



Meeting of the City Council

9 November 2016

Report title	Revised Petitions Scheme	
Referring body	Special Advisory Group, 21 October 2016	
Councillor to present report	Cllr Andrew Johnson	
Wards affected	All	
Cabinet Member with lead responsibility	Councillor Milkinderpal Jaspal Governance	
Accountable director	Kevin O'Keefe, Governance	
Originating service	Democratic Services	
Accountable employee(s)	Colin Parr Tel Email	Head of Governance 01902 550105 colin.parr@wolverhampton.gov.uk
Report has been considered by	Special Advisory Group	21 October 2016

Recommendation(s) for action or decision:

The Council is recommended to agree the following:

1.
 - a. Petitions with fewer than 2,499 signatures be considered and responded to by employees, within 28 days of receipt by the relevant service area. A summary of responses will be reported to Scrutiny Board, the relevant Cabinet Member(s) and, where appropriate, the relevant Ward Members.
 - b. Petitions with 2,500-4,999 signatures be considered by the relevant scrutiny panel with recommendations made for action by employees or review by the Executive as appropriate.
 - c. Petitions with 5,000+ signatures be considered by the Council as per the existing arrangements.

1.0 Purpose

- 1.1 Under the Local Democracy, Economic Development and Construction Act 2009, the Council is obligated to operate a petitions scheme. This report recommends revised petitions arrangements following the dissolution of the Petitions Committee and the adoption of new arrangements for considering petitions from the public.

2.0 Background

- 2.1 At the Annual Council meeting held on 18 May 2016 it was resolved '*To approve the dissolution of the Petitions Committee, as previously recommended by the Special Advisory Group*' (min 8(6) refers).
- 2.2 The full recommendation of the Special Advisory Group (SAG) was as follows:
1. *That the proposed arrangements for considering petitions from the public from 19 May 2016 be approved, specifically:*
 - a. *Petitions with fewer than 50 signatures to be considered and responded to by employees, with a summary reported to Scrutiny Board and the relevant Cabinet Member(s).*
 - b. *Petitions with 50 – 2,499 signatures to be considered by the relevant scrutiny panel with recommendations made for action by employees or review by the Executive as appropriate.*
 - c. *Petitions with 2,500+ signatures to be considered by the Council as per the existing arrangements.*
 2. *That the arrangements for considering petitions be reviewed in twelve months' time.*
 3. *That the development of a protocol for the consideration of petitions by scrutiny panels, to ensure consistency in the way they are reviewed and responded to be supported.*

3.0 Reviewing the Scheme

- 3.1 In line with SAG recommendations, Full Council agreed that the newly implemented scheme be reviewed in twelve months' time. However, discussions at Scrutiny Board and with the Leader and Managing Director indicated that it would be preferential to bring forward and refresh the scheme in advance of next May.
- 3.2 The majority of petitions received contain between 50 and 2,499 signatories. To put the numbers received into perspective, during 2015, 70% of petitions received had fewer than 100 signatures and only 10% (one petition) met the threshold for consideration by Council (2,500+ signatures). The other two petitions received had 132 and 852 signatures.
- 3.3 Under the current system it is difficult to take swift action and respond to petitioners in a timely manner due to the need to wait for the next meeting of an appropriate scrutiny body.

- 3.4 At the 12 July 2016 meeting of the Scrutiny Board, Board members expressed the view that the ability of scrutiny to undertake investigations into areas to which their work could add value was fettered by the time that it had to dedicate to considering petitions. Both scrutiny members and officers supporting the scrutiny process agreed that a less bureaucratic approach continues to involve scrutiny in the petitions process is therefore required.
- 3.5 Through the Chair of SAG, Scrutiny Chairs and political groups were consulted on options for a revised scheme not dissimilar to that of other comparable local authorities. SAG considered consultation responses and agreed that the revised scheme, as recommended in this report, should be presented to Full Council.
- 3.6 The key benefits to the proposed amendments are:
1. Scrutiny bodies will have a greater amount of time to undertake investigations into areas to which their work could add value whilst still being involved in the petitions process.
 2. The overall quality of scrutiny could be improved.
 3. Officer time preparing reports and attending meetings will be reduced.
 4. Most importantly, officers will be empowered to take swift action to address concerns raised by the public via petitions, thereby inspiring trust and confidence in the Council and demonstrating that it puts customers first.
- 3.7 It is proposed that petitions will be distributed internally to Heads of Service who will be responsible for complying with the requirement that a response is sent within 28 days of receipt. Where the petition covers multiple services/portfolios a lead Head of Service will be identified by Democratic Services. In all cases the relevant Cabinet Member(s) is to be informed of the outcome of any petition and a central record of the petition and both the Head of Service response and the Cabinet Member(s) update will be kept by Democratic Services.
- 3.8 It is proposed that the Scrutiny Board receive an annual report monitoring compliance with the requirement to respond within 28 days and summarising the outcome in each case. This would enable scrutiny to monitor the success of the new process, including performance monitoring of officer actions. It should also be noted that, although petitions containing less than the required threshold would not routinely be considered by scrutiny, in some cases officers, in consultation with the relevant Cabinet Member(s), may form the view that consideration by scrutiny would add value.
- 3.9 Whilst the Council promotes its petitions arrangements and has an online system for submission, the number of petitions received is relatively low (10 in 2015, plus one that the lead petitioner requested be put on hold and was therefore not considered).
- 3.10 Should either of the proposed amendments to the current thresholds be adopted, scrutiny will still retain an important role in relation to petitions. Petitions with the appropriate number of signatories will continue to be considered by the appropriate scrutiny body. In addition, petitions will be monitored through a performance indicator and the Scrutiny Board will receive details of all petitions received by the Council through

its regular Corporate Performance Monitoring reports, therefore enabling scrutiny to assess the success of the amended scheme.

- 3.11 The Scrutiny Board will also retain its statutory role in relation to dealing with appeals from petitioners who believe that their petition has been dealt with incorrectly.

4.0 Next Steps

- 4.1 If agreed by Full Council (a petition scheme must be approved at a meeting of the authority before it comes into force), subsequent amendments to the Constitution which will be required can be picked up as part of the ongoing review of the Constitution.
- 4.2 Following agreement by Full Council, the Scrutiny Board will be required to consider the protocol for considering petitions that fall within the relevant threshold.

5. Financial implications

- 5.1 The payment of special responsibility allowances to the Chair and Vice-chair ceased on dissolution of the Petitions Committee saving just over £12,000. There are no additional financial implications associated with the proposed revised petition scheme.
[Financial Code: GE/26102016/J]

6. Legal implications (including code).

- 6.1 Under the Local Democracy, Economic Development and Construction Act 2009, the Council is obligated to operate a petitions scheme. If adopted, the recommendations in this report would ensure that those obligations continue to be met.
[Legal Code: TS/26102016/P]

7. Equalities implications.

- 7.1 There are no direct equalities implications arising as a result of this report.

8. Environmental implications.

- 8.1 There are no direct environmental implications arising as a result of this report.

9. Human resources implications.

- 9.1 There are no direct human resources implications arising as a result of this report.

10. Corporate landlord implications.

- 10.1 There are no direct corporate landlord implications arising as a result of this report.

11. Schedule of background papers

- 11.1 Special Advisory Group, 21 October 2016 ([Link](#))