
**Corporate & Scrutiny Management Policy &
Scrutiny Committee**

7 November 2016

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 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. Further information relating to petitions which have been considered by the Executive Members/Officers since the last meeting are set out below:

Petition Number

52. Lighting on Walmgate Stray

This e-petition ran on the Council's website between 27 May and 7 July 2016, during that time it received 33 signatories. The petition had raised issues around the lack of lighting on the paths and the risks to users when travelling across Walmgate Stray in the dark.

The Executive Member for Transport and Planning considered an Officer report on this issue, at his Decision Session on 8 September 2016. Officers had confirmed that concerns over the lack of lighting on Walmgate Stray had previously been raised and, like other similar areas in the city, the stray had historically not been lit.

The Executive Member noted that the cost of providing lighting would be prohibitive, given the current lack of power supply and the cost of the lighting columns. He also noted that consideration had previously been given to the provision of lighting, during the Cycling City Project, and that no satisfactory, affordable solution which improved safety for users of the path had been found, without having a negative impact on conservation and wildlife. At that time there had also been no support from stakeholders, including the Police and the matter had not been progressed further, particularly as the Police considered that there were safer alternative routes.

In view of the issues raised in the Officers report, the Executive Member noted the petition and agreed that the safety concerns raised should be referred to the Student Community Partnership.

55. Work to improve the condition of footpaths in the Front Street shopping area of Acomb

57. Improve the pavements around Foxwood shops

These petitions were presented at the Council meeting held on 21 July, the first number 55, by Cllr Hunter which contained 822 signatories and requested the Council to undertake work to improve the condition of the footpaths in the Front Street shopping area of Acomb. The second, number 57, containing 80 signatures, was submitted by Cllr Jackson, and requested improvements to the pavements around the Foxwood shops to make the area safer and more attractive.

Both petitions were considered at an Executive Member for Transport and Planning Decision Session on 13 October 2016. An Officer report confirmed that both Acomb Front Street and Foxwood Lane were inspected by Highway Inspectors monthly to identify any safety defects and that annual condition surveys were also undertaken. The two areas were however revisited, in response to the petitions, and although there were concerns raised regarding the visual appearance and amenity of the two areas, Officers felt that there were no significant areas where further highway maintenance funding could be targeted using the Council's adopted intervention methodology.

The Executive Member noted that further improvements would require significant works to reinvigorate the two areas; with initial estimates in the region of £0.5M for Acomb Front Street and £125k for Foxwood. There was also the additional complication in both locations that an additional financial burden would fall to the frontagers who would be expected to contribute significant sums to facilitate improvements of the adopted and unadopted areas.

In view of these investigations, and to ensure that Council budgets were used effectively, the Executive Member agreed to note the petitions and agreed that a highway maintenance led approach was not the appropriate policy approach to achieve the expectations of the two petitions. He therefore approved the undertaking of further work to appraise the possibilities for a wider renewal and reinvigoration scheme for both locations and requested preparation of a report for the Executive Member for Economic Development and Community Engagement.

60. Site ST9: Land North of Haxby

This petition, objecting to the inclusion of site ST9 - land north of Haxby in the draft Local Plan, was received by the Council on 12 September 2016 and signed by 315 local residents.

As with any representations received in connection with the Local Plan this was forwarded to the Forward Planning Team for their consideration. Officers confirmed that when the Local Plan is submitted to the Secretary of State for examination, one of the documents submitted alongside the plan would be a statement of consultation. Any petitions received to the Plan process, including this objection to the inclusion of a site, would be incorporated within the document to which Executive and Full Council would have final sign off, prior to the Plan being sent to government.

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 and actions reported, as set out in paragraph 5 above and on the attached Schedule at Annex A, 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 28 October 2016

Wards Affected:

All



Background Papers: None

Annexes:

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