
Report To:	Inverclyde Council	Date:	30 November 2017
Report By:	Head of Legal & Property Services	Report No:	LP/107/17
Contact Officer:	Gerard Malone	Contact No:	01475 712710
Subject:	Review of Petitions Committee		

1.0 PURPOSE

1.1 This report reviews the operation of the Petitions Committee and recommends its continuation.

2.0 SUMMARY

2.1 In October 2015, the Council decided to establish a Petitions Committee and to approve its implementation arrangements and petitions criteria.

2.2 The Council considered that the Petitions Committee can support an enhanced community involvement and awareness of local government issues within Inverclyde. Individuals, businesses and community groups can become involved and informed in debates and topics of interest within the local community.

2.3 The arrangements for the Petitions Committee came into effect on 28 January 2016 and it was agreed that after a full year's operation a report be submitted to the Council for consideration and review of its operation.

3.0 RECOMMENDATIONS

3.1 It is recommended that the Council notes this report and approves the continuation of the Petitions Committee.

Gerard Malone
Head of Legal & Property Services

4.0 BACKGROUND

4.1 The Council decided at its October 2015 meeting to establish a Petitions Committee and to make arrangements for its implementation on 28 January 2016. The necessary changes were made to the Council's Scheme of Administration and delegated powers were granted to the Head of Legal & Property Services to make any consequent and practical arrangements for public accessibility of the Petitions Committee processes. The Council considered that the Petitions Committee can support and enhance community involvement and awareness of local government issues within Inverclyde. Individuals, businesses and community groups can become involved and informed in debates and topics of interest within the local community. The Council requested that a report be submitted for future Council consideration and review of the operation of the Petitions Committee in due course.

4.2 Following the establishing of the Petitions Committee, publicity was undertaken to ensure that the community is aware of the Committee's role and function and of the Petitions criteria. These criteria are attached for information as Appendices 1, 2 and 3 and clarify for example, the eligibility criteria for petitions submission (individuals – 100 signatures; group petitions – 50 signatures; business petitions – 10 businesses) and other criteria. A petitions section has been added to the Council's website through which petitions are managed at:

www.inverclyde.gov.uk/petitions

This further raises awareness of the Petitions Committee and provides a modern, accessible means of engagement with the Council by, individuals, groups and communities.

4.3 Where a group or individual discusses bringing a petition to the Committee with Officers, they are directed to the website with the recommendation that they use that to both gather signatures for and thereafter submit their petition. However, petitions or signatures in more traditional form will still be accepted, and officers have and will continue work with petitioners to bring them on to the online petitions system. In addition, this working with the community will sometimes result in prospective petitioners being dealt with at service level to their satisfaction and these processes are encouraged and allow exchange of information and action to be taken at a service level.

4.4 Appendix 4 details the issues brought forward for petition review to date. Rejected petitions are those which failed to meet the petitions criteria, and so were not published on the website. Failed petitions are those which did meet the criteria, but which did not attract the required level of signatures to bring them before the Petitions Committee.

4.5 As Appendix 4 shows, two petitions have attracted the level of support necessary in terms of the criteria to have them brought before the Committee. Where a petition has the required level of support, the matter will be brought to the attention of the relevant service or services. This is partly to allow them to provide necessary input on the petition when it is reported to the Petitions Committee, but also to give an opportunity for the review of any previous service level decisions in the context of the support demonstrated in the petition and for further discussion with or proposals to the petitioner.

4.6 As Appendix 4 also shows, there has only been one occasion to date where the Petitions Committee has met to consider a petition. On that occasion, the recommendation of officers was that the petition not be supported; however, following a full discussion with those officers in open forum, the view of the Committee was that the petition should be supported. It was therefore remitted to officers to report more fully to the relevant Service Committee with fully costed proposals on how the petition may be fulfilled, which in this instance was supported by the service committee. This demonstrates how the Petitions Committee serves a valuable function whereby matters with relevant levels of support may be brought by individuals, communities or bodies directly to the attention of the Members.

- 4.7 The establishing of the Petitions Committee allows individuals, businesses and community groups to have an effective and procedurally sound means of engagement with the Council on matters of local interest. The existence of the petitions procedure supports community engagement with services even though the outcome may not result in a petition being brought. The availability of a petitions procedure enhances the Council's role in supporting community involvement and awareness of local government and it is suggested that the Petitions Committee be continued in its present form, all in terms of the Scheme of Administration.

5.0 IMPLICATIONS

Finance

5.1

Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

Legal

- 5.2 The procedures are practical and reasonable and enhance community involvement.

Human Resources

- 5.3 There are no direct HR implications from this report.

Equalities

- 5.4 The Petitions Committee promotes and assists community engagement throughout Inverclyde.

Repopulation

- 5.5 There are no repopulation implications.

6.0 LIST OF BACKGROUND PAPERS

- 6.1 None.

INVERCLYDE COUNCIL

PETITIONS CRITERIA

Inverclyde Council welcomes the public's use of its petitions procedure for local issues. The Council can only deal with petitions that relate to the Council's powers and remit for its areas of functional responsibility.

This guidance sets out the basic requirements for you to submit a valid petition. If you have any doubt about the procedure or if you would like to ask any questions please contact Neil Duffy on 01475 712147 or by email on neil.duffy@inverclyde.gov.uk

Petitions

1. Petitions must be submitted by an individual or on behalf of a business.

You must include:

- (1) Your name, your address and confirmation that you are aged 16 or over. This is essential to ensure that you are identified as being the person promoting the petition and so that there is notice of a clear and understandable public process being undertaken at your initiative. Please also include, if possible, your telephone number and email address.
- (2) The issue you are concerned about and what you want the Council to do. Please state this as clearly as you can so that people can understand what you want to be done.
- (3) What you have already done to try to address your concern: have you contacted any other person or organisation in order to address your concerns?
- (4) The names of any other people who may already be involved with you in creating the petition.

You can provide any extra details you wish in order to support your petition. You should think about stating your petition as clearly as you can so that people understand what you want.

When you submit your petition, all members of the public will be able to view it on the Council's website. When the Council is sure that your petition meets the Council's rules on proper procedures, your petition will be made available in public for people to sign. You should take care not to include any details or signatures that you do not wish to be made publicly available and this is wholly your responsibility. Remember, the petitions procedure is entirely public.

A petition needs 100 signatures from members of the public for it to be considered by the Council's Petitions Committee. If you are a community group you need 50 signatures. Your petition needs 10 businesses to support it if it is a business petition. Publication on the Council's website will allow the petition to be viewed by the public and persons, if they wish, may choose to support the petition so that you may achieve the numbers of support from individuals or businesses in order that the petition be considered by the Petitions Committee.

2. The Council will not accept a petition that relates to:
 - a) Any planning, licensing or other such matters where objections and appeals against decisions are dealt with by another, existing process;
 - b) Matters already being considered or scheduled to be considered by the Council or one of its Committees;

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- c) Decisions of the Council or one of its Committees during the previous six month period;
 - d) Matters that are commercially sensitive, confidential or which could cause personal distress or financial loss in any way;
 - e) Matters that are directed at a specific person or groups of persons with names or details that can be used to identify such persons;
 - f) The same or similar petitions considered within the past 24 months; and, not within the Council's power and remit or functional areas of responsibility.
3. The Council will not accept a petition that contains:
- (a) Any false or potentially defamatory statement as may be considered by the Council;
 - (b) Any details that might damage a person's reputation or which may discriminate against them in any way;
 - (c) Offensive or inappropriate language;
 - (d) Information protected by a court order or relating to an ongoing court or tribunal or quasi-judicial tribunal process or which would otherwise be considered sub-judice (i.e. being considered as part of another, separate legal process).

Guidance on all of the above can be obtained from the Council by contacting Neil Duffy on 01475 712147 or by email on neil.duffy@inverclyde.gov.uk

INVERCLYDE COUNCIL**PETITIONS – HOW TO SUBMIT A PETITION**

Inverclyde Council welcomes the public's use of its petitions procedure for local issues. The Council can only deal with petitions that relate to the Council's powers and remit for its areas of functional responsibility.

This guidance sets out the basic requirements for you to submit a valid petition. If you have any doubt about the procedure, or if you would like to ask any questions please contact Neil Duffy on 01475 712147 or by email on neil.duffy@inverclyde.gov.uk

Submitting a petition

1. Submitting a petition gives you the opportunity to tell the Council what matters to you. Your petition could help make a difference to your community within Inverclyde. The petition procedure allows residents and businesses within Inverclyde to raise issues of local public concern and gives Councillors the opportunity to hear your views and to consider any need for change.

You can submit a petition if you are over the age of 16 years and you are a resident in Inverclyde or if you own a business that operates and employs people within Inverclyde.

What kind of petitions can be considered?

2. The Council will consider a broad range of subjects and themes for any petitions. The petitions must meet the petitions criteria and these are clearly displayed on the website. The Council can only get involved in areas of local or community concern which are within the powers and remit of the Council or within its functional areas of responsibility.

How many people will need to sign my petition?

3. Before your petition can be considered by the Council's Petitions Committee, it must be supported by the signatures of a number of people who are resident and on the electoral register in Inverclyde or from a business which you own or operate within Inverclyde.

Type of Petitions	Number of Signatures Required
Individual petitions involving a local issue	100
Petition submitted by a community of interest (i.e. a group of people in the community who share a common interest)	50
On behalf of businesses operated within Inverclyde	10 businesses

INVERCLYDE COUNCIL

ATTENDANCE AT PETITIONS COMMITTEE

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This note is to assist you in preparation for any attendance at the Petitions Committee in support of your petition.

Attending the Petitions Committee

1. As you are the responsible person taking the initiative with your petition, you will be invited to appear before the Petitions Committee to speak in support of your petition. It is entirely within the discretion of the Convener (the Chairman or Chairwoman of the Petitions Committee) to decide if you be heard in person at the Petitions Committee but it will ordinarily be the case that you will be requested to make a brief statement to explain your petition or to support your petition, and, subject to the above, you may speak for up to 10 minutes on this subject. If you wish to appoint a person to speak on your behalf, if necessary, this may be done with the permission of the Convener. The Petition's Committee might ask you questions in order to clarify the purpose or background to your petition.

You should state on your petition form whether or not you would like the opportunity to make such a statement before the Petitions Committee.

The Council will give you 10 days' notice of the date of the meeting at which your petition is likely to be considered. The Council will write to you with the meeting date and time. Please note that other petitions may be heard at the same meeting and for that reason the time that you are called to the meeting can only be indicative.

What to do when you arrive

2. Please report to the reception at the Customer Service Centre on the ground floor of the Municipal Buildings, Greenock PA15 1LX. Reception staff at the Customer Service Centre will take your name and petition details and will direct you to the meeting room.
3. Members of the Petitions Committee and Council staff will be in the meeting room. You will be given an agenda for the meeting. Everyone at the meeting will have a nameplate so that you know who is who.

Ward Councillor representation

4. Your petition may refer to a specific area of Inverclyde. If so, Councillors for this ward will be told of the petition meeting. Ward Councillors will have the opportunity to speak following your own comments to the Petitions Committee.
5. It may be that in terms of normal Committee representation your Ward Councillor is a member of the Petitions Committee, itself. If your Ward Councillor is already on the Petitions Committee, it is essential that you note that your Ward Councilor may not make a decision on your petition if he or she has made it clear that he or she is either lending support for or is

against any such petition that you have submitted. This is essential to ensure that your petition has a fair and proper hearing and will avoid any impression of bias in relation to the Council's decision-making processes.

6. Councillors are entirely entitled to discuss and debate matters affecting the subject of your petition but you must understand that they cannot participate in that process if they are identified as being for or against your petition and in those cases they may not speak as Ward Councillor if they are already a member of the Petitions Committee. These issues, if they arise, will be explained to you at the meeting.

Open public meetings

7. The Petitions Committee meetings are open to the public. If an item involves aspects of confidentiality or otherwise involves information that is exempt in terms of the Local Government Acts, you will be advised of this matter at the Petitions Committee meeting and members of the press and public may then be excluded. Again, this is a matter that will be explained to you if the occasion necessitates.

Outcomes

8. The Petitions Committee will decide what action may be taken. The Petitions Committee may decide that:
 - the issues raised merit further action and will refer the matter to the relevant decision-making body (which may be within the Council) and which may require further work, resolution or influence from the Council;
 - that issues raised do not merit any further action;
 - to take any other action, provided there is no financial impact for the Council's service committees, as may be decided as appropriate.

You will be advised of the decision of the Petitions Committee in writing within 10 working days after the meeting.

Appendix 4 – Overview of petitions to date.

<u>Title</u>	<u>Submitted</u>	<u>Start Date</u>	<u>Status</u> (Signatures not submitted through our online system are classed as unconfirmed)
Double Yellow Lines for the Corner on the Lower Side of Lynedoch Street Joining Onto Regent Street Beside the Wellpark.	18/01/2016	05/02/2016	Failed due to attracting only 3 signatures.
Zebra crossing at the crossing of Kishorn Road in Wemyss Bay and Greenock Road.	13/04/2016	n/a	Rejected due to not being within the Council's powers and remit.
Traffic Calming Measures on Kilmacolm Road, Greenock.	23/05/2016	25/05/2016	Achieved 210 signatures (of which 63 are unconfirmed). The petitioner agreed to await proposals from Environmental and Commercial Services prior. The Service completed traffic surveys provided proposals in the context of other sites in the area requiring such work. With this response to hand, the petitioner did not wish to bring the petition before the petitions committee and no further action was taken.
Open parklea grass pitches.	23/06/2016	n/a	Rejected due to not being within the Council's powers and remit.
The creation of crawl spaces, opening the Inverclyde Academy AstroTurf pitches for use by local youngsters out of hours.	n/a	07/04/2017	Having achieving 593 unconfirmed signatures was heard by and supported by the Petitions Committee at the meeting of the 15 June 2017. The proposal was reported to the appropriate service committee, in this instance the Education and Communities Committee, and supported by them at the meeting of 5 September 2017.
Demolish Cumberland Walk and clean up the surrounding area.	24/04/2017	24/04/2017	Rejected due to being considered or scheduled to be considered by the Council or one of its Committees.
The granting of a long term lease of Inverclyde Indoor Bowling to Inverclyde Leisure	13/09/2017	10/10/2017	This currently has 38 confirmed and approximately 230 unconfirmed signatures. Officers will now discuss with the relevant service with a view to having a report submitted to the next scheduled meeting of the Petitions Committee.
Petition to allow unrestricted residents to park in Port Glasgow town centre (King Street / Church Street etc.) in the 30 min zones.	27/09/2017	28/09/2017	As at the drafting of this report, this petition had attracted 35 confirmed signatures.
Petition for the Council's Environmental and Commercial Services staff to scan cats killed in road incidents for ID microchips prior to disposal of remains.	7/11/17	tbc	An approach has been received from Cats Matter, a group promoting this issue. Officers are in discussion with them to bring this petition on to the system.