

<b>REPORT TO THE OVERVIEW &amp; SCRUTINY COMMITTEE</b>		Report No.
Date of Meeting	24 <sup>th</sup> January 2008	
Title of Report	<b>Councillor Call for Action / Scrutiny of Crime and Disorder Reduction Partnerships</b>	
Link to Corporate Priorities	Links to all	
Public Report	Yes	

<p><b>Summary of Report</b></p> <p>This Report provides an update on the latest position on the Councillor Call for Action, the Councillor Call for Action in the unitary 'Wiltshire Council' and the scrutiny of Crime and Disorder Reduction Partnerships.</p>
<p><b>Officer Recommendations</b></p> <p>That the information in the Report be noted.</p>

Other than those implications agreed with the relevant Officers and referred to below, there are no other implications associated with this report.				
Financial Implications	Legal Implications	Community & Environmental Implications	Human Resources Implications	Equality & Diversity Implications
None	None	None	None	None

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## 1. Introduction

- 1.1 This Report was requested by the Overview & Scrutiny Committee at its meeting on the 13<sup>th</sup> December 2007.

## 2. Councillor Call for Action

- 2.1 The Implementation of the Councillor Call for Action is expected in April 2008 following publication of guidance from the Department of Communities and Local Government.
- 2.2 Local authorities had expressed concern that two different version of 'calls for action' had been proposed (by the Home Office and Department of Communities and Local Government respectively).
- 2.3 However, the Government has now chosen to align the previously separate versions and create one Councillor Call for Action (outlined in the Local Government and Public Involvement in Health Act).
- 2.4 This aligned version means that the power to initiate a Councillor Call for Action will rest with the local councillor and not members of the public (as had been suggested).
- 2.5 A table showing the key stages of a Councillor Call for Action is set out below:

<b>Crime and Disorder Matter</b>	<b>Local Government Matter other than Crime and Disorder</b>
<b>A.</b> The local Member will identify a Crime and Disorder matter which is of significant concern to the communities he/she represents, and may decide that the wider community interest justifies a CCA.	<b>A.</b> The Local Member will identify an issue which is of significant concern to the communities he/she represents, and may decide that the wider community interest justifies a CCA on a particular issue.
<b>B.</b> The local Member seeks to resolve the issue informally through the usual channels by taking up the concern with the appropriate agencies within the Crime and Disorder Reduction Partnership (CDRP).	<b>B.</b> The Local Member will seek to resolve the problem through the normal channels and service providers.
<b>C.</b> If the matter is not resolved the Local Member can refer the CCA to the appropriate Scrutiny Committee.	
<b>D.</b> The Scrutiny Committee has a duty to consider the matter referred to it and there had to be an item on its agenda.	

<p><b>E.</b> The Scrutiny Committee will act as the gatekeeper to ensure that the issues that it deals with are of genuine concern and interest to the community. It has a duty to respond saying either what action it is going to take, or if it is not going to take any action, why not. There is no obligation on the Scrutiny Committee to accept a CCA raised by the Local Member. If the Committee feels that the Local Member is pursuing a persistent, trivial or vexatious complaint it is able to reject the CCA.</p>	
<p><b>F.</b> If the Scrutiny Committee accepts the CCA, it can request the compulsory attendance of CDRP partners at a scrutiny meeting to answer questions and explain any action taken. As part of its investigation, the Committee will gather evidence, question agencies and potentially decide what action is needed, in dialogue with partner agencies. CDRP partners will have a duty to respond to scrutiny reports and recommendations and should give reasons for their response, particularly if recommended action is rejected.</p>	<p><b>F.</b> If the Scrutiny Committee accepts the CCA, it may choose to make recommendations to the Cabinet and relevant service providers after, if necessary, conducting an investigation of its own. Relevant public bodies will have a duty to respond to the Committee's investigations and recommendations.</p>
<p><b>G.</b> The responses received to the scrutiny committee's investigations and recommendations will be publicised.</p>	

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**3. Councillor Call for Action in the unitary 'Wiltshire Council'**

**4. Scrutiny of Crime and Disorder Reduction Partnerships**

The Police & Justice Act 2006 introduces a role for scrutiny in ensuring public accountability of Crime & Disorder Reduction Partnerships.

Since the Local Government Act 2000 introduced the executive/scrutiny split, councils have had the power to investigate community concerns beyond the council and its services.

However, whilst some councils have conducted useful external reviews, only members of the councils executive and staff were required to respond to scrutiny activities.

Extension to this power first came with the Health and Social Care Act 2001, which extended scrutiny's powers in relation to local NHS bodies.

The new powers will require authorities to identify responsibility for the scrutiny of CDRPs within the council's overview and scrutiny arrangements. This can be within an existing committee (it does not have to mean establishing a new or stand-alone committee).

This role, like the health scrutiny role, can involve contributions to strategy development, performance review, and in-depth enquiries into particular issues of local concern which need partnership solutions.

The Home Office has suggested that members of the police authority should be co-opted onto the overview and scrutiny committee. These proposals will be developed in Regulations and Guidance.

CDRPs are required to review the levels and patterns of crime and disorder in the area, and develop and implement strategies to tackle these problems.

<b>Appendices:</b>	<ul style="list-style-type: none"> <li>• <b>Please list the number and title of any appendix or state None.</b></li> </ul>
<b>Background Documents Used in the Preparation of this Report:</b>	<ul style="list-style-type: none"> <li>• <b>Please list any background documents or state None.</b></li> </ul>

**Previous Decisions Connected with this Report**

<b>Report</b>	<b>Committee &amp; Date</b>	<b>Minute Reference</b>
<b>Please list any previous reports or state None.</b>		