

**26 September 2018****Agenda Item: 8****REPORT OF GROUP MANAGER, LEGAL, DEMOCRATIC AND COMPLAINTS****REVIEW OF PETITIONS SCHEME****Purpose of the Report**

1. To consider amendments to the petitions scheme to ensure it remains fit for purpose and recommend the amended scheme to Policy Committee for approval.

**Information**

2. The current petitions scheme has not been reviewed since May 2012 when the new approach to how petitions would be considered was established as part of the change to a committee system. The scheme would benefit from a refresh to ensure that the scheme is clear and concise for the public to understand, and is up to date with current practice regarding how petitions can be submitted.
3. There is no longer a statutory requirement to have a petitions scheme, however, the petitions scheme is currently well used and is an effective route for the public to engage with the Council on matters they wish to raise. The Constitution sets out the process for petitions to be received and considered through the committee structure.
4. Since the Scheme was last reviewed the availability of online systems to lodge petitions has increased substantially. As a result it is no longer considered necessary for the Council to host its own e-petitions system.
5. The majority of petitions presented to Full Council relate to requests for residents parking schemes and other highways matters. There is a mechanism online to enable a resident to propose a residents parking scheme and raise highways matters without requiring a petition and it is proposed to update the scheme to signpost the public to this option.
6. A number of minor changes are proposed to the scheme:-
  - a. Clarification that petitions must be about issues that affect Nottinghamshire and be relevant to the services provided by the County Council. This has also been moved to the beginning of the document to highlight its importance.
  - b. Signposting to the list of Councillors

- c. An update to the list of other procedures for petitions in relation to planning, licensing and rights of way matters where there is already an application, formal consultation responses (not just the annual budget consultation) and where there is an existing right of appeal where the decision does not sit with the Council.
  - d. Strengthen the requirement for the lead petitioner to provide contact details to enable the Council to keep the lead petitioner up to date with progress on their petition and inform them of when the petition would be considered by Committee.
  - e. Update the section on e-petitions, removing the requirement to use the Council system and replacing this with the confirmation that the Council will accept e-petitions, which follow the same guidelines for paper petitions.
  - f. Appropriate signposting to the request a residents parking scheme information on the website
7. Members may wish to make further amendments to the current scheme, such as the minimum number of signatories required. With regard to that issue there is a range of practice amongst other County Councils in the region. Some Councils choose not to set a minimum figure and their schemes state that they will deal with submissions as petitions if that is what they appear to be. Lincolnshire adopts the same minimum number as Nottinghamshire, two, whilst Leicestershire has a minimum figure of 100.

### **Other Options Considered**

8. There is no longer a statutory requirement for a petitions scheme, so it could be removed. This would require the petitions process being removed from the Constitution and would not be considered appropriate as it is an effective way of the public raising matters that they wish the Council to consider.

### **Reason/s for Recommendation/s**

9. To ensure the Scheme meets the public's expectations, in particular in relation to submission of online petitions .

### **Statutory and Policy Implications**

10. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Data Protection and Information Governance**

The storing of information contained within a petition would be done in compliance with the Council's privacy notice. The Scheme has been updated accordingly.

## **RECOMMENDATION/S**

- 1) To approve the amendments proposed to the petitions scheme.

**Heather Dickinson**

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**For any enquiries about this report please contact:**

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### **Constitutional Comments (SLB 13/09/2018)**

11. Governance and Ethics Committee is the appropriate body to consider the content of this report.

### **Financial Comments (SES 14/09/18)**

12. There are no specific financial implications arising directly from this report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

- None

### **Electoral Division(s) and Member(s) Affected**

- All