
CHANGING THE PETITIONS SCHEME TO A PROTOCOL

To: **Council – 3 October 2013**
By: **Corporate and Regulatory Services Manager**
Classification: **Unrestricted**
Ward: **All Wards**

Summary: **To consider moving the Council’s petitions scheme from the Council Procedure Rules and including it with the Council Protocols.**

For Decision

1.0 Introduction and Background

- 1.1 Currently the Council’s adopted Petitions Scheme resides within the Council Procedure Rules. As it is something of a blend between a Protocol and a Procedure Note, it proposed that the detail of the Scheme is located with the other Council Protocols at Part 5 of the Constitution.
- 1.2 It should be noted that the meeting of the Overview and Scrutiny Panel on 20 August 2013 resolved :

“to refer the issue of re-wording the Constitution in relation to debating of petitions to the Constitutional Review Working Party”

- 1.3 Such a review of the petitions scheme clearly could not be completed in time for the meeting of the Constitutional Review Working Party on the following day (21 October 2013), and will be dealt with through a subsequent cycle of meetings.

2.0 The Current Situation

- 2.1 Currently Council Procedure Rules 12.0 – 12.9 cover the Council’s Petitions Scheme and explain how members of the public can submit petitions to the Council, the rules around what makes a petition valid and what the Council will do with a petition when it is received.
- 2.2 The Monitoring Officer recommends that Council Procedure Rules 12.0-12.9 which sets out the detail of the current adopted Petitions Scheme and how it operates should be moved from their current location and located with the adopted Council Protocols within Part 5 of the Constitution. It is important to point out that as a result of this move, the Scheme would not change in anyway. It does not need to be renamed either and can sit in Part 5 labelled as the Council’s Petitions Scheme and also displaying the date of adoption by full Council.
- 2.3 The Monitoring Officer therefore recommends that the following paragraph replaces paragraphs 12.0 – 12.9 in the Council Procedure Rules section of the Constitution.

“12.0 Petitions from the Public

The Council will receive, accept and deal with petitions from members of the public in accordance with the requirements of any Petitions Scheme from time

to time adopted by the Council. The Council's current Petitions Scheme is included in Part 5 of the Council's constitution."

- 2.4 Moving the Petitions Scheme to the Protocols section of the Constitution will ensure that the Council Procedure Rules are more accessible.

3.0 Recommendation of the Standards Committee

- 3.1 This report was considered by the Constitutional Review Working Party at its meeting of the 21 August 2013 and the Working Party made the following recommendation:

That paragraphs 12.0 to 12.9 of the Council Procedure Rules be moved to Part 5 of the Council's constitution and the following new paragraph 12.0 be added.

"12.0 Petitions from the Public

The Council will receive, accept and deal with petitions from members of the public in accordance with the requirements of any Petitions Scheme from time to time adopted by the Council. The Council's current Petitions Scheme is included in Part 5 of the Council's constitution."

- 3.2 At its meeting on 4 September 2013, Standards Committee endorsed the recommendation from the Constitutional Review Working Party as set out set out at paragraph 3.1 above.

4.0 Corporate Implications

4.1 Financial and VAT

- 4.1.1 There are no financial implications of this report.

4.2 Legal

- 4.2.1 Any changes to the Council's Constitution must be agreed by Full Council after being considered by both the Constitutional Review Working Party and the Standards Committee

4.3 Corporate

- 4.3.1 The Council's constitution is its rulebook and by moving the Petitions Scheme from the Council Procedure Rules to the Protocols will make the Council Procedure Rules more accessible.

4.4 Equity and Equalities

- 4.4.1 There are no equity or equality issues

5.0 Recommendation(s)

- 5.1 That paragraphs 12.0 to 12.9 of the Council Procedure Rules be moved to Part 5 of the Council's constitution and the following new paragraph 12.0 be added.

"12.0 Petitions from the Public

The Council will receive, accept and deal with petitions from members of the public in accordance with the requirements of any Petitions Scheme from time to time adopted by the Council. The Council's current Petitions Scheme is included in Part 5 of the Council's constitution."

6.0 Decision Making Process

6.1 This is a decision for Council.

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Annex List

None	
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Background Papers

Title	Details of where to access copy
None	

Corporate Consultation Undertaken

Finance	N/A
Legal	N/A