

BUSINESS SUPPORT OVERVIEW AND SCRUTINY COMMITTEE

30 MARCH 2021

PETITIONS

Report from: Richard Hicks, Director of Place and Deputy Chief Executive
Perry Holmes, Chief Legal Officer

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Summary

This report advises the Committee of petitions received by the Council which fall within the remit of this Committee including a summary of the responses 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/5702/401 - 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 is set out below.

Subject of petition	Summary of response
<p>Towards a plastic free Medway.</p> <p>Devise a plan to bring the sale and distribution of plastic bags to an end throughout Medway. Businesses which voluntarily give up plastic bags face an uphill struggle to compete with businesses which persist in using these seemingly convenient but catastrophically damaging items. We ask the council to work as rapidly as possible towards the banning of all plastic bags apart from those made from vegetable matter which are known to be genuinely bio-degradable.</p> <p>(Paper petition containing 105 names and e-petition containing 28 names)</p>	<p>Unfortunately, there isn't any existing legislation enacted that would enable us to legally enforce a local ban on the sale of plastic bags. Any local measures would need to be voluntary. Many of the publicised bans on carrier bags by other local authorities, such as Brighton, are simply a ban on bags in Council buildings, and no additional rules apply to local retailers.</p> <p>The existing controls on the sale of single use carrier bags under the Single Use Carrier Bags Charges (England) Order 2015 have recently been amended. This will see the doubling of the minimum charge for single use plastic bags from April 2021 and the provisions applying to all retailers, rather than the current regime that only applies to businesses with over 250 full time equivalent (FTE) employees. Enforcement of this requirement is in the remit of our Trading Standards team. We are supportive of Towards Plastic Free Medway's (TPFM) initiative for Medway to achieve single use plastic-free community status and we have recently supported TPFM in writing to all schools in Medway, asking them to</p>

Subject of petition	Summary of response
	consider the steps they can take to reduce single use plastic within their schools and communities.
<p>Please don't demolish Rainham library</p> <p>Many people would like to use this building for other things even if the library was to be moved. Please leave one of our few remaining buildings standing.</p> <p>(E-petition containing 95 names)</p>	<p>Following concerns raised by the two local Councillors for Rainham North, Councillors Carr and Potter, a Cabinet report seeking to carry out further feasibility about creating a new Community Hub in Rainham, was withdrawn at the 12 January 2021 meeting.</p> <p>There are no current plans for that project to proceed at the present time or to demolish Rainham Library.</p>

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 responses and appropriate officer action in paragraph 3 of the report.

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Appendices

None

Background Papers

None