

## **BUSINESS SUPPORT OVERVIEW AND SCRUTINY COMMITTEE**

**22 OCTOBER 2020**

### **PETITIONS**

Report from: Perry Holmes, Chief Legal Officer

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#### **Summary**

This report advises 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**

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 petition

- 3.1 An e-petition to change the name of the Sir John Hawkins car park was launched on the Council's website and a paper petition was also received. Details of the petitions and the response by the Chief Legal Officer are set out below.

Subject of petition	Response
<p>Change the name of the Sir John Hawkins car park in Chatham so to not honour this slave trader.</p> <p>39 signatories (e-petition). 320 signatories (paper petition)</p>	<p>You may already be aware that at 16 July 2020 Full Council meeting, a motion was agreed which included the following:</p> <p>“Council agrees to convene a cross party working group with the purpose of conducting a review of memorials, historic markers, and monuments in Medway to consider what changes, if any, would be appropriate. This group should adhere to normal protocols for the establishment of a cross party working group. The findings of this review should be presented in the form of a report to Cabinet at the earliest practical opportunity, in order to consider practical and financial implications.”</p> <p>The request in your petition will be one of the matters considered by the cross-party working group. I am currently taking the necessary steps to convene the first meeting of the working party. The findings of the review conducted will be published.</p>

- 3.2 As mentioned above, where the petition organiser is not satisfied with the response provided by the Council the petition organiser is able to request that the relevant Overview and Scrutiny Committee review the steps the Council has taken in response to the petition. In this case the petition organisers did not make such a request and the petitions and the response to them are therefore reported for information.

#### 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 will be taken into account as part of the review of these matters.

- 5.2 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.

#### 6. Recommendation

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

#### Lead officer contact

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#### Appendices

None

#### Background papers

None