

REGENERATION, CULTURE AND ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

22 JANUARY 2019

PETITIONS

Report from: Richard Hicks, Director, Regeneration, Culture, Environment and Transformation and Deputy Chief Executive

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Summary

To advise the Committee of any petitions received by the Council which fall within the remit of this Committee including a summary of the response sent to the petition organisers by officers.

1. Budget and policy framework

- 1.1 In summary, the Council's Petition Scheme requires the relevant Director to respond to the petition organiser, 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:
<https://www.medway.gov.uk/downloads/file/2657/401 - council rules>
- 1.3 Any budget or policy 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.
- 2.3 For petitions where the petition organiser is not satisfied with the response provided by the Director there is provision for the petition organiser to request that the relevant Overview and Scrutiny Committee review the steps the Council has taken, or is proposing to take, in response to the petition.

3 Completed petitions

- 3.1 A summary of the response to petitions relevant to this Committee that have been accepted by the petition organisers are set out below.

Subject of petition	Summary of response/subsequent action
<p>Extend parking restrictions in Walderslade Village from 1 hour to 2 hours limited wait.</p> <p>397 signatures (e-petition) and 340 signatures (paper petition), 74 of which were discounted due to missing information.</p>	<p>At the last meeting of the Committee, it was reported that a meeting between the petition organiser, the Assistant Director Front Line Services and Ward Councillors was being arranged. Following this meeting, a compromise was agreed whereby the free parking would be extended from 60 to 90 minutes. To achieve this the traffic order would be re-advertised and the signage amended.</p> <p>The petition organiser said that she was very pleased with this result and subsequently withdrew her request that the matter be reviewed by the Committee.</p>
<p>Install a suitable crossing by the new entrance at Bligh School so that children can safely cross the road.</p> <p>27 signatures (e-petition)</p>	<p>The Road Safety Team visited the school in June to observe vehicle and pedestrian movements. They observed that:</p> <ul style="list-style-type: none"> • Vehicles were travelling within the 30mph speed limit. • Some parking took place on both sides of the road. • The majority of pedestrians did not need to cross the road to access the school. • Pedestrians dropped off in the car park opposite the school crossed nearer to the junction with Copperhouse Road; a number of pedestrians crossed in line with the Children's Development Centre access and a similar number crossed at the mid-point between these two locations. • A similar number of pedestrians (approximately 50-60) were observed crossing the road in the afternoon, although the movements took place over a shorter period of time.

Subject of petition	Summary of response/subsequent action
	<ul style="list-style-type: none"> • Pedestrians were able to cross the road with relative ease after a short wait. On a few occasions, drivers were prepared to stop to allow accompanied children to cross. <p>In light of the above, the view was taken that, with due care and attention, pedestrians are able to cross the road safely and there is no justification for the introduction of a School Crossing Patrol or controlled crossing facility at this location.</p>

4. Petitions not yet concluded:

- 4.1 Responses have been sent to the petition organisers for the following petitions. If a request to refer either petition to this Committee is received, it may be referred to the next meeting.

Subject of petition	Summary of response
<p>Refuse any and all applications for development in and around Capstone Valley (including, but not limited to, the Gibraltar Farm revised plans and the plans for East Hill, North Dane Way).</p> <p>1,620 signatures (e-petition)</p>	<p>Cabinet decision 104/2018 from 7 August 2018 was as follows - "The Cabinet confirmed the position that it will continue to use its best endeavours to protect the Capstone Valley from any form of development and will not facilitate or sell any land in the Capstone Valley or at the head of Capstone Valley south of Hempstead for development."</p> <p>The Council is currently preparing a Local Plan which is to provide direction on the future growth of the area, providing land for the homes, jobs, infrastructure and services that the people of Medway need, whilst protecting and enhancing the qualities of the area's environment and heritage. The Council has consulted on various stages in the Local Plan development process and is currently considering responses to the most recent consultation before producing a draft Local Plan for consideration later this year.</p> <p>In relation to planning applications that may come forward in advance of the Local Plan production, Government legislation requires all applications to be determined on their own merits based on the documentation and information submitted with that application, the National and Local policies that apply along with all other material planning considerations which include comments made from residents (where they refer to planning</p>

Subject of petition	Summary of response
	<p>matters) and other comments from statutory and other consultees. The Council, as Local Planning Authority cannot consider objections in advance of such applications, because they would not have been based on consideration of the details of the application when it (they) are finally submitted. Residents will be able to petition and comment directly on individual applications once they are submitted, and this can then be taken into consideration.</p>
<p>Install a Closed Circuit Television Camera at the Brake Avenue, King George Road junction to work in conjunction with the no left and no right turn traffic signs sited in King George Road at the approach to Brake Avenue, this would enable Medway Police and or Medway Council to enforce the No Entry Traffic Regulation Order and or No Right or Left Turns into Brake Avenue.</p> <p>61 signatures (e-petition), 63 (paper petition)</p>	<p>In common with other areas outside London, the Police are responsible for the enforcement of orders relating to 'moving traffic'. This includes Traffic Regulation Orders for one-way streets, no entry and banned turns. The Council does not install CCTV cameras for monitoring 'moving traffic' offences, as it does not enforce them.</p> <p>Notwithstanding this, the Council has taken some steps to encourage drivers to adhere to the 'No Entry' signs at Brake Avenue. It has enhanced road markings and signs near the junction and planted soft landscaping to reduce forward visibility from King George Road. The Council has also been in contact with the Police to make them aware of residents' concerns, and will continue to monitor the safety of the junction.</p> <p>The Council takes this issue seriously, and has raised the concerns expressed in the petition with the Police who are responsible for enforcing this particular Traffic Regulation Order.</p>

5. Risk Management

- 5.1 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.

6. Financial and Legal Implications

- 6.1 Any financial implications arising from the issues raised by the petitions will be taken into account as part of the review of these matters.
- 6.2 Overview and Scrutiny Rule 21.1 (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.

7. Recommendations

- 7.1 The Committee is requested to note the petition responses and appropriate officer action in paragraphs 3 and 4 of the report.

Lead officer contact

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Appendices:

None

Background papers:

None