

PART 1 - PUBLIC

Decision Maker: General Purposes and Licensing Committee

Date: 7 April 2011

Decision Type: Non-Urgent Non-Executive Non-Key

Title: Petition Scheme - Annual Report

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Chief Officer: Mark Bowen, Director of Legal, Democratic and Customer Services

Ward: Borough-wide

1. Reason for report

1. The Council's Petition Scheme provides for an annual report to be made to Council on petitions received and actions taken to address them (or reasons why it has not been possible to do so where this may be the case). This report summarises the position for the first municipal year that the Scheme has been in force. It also highlights some areas where the Committee may wish to suggest that the Scheme should be reviewed for clarity or to ensure that certain eventualities are covered.
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2. **RECOMMENDATION(S)**

That the Committee:

- 2.1. notes the annual report on the operation of the Petition Scheme during the 2010/11 municipal year; and
- 2.2. considers whether it wishes to suggest revisions to the Scheme to clarify the treatment of 'hybrid' paper and e-petitions, and the time limit for a lead petitioner to request a hearing by Committee or Full Council where they are dissatisfied with a Portfolio Holder's initial response

Corporate Policy

1. Policy Status: Existing policy. The Petition Scheme, drawn up by the Constitution Improvement Working Group, was adopted by Full Council on 28 June 2010.
 2. BBB Priority: Excellent Council.
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Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: There is not a budget for the operation of the Petition Scheme; it is subsumed within the work of the Democratic Support team.
 4. Total current budget for this head: £165,487
 5. Source of funding: n/a
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Staff

1. Number of staff (current and additional): The Democratic Support team comprises 3.8 fte, although petitions is a minor part of their work (which also includes handling complaints, FOI requests, and market research support for the authority, plus assistance to the Democratic Services team).
 2. If from existing staff resources, number of staff hours: Validation of petitions is undertaken by the Democratic Support manager plus one other person. Time taken to do this varies according to the number and nature of signatories; validating a petition to the full Council threshold would take in the region of 3-4 hours.
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Legal

1. Legal Requirement: Statutory requirement. The Council is required to have a mechanism for handling petitions, and a means of e-petitions.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The petition scheme has the potential to impact on any person who wishes to raise concerns with the Council who either lives, works or studies in the Borough.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1. As outlined in the attached Annual report, the Council has received 14 petitions in total since the Scheme was adopted in July 2010, most of these within the last few months linked in with various potential budget efficiency proposals. Of these so far 2 have been referred on to the relevant PDS Committee at the request of the head petitioner, and 2 to Council.
- 3.2. On the whole the Scheme has worked smoothly, and the advice and assistance provided appears to have been well received by petitioners. All petitions received are validated up to the highest specified threshold that they might reach, to ensure that signatories are valid – this means ensuring that those signing have given a full name, a full relevant in-Borough address (where they live, work or study) and that each signatory appears to have subscribed themselves (rather than multiple names and addresses being provided by one person). However there have to date been numerous examples of petitions signed by people giving out-Borough home addresses who do (or might have) direct links as someone working or studying within the Borough. Extra steps have been taken to try and make petition organisers aware of the need for signatories to provide a valid address to comply with the scheme; practical guidance notes for petitioners have been posted on the Council website, together with a model template for petition sheets.
- 3.3. There are a few areas which councillors may wish to consider reviewing in the light of the first year's operation. They are as follows:
- a) The Petition Scheme as drafted does not cover the eventuality of 'hybrid' submission, with linked paper and e-petitions being submitted, which currently potentially makes assessing which threshold should be used to trigger any further action following the initial Portfolio Holder response problematic. To date, e-petitions have tended to have lower numbers of people subscribing to them than paper versions; and the Council's own hosted e-petitions facility has not yet been used. Options open to the Council are to
 - Add the two together, taking the threshold applicable to the medium with the highest number of signatories as the combined threshold:
 - Add the two together, applying the paper threshold where that medium reaches 75% of the required numbers to trigger a referral on to Committee or Council; or
 - Regarding the two as separate, and applying the thresholds relevant to the medium to each one
 - b) The petition scheme also does not specify a timescale within which the lead petitioner should request a referral to committee or Council, if they are dissatisfied with the initial Portfolio Holder response received and have passed the required thresholds to do so. It is proposed that councillors consider specifying clarification of this as part of a review of the scheme, perhaps setting it at three months from the date of the Portfolio Holder's response, to avoid an issue being left 'hanging' significantly past the date of petition submission.

The Committee's views are sought on whether they wish to pursue these issues further at this stage through a review of the Scheme.

Non-Applicable Sections:	Policy, Financial, Legal and Personnel
Background Documents:	Petition Scheme – 28 July 2010 Full Council meeting Petition Register

(Access via Contact Officer)	
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