

## **BUSINESS SUPPORT OVERVIEW & SCRUTINY COMMITTEE**

**3 DECEMBER 2015**

### **PETITIONS**

Report from: Perry Holmes, Assistant Director, Legal and  
Corporate Services

Author: Steve Platt, Democratic Services Officer

#### **Summary**

To advise the Committee of a petition received by the Council which falls within the remit of this Committee including a summary of the response sent to the lead petitioner 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 Committees 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 determine 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 petition

- 3.1 A summary of the response to a petition with 28 signatures relevant to this Committee that has been accepted by the lead petitioner is set out below.

Subject of petition	Response
Request to block changes to public questions at Council meetings.	<p>The Council's response to the lead petitioner explained that a report on Council questions was considered at the Council meeting on 15 October 2015. Council resolved that the proposed revisions to Council Rules 8 and 9, relating to questions from the public and Members at Council meetings, be implemented.</p> <p>A copy of the revisions to the rules was attached to the response for the lead petitioner's information and the Council's Constitution has been amended accordingly.</p> <p>The revisions include:</p> <ul style="list-style-type: none"> <li>• removal of the facility for second and supplementary questions.</li> <li>• limiting any person, organisation or Member to no more than one question at each Council meeting.</li> <li>• discontinuation of the practice of allowing substitutes to ask questions if a questioner cannot be present with a written answer to be supplied after the meeting instead.</li> <li>• introduction of a rule which limits the time allowed for answers provided to questions at Council meetings to three minutes.</li> </ul>

### 4. Risk Management

- 4.1 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.

## **5. Financial and Legal Implications**

- 5.1 Any financial implications arising from the issues raised by the petitions are set out in the comments on the petitions.
- 5.2 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.

## **6. Recommendation**

- 6.1 The Committee is requested to note the petition response and appropriate officer actions in paragraph 3 of the report.

### **Lead officer contact**

Steve Platt, Democratic Services Officer, (01634) 332011  
stephen.platt@medway.gov.uk

### **Appendices**

None

### **Background papers**

None