

NORTH AREA COMMITTEE

4th January 2010

Report of the Chief Executive

AREA REVIEW PROCESS: - INTRODUCTION OF A REFERRAL CRITERIA AND PROCESS FOR DEALING WITH ISSUES OF LOCAL CONCERN INCORPORATING A REVISED MECHANISM FOR COUNCILLOR CALL FOR ACTION - INITIAL PROPOSALS

1. WHY HAS IT COME TO AREA COMMITTEE?

1.1 During the development of the new Area Governance arrangements agreement was given to the introduction of an Area Review process (outlined as Protocol 4 of the Area Committee Handbook). This report outlines the proposed introduction of a Referral Criteria and process for dealing with such reviews and which can be used by Area Committees, Scrutiny Committees and the Sunderland Partnership, and includes amalgamation with the Councillor Call for Action mechanism (CCfA).

2. BACKGROUND INFORMATION

2.1 The CCfA mechanism came into force on 1 April 2009 namely through the Police and Justice Act 2006 and the Local Government and Public Involvement in Health Act 2007. Such provisions provide Members with the opportunity to ask for discussions on issues where local problems have arisen and where other methods of resolution have been exhausted.

2.2 In Sunderland, two local issues have been raised through the CCfA mechanism and as a result of those referrals; it has become apparent that the current procedure should be reviewed to ensure both current and future CCfAs are addressed in a timely, open and transparent way.

2.3 At the same time work is also being undertaken to develop the Area Committees links with both Scrutiny Committees and the Sunderland Partnership, one of which is the signposting and escalation of local issues to the most appropriate body for resolution where appropriate as referred to in the current Area Review process.

2.4 The remainder of this report outlines the initial proposals for Referral Criteria and process for dealing with such reviews which can be used by Area Committees, Scrutiny Committees and the Sunderland Partnership, and includes amalgamation with the Councillor Call for Action mechanism

3. INITIAL PROPOSALS

3.1 Consideration has been given on a practical level as to how best to implement a 'referral' mechanism within existing policies and practices to escalate / re-direct issues of local concern either raised by an Elected Member/Committee,

member of the public or external partner to the appropriate body namely the Area Committees, the City Council's Scrutiny and Sunderland Partnership.

- 3.2 To assist those bodies in determining the appropriateness of undertaking an investigation triggered either by the non-mandatory / CCfA referral route, the following selection criteria is proposed for future use by such bodies, at the point of the referral being considered at the next available meeting:-
- (i) Clear evidence that reasonable attempts have been made to resolve the issue with relevant partners / council departments?
 - (ii) Has a significant impact on a group of people living within the Sunderland area;
 - (iii) Relates to a service, event or issue in which the Council has direct responsibility for, significant influence over or has the capacity to act as public champion;
 - (iv) Not be an issue which Overview and Scrutiny, Area Committees or LSP have considered during the last 12 months (unless circumstances have changed substantially);
 - (v) Not relate to an on-going service complaint or petition (including the ability to exclude any matter which is vexatious, discriminatory or not reasonable) ;
 - (vi) Not relate to matters dealt with by another Council committee, unless the issue deals with procedure and policy related issues; and
 - (vii) If meets the criteria, agree which body most relevant to consider further, Overview and Scrutiny, Area Committees or LSP.
- 3.3 The proposed selection criteria outlined above, clearly makes provision for the processing of referrals to be undertaken in an open and transparent way and provides a formal record as to whether the issue is worthy of further investigation together with the agreed course of action and any associated / prescribed timescales.
- 3.4 **Appendix B** outlines the revised procedure for determining the appropriateness of undertaking such an investigation.
- 3.5 Furthermore, it should be noted that the CCfA measure requires the Councillor to use every available tool to resolve the issue in the first instance without involving the relevant Area Committee or Scrutiny Committee, therefore any additional burden should be minimal as the mechanism is designed as a last resort after all other avenues have been exhausted.

4. RECOMMENDATIONS

- 4.1 It is recommended that the Area Committee:-

- (a) Supports the introduction of the referral criteria and process for determining the appropriateness of undertaking an investigation triggered either by the non-mandatory referral / Councillor Call for Action route;
- (b) Subject to the comments received from the Area Committees (along with the Scrutiny Committees and Sunderland Partnership), the revised procedure be referred to Cabinet for approval, implemented and included in the Area Committee Handbook.

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