
Report To:	Policy & Resources Committee	Date:	11 August 2015
Report By:	Head of Legal & Property Services	Report No:	GM/LP/106/15
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Subject:	Petitions Committee		

1.0 INTRODUCTION

- 1.1 This report requests the Committee to consider establishing within the Council's Scheme of Administration a new Petitions Committee.

2.0 SUMMARY

- 2.1 A Petitions Committee can support and enhance community involvement and awareness of local government issues within Inverclyde. Individuals, businesses or community groups can become involved and informed in debates and topics of interest within the local community.
- 2.2 To ensure accessibility, a Petitions Committee will require ongoing website support and maintenance and will require administration officer support and resources.
- 2.3 This report outlines key issues and tasks to establish a Petitions Committee. If approved, a further report would be submitted to the next meeting of the Council to establish the membership of the Committee and for formalising its remit with consequent alterations to the Scheme of Administration.

3.0 RECOMMENDATION

- 3.1 That the Committee considers the issues in establishing and supporting a Petitions Committee and determines a direction for any future implementation.

Gerard Malone
Head of Legal & Property Services

4.0 BACKGROUND

- 4.1 The promoting of or the taking part in a petition can support and enhance involvement in local decision-making. A petition procedure that is developed and supported through Council resources could stimulate informed local debate on issues of topicality and areas of interest and change. A successful petition procedure could stimulate the involvement of individuals, businesses and community groups and organisations in a range of local issues. A Petitions Committee could support local government engagement within the community and have the benefits of increased local awareness of and participation in the work of the Council.
- 4.2 From research with local authorities, 15 Councils have introduced procedures for petitions on their websites. The numbers of petitions submitted to these Councils vary considerably. For example, available statistics show:

Council	Period	Number
Edinburgh City	Oct 2012 – July 2015	24
Glasgow City	2014	3
	2015	14
Stirling	Jan – July 2015	2
East Lothian	2013/14	6
	2014/15	3

From research on the background to the introduction by these Councils of their procedures, it can be noted that there has been close review of arrangements even from the early days of introduction. In some instances substantial changes were made to respond to developing issues, such as, a clear focus for young people to be involved. The relevant issue from this, for purposes of the Council's consideration, is the need to monitor and review any introduction to take account of local response and actual levels of engagement.

- 4.3 For this Council, if a Petitions Committee were to be introduced, the Scheme of Administration would make it clear that the Council is unable to consider petitions in relation to subjects which are sub-judice or that relate to matters within the scope of current key decisions or current forward plans of the Council or which conflict with the remit of the Council's Audit Committee or which relate to any decision of the Council or Committee within the previous six month period. Within these requirements, it would be possible for the Council to consider delegating a function to the Petitions Committee to consider petitions addressed to the Council in accordance with the Council's petition procedure (to be agreed - **Appendices 1 to 3**) and it would be the role of the Petitions Committee to determine the appropriate action to be taken within the terms of that procedure.
- 4.4 The key issues for the Council include:
- The criteria for valid Petitions to be specified;
 - The setting out of clear guidelines for individuals, businesses and community groups and organisations to start a petition;
 - Guidance, promotion and support (especially at the launch stages) of a petitions procedure and close involvement in the accessibility of the petitions procedure through the Council's new website;
 - The identification and recognition of realistic, achievable outcomes within the procedures;
 - ICT and LPS administrative officer support in the development of the process and in its continuous delivery;
 - Decisions on the procedures for presentation of petitions (written submissions/hearings and Council decision-making and outcomes).
- 4.5 The above issues of detail will be developed and worked upon dependent upon the direction set by the Committee. The establishing of a Petitions Committee will require Council approval for its remit, delegated functions, membership and meeting schedule: if this report is approved, these details will be submitted to the next meeting of the Council for consideration.

5.0 DRAFT PETITIONS PROCEDURES

- 5.1 For purposes of Committee consideration, **Appendix 1** sets out draft petitions criteria which require that a petition must be from an individual or on behalf of a business (and for purposes of Committee discussion, it is suggested that 100 signatures are needed for an individual's petition, 50 for a community group, or 10 needed for a business petition).
- 5.2 **Appendix 2** sets out outline procedures for submitting a petition, describing the various types of petitions which could be considered, the eligibility relative to individual/business numbers and the submission procedures including the possibility of appearing before the Petitions Committee to make a statement in support. Importantly, there is a critical cross-referencing in this **Appendix 2** to the necessity of a petitions module being available on the Council's website for purposes of petition promotion and the gathering of signatures. This is an essential issue that underlines the importance of detailed ICT involvement in the public-facing elements of the procedure.
- 5.3 **Appendix 3** sets out a draft procedure for attendance at the Petitions Committee and on the arrangements.
- 5.4 The Council has recently engaged Web Labs for the purposes of refreshing its corporate web-site. Discussions have been undertaken with Web Labs as part of this refresh to utilise a modern, petitions module that would support the platform of community engagement and provide an accessible and modern means of engagement with the Council through the petitions procedure. These discussions have indicated that, subject to detail, the initial costs involved amount to £3,000 approx. with ongoing revenue costs on a yearly basis of £1,000. As this proposal would be carried out as an extension to the existing refresh of the corporate web-site, it has been confirmed by Web Labs that the launch of the Petitions Committee module can be implemented by October 2015, following upon the next Council meeting.
- 5.5 The Petitions Committee will require resources from existing staff for purposes of administration of meetings and for all matters associated with petition requests and all of the processes involved with customer contact, provision of advice, liaison with relevant services and petition decisions. It is difficult to estimate the extent of resources required and this will be reviewed dependent upon numbers of petitions received. An approximate budget estimate for recurring costs is included in this report.
- 5.6 It is suggested that any petitions procedures be reviewed after a period of one year's operation.

6.0 IMPLICATIONS

Finance

6.1 Financial Implications:

One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
Modernisation	Petition Committee	2015/16	£3,000		

Annually Recurring Costs/(Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (if Applicable)	Other Comments
ICT	Maintenance	2016/17	£1,000		To be contained by ER&R Directorate
Legal & Property	Committee Services	2015/16	£5,000		No budget – will need to be contained by the Environment, Regeneration & Resources Directorate

Legal

- 6.2 A Petitions Committee will require amendments to be made to the Council's Scheme of Administration and these will be reported to the full Council for consideration.

Human Resources

- 6.3 There are no direct HR implications arising from this report.

Equalities

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

Repopulation

- 6.5 There are no direct repopulation implications arising from this report.

7.0 CONCLUSIONS

- 7.1 This report considers possible alterations to the Council's governance arrangements and its means of engagement within the community. Accordingly, the Committee requires to consider the issues and to set a future direction.
- 7.2 There is an available module for inclusion in the Council's new web-site and provision can be made for its ongoing maintenance. Corporate Communications will be involved in any, consequent social media issues and their support as will be necessary in the provision of an accessible and modern web-based process. This level of detailed ongoing attention will be required in order to ensure the petitions procedure is resourced and maintained as a high-profile, public-facing task.
- 7.3 As part of its approach to modernised local government, the Petitions Committee could provide the Council with a focused interface between it and the community with a significant platform for local community engagement. The procedure will have resource impacts but this will be driven by the awareness and uptake of the petitions procedure by the local community. Any introduction would have to be reviewed in terms of staff input and resourcing along with the assessment of overall benefit for the Council and the community in the course of a planned, review in 12 months.

8.0 CONSULTATIONS

- 8.1 The CMT has been consulted on this report.

APPENDIX 1

INVERCLYDE COUNCIL

DRAFT 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 ## at telephone 01475 ## extension ##.

Petitions

1. Petitions must be submitted (a) by an individual; (b) by an individual on behalf of a community group and as authorised by that group; or (c) by an individual on behalf of a business and as authorised by that business.

You must include:

- (1) Your name, your address, your telephone number and your email address. 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.
- (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. If you are submitting the petition as an established community group, 50 signatures from members of that group must be identified as such.

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.

For all petitions, the Council encourages petitioners to have dialogue with the appropriate Council services prior to any formal consideration of the petition.

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;
 - 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 ## at telephone 01475 ## extension ## or by email at ##@inverclyde.gov.uk.

APPENDIX 2

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 ## at telephone 01475 ## extension ##.

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

APPENDIX 3

INVERCLYDE COUNCIL

ATTENDANCE AT PETITIONS COMMITTEE

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 ## at telephone 01475 ## extension ##.

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 Petitions 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 that 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 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.