
PETITION TO COUNCIL – COMPULSORY PURCHASE OF MANSTON, KENT’S INTERNATIONAL AIRPORT

To: **Council – 10 July 2014**

By: **Madeline Homer, Director of Community Services**

Classification: **Unrestricted**

Wards: **All**

Summary: A petition to the Council has been received in relation to Kent international Airport

For decision

1.0 Introduction and background information

- 1.1 Under the Council’s petitions scheme, if a petition contains more than 1,000 signatures, the petition organiser will be offered five minutes to present the petition at a meeting of Council; and, at the meeting at which the presentation of the petition takes place, Council will debate the petition and decide how to respond.
- 1.2 The petitions scheme also states that the total time devoted to the consideration of petitions at any single Council meeting will not exceed 30 minutes.

2.0 Current Situation

- 2.1 AnEpetition organised by Oscar Maynard (Save Manston Airport Group) has been signed by 3361 persons. The petition prayer reads:

“We the undersigned petition the council to make a compulsory purchase of Manston, Kent’s International Airport. We would also like Thanet District Council to look into the possibility of members of the public to buy bonds into this purchase.

”

- 2.2 In addition to the 3,361 persons who have signed the Epetition, 4,330 persons have validly signed a paper petition containing the same petition prayer as the Epetition. Officers cannot check whether these two sets of signatures “duplicate” any signatories, as those who have signed the paper petition have not always given a full first name and surname, so therefore it is not possible to add them together to determine a “total” number persons signing the petition.
- 2.3 This petition ran from 15 May 2014 to 26 June 2014, which thus ends 9 working days prior to this meeting. Part 1.1 of the Council’s petitions scheme (as referred to at Council Procedure Rule 12.1 and included at Part 5 of the constitution – Codes and Protocols) states that:

“if a petition has 1,000 or more signatures and does not request that an officer gives evidence to the Overview and Scrutiny Panel meeting it must be submitted at least 25 working days in advance of a Council meeting in order for it to be considered at that meeting”

- 2.4 Thus, in constitutional terms, the petition is technically too late to be presented to this meeting. However, the Chairman has suggested Council may wish to suspend that rule in view of the large amount of public interest in the subject of the petition and the timescales involved.
- 2.5 Suspension of procedure rules is possible under Council Procedure Rule 29.1 by motion (i.e. if a majority of Members present agree to it), providing that at least one half of the whole number of Members of the Council are present at the meeting. Suspension can only be for the duration of the meeting.
- 2.6 Mr Oscar Maynard has nominated Mr Keith Churcher to present the petition to Council at this meeting. Subject to suspension of the procedure rule referred to above, he will have up to five minutes in which to speak.
- 2.7 The making of compulsory purchase orders is an Executive function. That being the case, the petitions scheme provides that the petition can be referred by Council to Cabinet with or without debate. If the petition is referred to Cabinet without debate at Council, the person presenting the petition would be able to re-present it at the subsequent Cabinet meeting at which it is considered.
- 2.8 The petitions scheme also provides that where the issue is one on which the Executive is required to take the decision, the Council can (*if it decides to debate the petition*) make recommendations to inform that decision.

3.0 Options

- 3.1 Council may or may not wish to suspend the rule in the petitions scheme requiring at least 25 working days' notice for presenting a petition with at least 1,000 signatures to a meeting of Council.
- 3.2 If Council does suspend that rule, it may:
- 3.2.1 debate the petition and then refer to the petition to Cabinet with or without recommendations to inform Cabinet's decision;
- 3.2.1 refer the petition to Cabinet without debate.

4.0 Corporate Implications

4.1 Financial

- 4.1.1 The financial implications of any decision will be considered in any Cabinet report.

4.2 Legal

- 4.2.1 Under the terms of the Council's Petitions Scheme, a petition with at least 1,000 signatures can be referred to Cabinet with or without debate. If Council refers the petition to Cabinet without debate, the person presenting the petition at this meeting can re-present it at the meeting of Cabinet at which the petition is considered. If Council debates the petition it can make recommendations to inform the decision of Cabinet.

4.3 Corporate

- 4.3.1 None specific

4.4 Equity and Equalities

- 4.4.1 None specific

5.0 Recommendation

- 5.1 THAT Council decides whether to suspend, for the duration of this item, the rule in the Petitions Scheme that requires a petition with 1,000 or more signatures to be submitted at least 25 working days in advance of a Council meeting, in order for it to be presented to a meeting;
- 5.2 THAT if Council does waive the relevant rule in the Petitions Scheme, Council decides whether to:
- 5.2.1 debate the petition and refer it to Cabinet with or without recommendations;
- 5.2.1 refer the petition to Cabinet without debate.
- 5.3 If Council does not suspend the rule in the petitions scheme referred to above, it will not be able to debate the petition or refer it to Cabinet, and the petition would be presented to the next ordinary meeting of Council.

6.0 Decision Making Process

- 6.1 It is for Council to decide whether or not to waive the procedure rule relating to the number of days' notice to be given of a petition with at least 1,000 signatures and, if so, whether or not to debate the petition before referring it to Cabinet.

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Reporting to:	Dr Sue McGonigal, Chief Executive, Ext 7002

Annex List

None	
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Corporate Consultation Undertaken

Finance	Paul Cook, Interim Director of Corporate Resources
Legal	Steven Boyle, Interim Legal Services Manager and Monitoring Officer