

By: Alex King, Deputy Leader
Peter Sass, Head of Democratic Services and Local Leadership

To: County Council – 16 December 2010

Subject: **Petition Scheme Review**

Classification: Unrestricted

Summary: The report invites the County Council to approve a number of changes to the Council's Petition Scheme, following a review by the Selection and Member Services Committee on 19 November 2010.

1. (1) At the meeting of the County Council on 22 July 2010 a Petition Scheme was approved, which came into force on 1 September 2010. The County Council resolved that a report on the operation of the Petition Scheme should be submitted to the County Council in December 2010.

(2) As the Petition Scheme is set out in the Constitution the Selection and Member Services Committee at its meeting on 19 November 2010 considered a report of the Head of Democratic Services and Local Leadership reviewing the Petition Scheme. Members were invited to express their views and make recommendations to the County Council with regard to aspects of the scheme that would benefit from being altered in the light of experience.

(3) Attached as an Annex is the report on the Petition Scheme which was considered by the Selection and Member Services Committee.

(4) Set out below is a summary of the key points arising from the meeting:-

Website

(5) Mrs Dean commented that the link from the kent.gov.uk home page to the e-petitions screen was still not as obvious as the Committee had asked for. Mr Sass stated that the e-petitions scheme was one click away from the home page, but accepted that this could be improved further and undertook to liaise with the web team to resolve this. In response to comments from Mrs Dean, Mr Sass also undertook to re-examine the wording of the e-petitions web page to ensure that this wasn't too daunting for the general public.

Thresholds

(6) The Committee was of a majority view that the petition thresholds should remain the same, i.e. 12,000 for a countywide matter and 1,000 for each District/Borough Council area. Mrs Dean reiterated her previous comments that the petition thresholds should be halved.

Repeat Petitions

(7) The Committee asked officers to give further thought to what constituted “a petition on the same subject within 6 months of a County Council petition debate” and consult Members accordingly prior to the review report being submitted to the County Council.

Variable thresholds for Petition debates

(8) The Committee was of the view that the County Council remained the most appropriate forum for petition debates, but that in the future, Locality Boards might be the more appropriate forum for dealing with petitions relating to single District/Borough Council areas.

Guidance to Petitioners

(9) Committee Members asked to be provided with a copy of any written guidance provided to petitioners over and above that set out in the petition scheme. Mr Sass undertook to do this.

Process for a County Council debate

(10) The Committee accepted the proposals in relation to the proposed deadlines for the receipt of petitions and written statements from petitioners in relation to a County Council debate. Members were of the view that Group Leaders should be consulted before the Chairman makes a decision as to whether to consider a petition that reached the threshold for a County Council debate, but was received after the deadline. The Committee noted that the practise of a briefing note/position statement being circulated from the relevant Directorate in respect of each petition debate should continue.

(11) The Committee agreed that the length of the petition debate at County Council should remain at 45 minutes and was inclusive of the Lead Petitioner, the local Member and the relevant Cabinet Member (in the event of the petition relating to an executive matter) all having a maximum of 5 minutes each, with all other speakers having a maximum of 3 minutes each. The Committee was also of the view that the petition debates should take place immediately after the lunch break and that, if necessary, the remaining agenda items should be re-ordered to accommodate this.

Limit on the number of debates at the County Council meeting

(12) The Committee was of the view that there should be no limit on the number of petition debates that could be held at a County Council meeting, but that this should be kept under review.

Combining debates on similar subjects

(13) The Committee was of the view that the Chairman of the County Council should have discretion to hold a combined debate on more than one petition if the subjects of the petitions were similar.

Policy Overview and Scrutiny Committees

(14) The Committee agreed that any changes agreed in respect of County Council petition debates and the supporting process should be applied equally to petitions submitted to Policy Overview and Scrutiny Committees, as appropriate.

2. Recommendation: The County Council is invited to approve the following recommendations from the Selection and Member Services Committee:

- (a) no change be made to the threshold levels to trigger a debate at County Council but that this matter be kept under review by the Selection and Member Services Committee;
- (b) County Council should remain as the most appropriate forum for petition debates for the time being, but that the matter be kept under review by the Selection and Member Services Committee;
- (c) the definition to be used as to what constituted a “petition on the same subject” is: “a petition on the same decision/issue as one debated by the County Council within the previous six months”
- (d) petitions for a County Council debate should be submitted to the Head of Democratic Services and Local Leadership fourteen days before the meeting but that the Chairman of the County Council should have discretion to accept petitions about urgent matters following consultation with the Group Leaders;
- (e) the deadline for the receipt of the written statement should be brought forward to 5.00pm on the Monday of the week before the County Council meeting and there be a requirement for the Directorate to submit a brief position statement/briefing note to meet the same deadline, so that both pieces of information are available when the County Council agenda is despatched;
- (f) the maximum time for a petition debate at County Council should remain at 45 minutes, which is regarded as being inclusive of the Lead Petitioner, Local Member and the relevant Cabinet Member (in the event of the petition relating to an executive matter) all having a maximum of 5 minutes each, with all other speakers having a maximum of 3 minutes each.
- (g) no limit should be placed on the number of petition debates held at a single meeting of the County Council but that this matter be kept under review by the Selection and Member Services Committee;
- (h) the Chairman of the County Council should have discretion to hold a combined debate on more than one petition if the subject matters are similar;
- (i) petition debates should be placed on the agenda for the County Council immediately after the lunch break and that, if necessary, the Chairman of the County Council should re-order the remaining agenda items to accommodate this;

- (j) the deadline for the receipt of petitions that call an officer to give evidence to a POSC, and the supporting statement, should be the same as for a County Council debate; and
- (k) to include the requirement that the lead petitioner is given a copy of the recommendation(s) arising from a debate at the County Council or a Policy Overview and Scrutiny Committee.

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Background documents – Nil