

General Purposes Committee

Date: 24 February 2016

Classification: For General Release

Title: Considerations of Petitions

Report of: Head of Committee and Governance Services

Financial Summary: There are no financial implications

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1. Executive Summary

- 1.1 The operation of the Council's petition scheme has not been fully reviewed since its adoption in 2010. Accordingly, and since the publication of the guidance referred to in this report it is timely to do so.

2. Recommendations

- 2.1 That the Council be recommended to approve the following changes.
- (a) That the period of time in which e-petitions hosted by the Council can run is shortened to a maximum of 6 weeks.
 - (b) That petitions submitted, with the exception of those referred to in para 3.7 below with 500 signatures or more result in a report to full Cabinet.

3. Background

- 3.1 The Council has received 126 e-petitions since the facility was launched in 2010. For the most part it is clear that most "signatures" are collected in an initial period that the petition is launched.
- 3.2 Given that generally entries are made in the initial period that the e-petitions is live the proposed change to reduce the period of time in which e-petitions can collect 'signatures' to 6 weeks is not thought to have a particularly adverse impact on the number of signatures likely to be collected. However, on the contrary, the change will allow for a speedier response to the issue in question.

- 3.3 The Government have introduced regulations as they wish to make it easier for local residents and businesses to challenge unfair, disproportionate or unreasonable parking policies. The DCLG believe that introducing a right to challenge parking policies will strengthen local democracy and encourage citizen participation in local decision making.
- 3.4 Councils are obliged to ensure that those affected by traffic regulation orders can raise issues by having in place a Petition Scheme that allows those affected to raise petitions about specific parking restrictions. The DCLG accept that Councils will have differing arrangements but expect decisions on the responses to be made by those who are accountable to the local electorate. It should not be delegated to an officer or a single executive Member.
- 3.5 In order that there is a consistent approach it is proposed that although not a regulatory requirement, the changes outlined in this report are applied to all petitions.
- 3.6 Currently, it is only those petitions which are submitted by, generally a Ward Councillor, to full Council that generate a requirement for a report to a single Cabinet Member. There is no current requirement for reports in responses to petitions to be submitted to a meeting of the **Cabinet**. It is, however, proposed that all petitions, not just those relating to parking, whether submitted to full Council or through the e-Petition process and contain at least 500 signatures generate a requirement for the relevant Chief Officer to report to the Cabinet.
- 3.7 A limitation that no two petitions, which in the view of the Chief Executive, are on the same subject shall be referred to the Cabinet in a six month period. In the event that a petition is not considered by the Cabinet in light of this requirement petitions shall be referred to the relevant Chief Officer for response.
- 3.8 Petitions which are submitted to full Council, but which do not have 500 signatures, shall continue to be reported by the Chief Officer to the relevant Cabinet Member. The requirement to do so within 3 months of the petition being submitted shall also remain.
- 3.9 In order to ensure compliance with, in particular the response requirements set out in the Petition Scheme regular monitoring reports, will be submitted to the Executive Management Team.
- 3.10 The Council's Petition Scheme already provides that petitions relating to a planning application or a licensing application shall be treated as representations and referred for consideration as part of the respective planning and licensing processes.
- 3.11 The Committee is therefore asked to recommend to the Council that the Petition Scheme be amended accordingly. The changes proposed will provide

for a more transparent response to petition and ensure a quicker and potentially more effective response.

4. Financial Implications

- 4.1 There are no financial implications regarding this matter.

5. Legal Implications

- 5.1 The Localism Act 2011 removed the requirements on local authorities to have a Petition Scheme. However, Westminster City Council has previously agreed to provide such a facility as part of the Constitution.
- 5.2 The Government guidance issued in accordance with the Traffic Management Act 2004 that petitions relating to Parking matters be considered at a meeting of the Cabinet. As explained elsewhere in this report, to ensure consistency this is being applied to all petitions.

6. Conclusion

- 6.1 Given the streamlined and quicker response that these changes will initiate resulting in an improvement to local democracy, the Committee is asked to approve, and that Council then approves the adjustments to the Petition Scheme.
- 6.2 The operation of the changes outlined in this report will be carefully monitored and if changes are considered necessary a further report submitted.

If you have any questions about this report, or wish to inspect one of the background papers, please contact Mick Steward:
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Background Papers

- None