

Report to: Overview and Scrutiny Committee

Subject: Councillor Call for Action Request

Date: 25 April 2016

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1. PURPOSE OF THE REPORT

To consider the Councillor Call for Action request received from Councillor Ellwood relating to the processes undertaken by the Council for the issuing Section 215 notices under the Town and Country Planning Act.

2. BACKGROUND

The Councillor Call for Action (CCfA) was introduced under Section 119 of the Local Government and Public Involvement in Health Act 2007. It allows councillors to refer matters of concern within the community to the Overview and Scrutiny Committee.

The aim is to provide councillors with additional powers that enable them to respond to local community concerns which have proved difficult to resolve. The CCfA process emphasises the role of ward councillors as 'community champions' and is a clear recognition by government of the role that ward councillors can play in providing local leadership and developing local engagement in the resolution of community concerns.

Under CCfA, ward councillors are able to refer issues to the Overview and Scrutiny Committee where it can be shown that:

- the issue is of a genuine and persistent local concern;
- the issue is not subject to ongoing legal processes; and
- other courses of action have failed to resolve the matter.

3. INFORMATION

Councillor Ellwood has submitted a request for a review of the processes undertaken by the Council in issuing a Section 215 notice under the Town and Country Planning Act specifically in relation to property at 72 – 74 Westdale Lane.

The CCfA request form and supporting information are attached at **Appendix 1**.

The Overview and Scrutiny Committee has to decide whether or not to take this matter forward, by either examining the matter in the full committee or appointing a working group.

When deciding Members should consider:

- Representations made by the Councillor Ellwood as to why the Committee should take the matter up
- If all reasonable attempts have been made to resolve the issue
- The responses received by Councillor Ellwood demonstrate that the matter has not been progressed
- If the matter referred has the potential for scrutiny to produce recommendations which can realistically be implemented and will lead to improvements for anyone living or working in the referring member's ward.

If the Committee decides not to accept the CCfA referral, it must inform the councillor and supply reasons

If the Committee decides to take this forward and after examination, there are a number of potential outcomes:

- The Committee could determine not to make a report or recommendations (perhaps because it is not considered the right time to consider a particular issue), with the councillor notified in writing.
- The Committee could determine that it is a complex issue that requires further investigation and commission a scrutiny review of the issue
- The Committee could write a report and make recommendations on the CCfA to the Cabinet

When the Committee has completed its work on the CCfA referral Councillor Ellwood will receive a copy of any report or recommendations made.

4. RECOMMENDATION

The Overview and Scrutiny Committee is recommended to:

- Ask questions and consider the information provided and schedule further examination of the CCfA referral if required

- If the Committee accepts the referral it must decide to either examine the issue at the next Committee, or appoint a working group to examine the matter which will then report back to the Committee.

APPENDICIES

Appendix 1: CCfA Action Request Form

Appendix 2: Supporting Evidence