
**Customer & Corporate Services Scrutiny
Management Committee**

31 July 2017

Report of the Assistant Director - Legal and Governance

Schedule of Petitions

Summary

1. Members of this Committee are aware of their role in the initial consideration of petitions received by the Authority. The current petitions process was considered by the Audit and Governance Committee on 2 October 2014 and endorsed by Council on 9 October 2014. This process aims to ensure scrutiny of the actions taken in relation to petitions received either by Members or Officers.

Background

2. Following agreement of the above petitions process, Members of the Corporate and Scrutiny Management Policy and Scrutiny Committee (CSMC) had been considering a full schedule of petitions received at each meeting, commenting on actions taken by the Executive Member or Officer, or awaiting decisions to be taken at future Executive Member Decision Sessions.
3. However, in order to simplify this process Members agreed, at their June 2015 meeting, that the petitions annex should in future be provided in a reduced format in order to make the information relevant and manageable. At that meeting it was agreed that future petitions reports should include an annex of current petitions and agreed actions, but only following consideration of the petitions by the Executive or relevant Executive Member or Officer.
4. This was agreed, in the knowledge that the full petitions schedule was publicly available on the Council's website and that it was updated and republished after each meeting of the Committee.
<http://democracy.york.gov.uk/ecCatDisplay.aspx?sch=doc&cat=13020&path=0>

5. **Current Petitions Update**

A copy of the reduced petitions schedule is now attached at Annex A of the report which provides a list of new petitions received to date together with details of those considered by the Executive or relevant Executive Member/Officer since the last meeting of the Committee in June. Further information relating to petitions which have been considered by the Executive Members/Officers since the last meeting are set out below:

Petition Number:

73. A Petition from Residents of St Aubyns Place Requesting Residents' Priority Parking

This hard copy petition was presented to Network Management on 23 January 2017. There were 20 properties in support of a possible 25. The petition was considered by the Executive Member for Transport and Planning at a decision session on 22 June 2016.

The Executive Member agreed to advertise an amendment to the Traffic Regulation Order to include a Residents' Priority Parking Area for St Aubyn's Place to operate between 9am and 5pm, 7 days a week. This was agreed because it reflected the majority opinion.

75. Additional Flood Defence Works

This Petition requested that work happen on additional flood defences, following consultation with the local community. This must include protection or an alternative route for Fordlands Road residents during flood events, and completion of the flood defence works for the A19. It was presented to the Corporate Director of Economy and Place and the Environment Agency by the Deputy Leader on 22 March 2017.

The petition had 150 signatories and was considered by the Executive Member for Environment at a Decision Session held on 3 July 2017.

The Executive Member supported and endorsed the delivery of A19 flood alleviation works through the works programme of the Germany Beck housing development highways improvements and supported the further development of funding and design options for the delivery of the Fordlands Road flood risk. This was with the condition that Officers seek additional external funding to conduct investigations linked with the Environment Agency.

This was considered the most cost effective and efficient mechanism for delivery of the flood risk reduction works and will realise the views of petitioners. Flooding of Fordlands Road will continue to cause repeat problems for the local community without further intervention; further work is needed to address the concerns of the community as detailed in the petition.

76. The Horseshoe, Tadcaster Road

This petition requested that CYC improve the condition of the road surface as the road had been graded as 5 for some time and was dangerous to cyclists and vehicles. It was handed to a meeting of Full Council on 30 March 2017 by Councillor Mason and had 37 signatories.

The petition was considered by the Executive Member for Transport & Planning at a decision session on 22 June. The Executive Member resolved that the petition be noted. It was also noted that Highway Maintenance officers had addressed the concerns of petitioners and ward councillors through further on site inspection work and works had been programmed in accordance with normal maintenance procedures. This would ensure the effective delivery of funding to address key priorities across the cities highway network.

77. Danesmead Estate

This petition requested a resolution to dangerous and inconsiderate parking by either double yellow lines or a resident only parking scheme. It was handed over to a meeting of Full Council on 30 March 2017 by Councillor D'Agorne and had 42 signatories.

The petition was considered by the Executive Member for Transport & Planning at a decision session on 22 June. The Executive Member resolved that the Danesmead Estate be added to the Residents parking waiting list and an investigation carried out when it reached the top of the list. This would ensure that residents' concerns be considered in the order they are raised and can be progressed depending on funding available each year.

78. Barbican Mews

This petition requested a resolution to dangerous and inconsiderate parking by either double yellow lines or a resident only parking scheme. It was handed over to a meeting of Full Council on 30 March 2017 by Councillor D'Agorne and had 20 signatories, with the majority in support of double yellow lines.

The petition was considered by the Executive Member for Transport & Planning at a decision session on 22 June. The Executive Member resolved that the petition be noted and the information be added to the Annual Review, but that no further action be taken at this time.

80. Muncaster (Malton Road, adopted end)

This petition requested that CYC improve the condition of the road surface as it was dangerous for pedestrians, motorcyclists and cyclists and is in need of substantial road repair work. It was handed to a meeting of Full Council on 30 March 2017 by Councillor Boyce and had 60 signatories.

The petition was considered by the Executive Member for Transport & Planning at a decision session on 22 June. The Executive Member resolved that the petition be noted. It was also noted that Highway Maintenance officers had addressed the concerns of petitioners and ward councillors through further on site inspection work and works had been programmed in accordance with normal maintenance procedures. This would ensure the effective delivery of funding to address key priorities across the cities highway network.

82. Request for Residents' Parking on Sussex Road

This petition was emailed to Councillors Barnes, Shepherd and Highways on 15 May 2017 and had 34 signatories from 20 properties.

It was considered by the Executive member for Transport & Planning at a decision session on 13 July. The Executive Member resolved that the area be added to the Residents parking waiting list and an investigation carried out when it reached the top of the list. This would ensure that residents' concerns be considered in the order they are raised and can be progressed depending on funding available each year.

83. Windmill Lane Playing Fields

This petition objected to the proposal to build on Windmill Lane Playing Fields and requested that the Council keep the site an open space for sport and community use.

It was reported at the last meeting of this committee that in accordance with the scheme of petitions this had been passed to the relevant decision maker, in this case Planning Committee, as it involved a planning application. Members felt that, notwithstanding its referral to Planning Committee as part of the consideration of the planning application, further consideration ought to be given the wider implications of the petition relating to public open space. Therefore this petition will

now be reported to the next meeting of the Local Plan Working Group, as it is considered this would be the most appropriate forum to discuss the provision of public open space.

84. Fulford Cross/Fulford Road Request for Priority Parking

This petition requested consideration of a resident priority parking scheme. The petition was submitted by Councillor D'Agrone via email on 16 June 2016 with 34 signatories from 18 households.

The petition was considered by the Executive Member for Transport & Planning at a decision session on 22 June. The Executive Member resolved that the Fulford Cross Area be added to the Residents parking waiting list and an investigation carried out when it reached the top of the list. This would ensure that residents' concerns be considered in the order they are raised and can be progressed depending on funding available each year.

6. The Process

There are a number of options available to the Committee as set out in paragraph 7 below, however these are not exhaustive. Every petition is, of course, unique, and it may be that Members feel a different course of action from the standard is necessary.

Options

7. Having considered the reduced Schedule attached which provides details of petitions received and considered by the Executive/Executive Member since the last meeting of the Committee; Members have a number of options in relation to those petitions:
 - Request a fuller report, if applicable, for instance when a petition has received substantial support;
 - Note receipt of the petition and the proposed action;
 - Ask the relevant decision maker or the appropriate Executive Member to attend the Committee to answer questions in relation to it;
 - Undertake a detailed scrutiny review, gathering evidence and making recommendations to the decision maker;
 - Refer the matter to Full Council where its significance requires a debate;

If Members feel that appropriate action has already been taken or is planned, then no further consideration by scrutiny may be necessary.

8. Following this meeting, the lead petitioner in each case will be kept informed of this Committee's consideration of their petition, including any further action Members may decide to take.

Consultation

9. All Groups were consulted on the process of considering more appropriate ways in which the Council deal with and respond to petitions, resulting in the current process. Relevant Directorates are involved and have been consulted on the handling of the petitions outlined in Annex A.

Implications

10. There are no known legal, financial, human resource or other implications directly associated with the recommendations in this report. However, depending upon what, if any, further actions Members agree to there may, of course, be specific implications for resources which would need to be addressed.

Risk Management

11. There are no known risk implications associated with the recommendations in this report. Members should, however, assess the reputational risk by ensuring appropriate and detailed consideration is given to petitions from the public.

Recommendations

12. Members are asked to consider the petitions received on the attached Schedule at Annex A and as further outlined in this report, and agree an appropriate course of action in each case.

Reason: To ensure the Committee carries out its requirements in relation to petitions.

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Report
Approved

Date

20 July 2017

Wards Affected:

All

Background Papers: None

Annexes:

Annex A – Extract from schedule of petitions received and action taken to date