

REGENERATION, COMMUNITY AND CULTURE OVERVIEW & SCRUTINY COMMITTEE

29 JANUARY 2015

PETITIONS

Report from: Robin Cooper, Director Regeneration, Community & Culture

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Summary

To advise the Committee of any petitions (including e-petitions) received by the Council which fall within the remit of this Committee including a summary of the response sent to petitioners by officers.

1. Budget and policy framework

- 1.1 In summary, the Council's Petition Scheme requires the relevant Director to respond to the lead petitioner usually within 10 working days of the receipt of the petition by the Council. Overview and Scrutiny Committee are always advised of any petitions falling within their terms of reference together with the officer response. There is a right of referral of a petition for consideration by the relevant Overview and Scrutiny Committee by the petitioners if they consider the Director's response to be inadequate. Should the Committee determined that the petition has not been dealt with adequately it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to Cabinet and arranging for the matter to be considered at a meeting of the Council.
- 1.2 The petition scheme is set out in full in the Council's Constitution at: <http://www.medway.gov.uk/councilanddemocracy/council/constitution.aspx>
- 1.3 Any budget framework implications will be set out in the specific petition response.

2. Background

- 2.1 The Council's Constitution provides that petitions received by the Council relating to matters within the remit of an Overview and Scrutiny Committee will be referred immediately to the relevant Director for consideration at officer level.

- 2.2 Where the Director is able to fully meet the request of the petitioners a response is sent setting out the proposed action and timescales for implementation. The petition organiser may request to refer the matter to the relevant Overview and Scrutiny Committee if s/he is not satisfied with the answer and has given reasons for their dissatisfaction.
- 2.3 For petitions where the Director is unable to meet the request of petitioners or where there are a range of alternative responses the petition will be referred to the next relevant Overview and Scrutiny Committee for discussion.

3 Completed petitions

- 3.1 A summary of responses relevant to this Committee that have been accepted by the petitioners are set out below.

Subject of petition	Response
An e-petition requesting the Medway's badgers be saved from culling.	Badger culling is instigated and controlled by DEFRA. DEFRA will notify the Council when culls are taking place and as yet, the Council have not received direct instructions to this effect. It was further confirmed that such culling is not currently being carried out on Medway Council owned land.

4 Petitions referred to this Committee

- 4.1 The following petition has been referred to this Committee, as the lead petitioner has indicated that he is dissatisfied with the response received from the directorate.

4.2 A petition regarding the removal of unsuitable trees from the property boundaries on the south side of Kingsfrith Park Playing Field

- 4.2.1 This petition was presented to Council on 16 October 2014 by Councillor Rodney Chambers, OBE.

The petition stated:

“Petition to Medway Council requesting the removal of unsuitable large trees (e.g. sycamores etc.) which have been planted too close to our property boundaries on the south side of Kingsfrith Playing Field and are causing severe problems.”

- 4.2.2 The Director of Regeneration, Community and Culture responded to the petition (the Director's response is attached at Appendix A) and the lead petitioner, on receipt of the Director's response, requested that the matter be referred to this Committee (the petitioner's letter is attached at Appendix B).
- 4.2.3 Also attached at Appendix C, for the Committee's information, is a letter from the Local Government Ombudsman (LGO) dated 23 September 2013 together with the LGO's final decision on a complaint submitted by the lead petitioner on the same subject.

5 Director's comments

5.1 The Director's response is set out at Appendix A.

6 Financial and Legal Implications

6.1 Any financial implications arising from the issues raised by the petitions are set out in the comments on the petitions.

6.2 Overview and Scrutiny Rule 22.1 (xiv) in the Council's Constitution provides that the terms of reference of this Committee include the power to deal with petitions referred to the Committee under and in accordance with the Council's petition scheme. The consideration of this petition is therefore a proper matter for this Committee.

7 Risk Management

7.1 The Council has a clear scheme for handling petitions set out in its Constitution. This ensures consistency and clarity of process, minimising the risk of complaints about the administration of petitions.

8 Recommendation

8.1 The Committee is requested to:

- (a) note the petition responses and appropriate officer actions in paragraph 3 of the report; and
- (b) consider the petition referral request and the Director's comments in Appendix A referred to in paragraph 4 of the report.

Background papers

None

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