

Report of the Monitoring Officer

Arrangements for petitions

Summary

- 1 This report proposes new arrangements for handling petitions submitted to the Council.

Background

- 2 The City Council regularly receives petitions from members of the public. Some are submitted directly by a lead petitioner and others are presented at Full Council by Members. Petitions may be submitted in a traditional paper format but since 2011 the Council has also offered a facility to submit and sign petitions online.
- 3 Currently, if a petition is signed by more than 1000 people then, with a few exceptions, the Council guarantees that a debate will be held at a meeting of the Full Council. During consultation in respect of updating the Council procedure rules the question has been raised as to whether this is the best arrangement for dealing with petitions. In particular the following issues have been raised:
 - Full Council rarely has the legal powers to make a decision to take action requested by a petitioner. As a result the debate can feel as though it has been left without a satisfactory conclusion or clear idea as to whether or how the matter will be progressed.
 - While debates are informed by officer reports there is only limited opportunity for the petitioners to engage in the debate.

- The number of signatories does not always correspond to the significance of the issue across the Council or in a particular locality.
- There is limited Member involvement or knowledge of the petitions being submitted which have fewer than 1000 signatures.

Proposal

- 4 It is proposed that petitions will be reported to a committee of the Council and that, at least initially, this should be the Corporate and Scrutiny Management Committee. The Committee would be notified of petitions carrying more than ten signatures. In line with existing criteria there would be some exceptions:
 - Petitions which relate to an individual planning or licensing application. These petitions would be referred to the relevant decision making body to be considered along with the application.
 - Petitions which relate to matters where there is a legal right to seek a review or appeal
 - Petitions which seek to criticise the performance or conduct of an identifiable individual or individuals – where appropriate the lead petitioner will be directed to the most appropriate route for raising such concerns with the Council.
 - Petitions which the Council’s Monitoring Officer, acting in consultation with the Chief Executive, considers to be vexatious, abusive or otherwise inappropriate
- 5 It is not suggested that a response to the petition should be placed on hold pending consideration by the Scrutiny Committee. It would be a matter for the decision maker to judge whether that might be appropriate in a particular case.
- 6 In most cases it is suggested that the petition would be presented in a summary form to the Committee with details of the action which has been taken or is to be taken in response to it. Either the Chair, in advance of the meeting, or the

Committee itself would though be able to request a fuller report in particular cases and might be expected to do so when a petition has received substantial support.

- 7 The Committee would, of course, have no powers to direct that the action called for by the petitions should be taken but steps that might be taken include:
 - Simply noting the receipt of the petition and the proposed action.
 - Requesting a more detailed report on the matter.
 - Asking the relevant decision maker or the appropriate Cabinet member to attend the Committee to answer questions in relation to it.
 - Undertaking a detailed scrutiny review, gathering evidence and making recommendations to the decision maker.
 - Putting the matter forward to be considered as a potential topic for a future scrutiny review.
 - Referring the matter to Full Council where its significance requires a debate in that forum.
- 8 The normal public participation rules would apply at meetings of the Corporate and Scrutiny Management Committee allowing members of the public to speak for up to three minutes in relation to a petition on the agenda. The Committee would though have great flexibility to ensure enhanced public involvement. Options might include inviting the petitioner to deliver a presentation, submit other evidence or identify witnesses that the Committee could ask to attend.
- 9 The Committee is therefore being asked to recommend Council amend the terms of reference for the Corporate and Scrutiny management committee to allow them to consider and make recommendations in relation to petitions. If Council approves this proposal then the current petitions scheme will be updated to reflect the changes as described in this report.

Council Plan

- 10 The way the Council responds to petitions demonstrates that it is a confident and collaborative organisation which is in touch with its communities. These core capabilities assist the Council in achieving its priorities.

Implications

- 11 There are no specific implications to this report in relation to:

- **Finance**
- **Human Resources (HR)**
- **Equalities**
- **Legal**
- **Crime and Disorder**
- **Information Technology (IT)**
- **Property**

Consultation

- 12 Political groups have been consulted on whether and how the Council's current petitions processes can be improved.

Recommendations

- 13 Members are asked to recommend that Council amends the terms of reference for the Corporate and Scrutiny Management Committee by adding:
- “7. To receive details of petitions received by the Council in line with the Council's published arrangements and responses or proposed responses to those petitions. To consider using its powers as a scrutiny committee to support the Council in responding appropriately to issues raised by such petitions and, in doing so, to promote public engagement”

Reason

To ensure that the Council responds appropriately to petitions.

Contact Details

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the report:**

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**Report
Approved**

Date

9 September
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Specialist Implications Officers

Not applicable

Wards Affected: Not applicable

All

For further information please contact the author of the report

Background Papers

None