiny Committee, any matter raised under the protocol. However, the protocol does not have a mechanism for determining requests under CCfA involving cross cutting issues.

4.0 Wards Affected

- 4.1 N/A

5.0 Local Ward Members

- 5.1 Not applicable.

6.0 Policy Implications including - Climate change - Health

- 6.1 Not known at this stage.

7.0 Financial Implications

7.1 Not known at this stage.

8.0 Legal Implications

8.1 None.

9.0 Risk Management

9.1 There are no identifiable risks.

10.0 Background and Options

10.1 On 30 September 2009, the Governance and Constitution Committee recommended for approval to Council, a Councillor Call for Action (CCfA) protocol. The protocol was subsequently approved by Council on 15 October 2009.

10.2 The CCfA protocol was intended to strengthen Member involvement at Ward level through the provision of timely, relevant information on local issues in line with the principles outlined in the Local Government and Public Involvement in Health Act which emphasised the importance of the role of Ward Members as community leaders and advocated their empowerment to deal with local issues.

10.3 To date, there has only been one request received to invoke the CCfA procedure. Notwithstanding the fact that in that particular case, the Member concerned did not provide evidence that all available options to resolve the matters raised in the CCfA had been explored, the range of problems raised by the Member, did highlight the fact that there was a gap in the protocol in how cross cutting issues should be handled.

10.4 In the absence of any formal advice, on this occasion, the Scrutiny Chairmen's Group (SCG) was consulted informally. This gave Chairmen and Vice-Chairmen of the 5 Overview and Scrutiny Committees an opportunity to explore at an early stage, the written evidence supplied by the Member concerned, in support of the CCfA. Additionally, Members concluded that the SCG was the most appropriate place for requests for CCfA to be considered, where the subject matter affected more than one Committee.

10.5 The Scrutiny Chairmen's Group has therefore recommended that the protocol be amended to give the SCG a role in determining which of the 5 Overview and Scrutiny Committees should deal with cross cutting issues. This addition to the protocol is in line with the constitutional changes commended by the Constitution Committee on 24 June 2010 in relation to the role of SCG in resolving cross-cutting issues and reviewing work programmes and workloads.

11 *Access to Information*

The background papers relating to this report can be inspected by contacting the report writer:

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