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## REJECTED PETITION – MANSTON AIRPORT

To: **Overview and Scrutiny Panel – 21 October 2014**

By: **Steven Boyle, Interim Legal Services Manager and Monitoring Officer**

Classification: **Unrestricted**

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Summary: **To outline a petition that has been rejected by the Monitoring Officer.**

### For Information

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#### **1.0 Introduction and Background**

1.1 When the Petitions Scheme was reviewed in light of the Localism Act 2011, a new clause was introduced to require the Council's Monitoring Officer to report to the Council's Overview and Scrutiny Panel when a petition was rejected.

#### **2.0 The Current Situation**

- 2.1 The Council received an petition on the 2 October 2014 from a member of the public:
- “To Paul Carter at Kent County Council and Iris Johnston the Leader of Thanet District Council, Please not allow any planning permission for housing, retail or industrial park that isn't aviation related.”
- 2.2 The petitioner was advised that the Council's Monitoring Officer had rejected the petition in accordance with paragraph 1.1 of the Council's petition scheme – that “if the petition applies to a planning or licensing application; these may be rejected by the Monitoring Officer alone.”
- 2.3 It was the opinion of the Monitoring Officer that had the Council adopted the prayer of the petition it could have seriously limited the future actions of the Council and would predetermine any planning application received by the Council relating to the site in future, which is something the Council cannot do.
- 2.4 The petition had been “signed” by 10,233 people of which 406 signatures would have been considered as valid if the petition had been not been rejected for the above reason. Most of the signatures were invalid because either (a) they appeared on sheets of paper that did not include the prayer, thus it could not be determined that these signatures were in fact supporting the prayer which was included on the front sheet of the petition, (b) a print-out of an equivalent e-petition was received, the signatures upon which are invalid because the Council only accepts e-petitions through its own e-petition facility hosted on the Council's web site, (c) being only a print-out of the e-petition, there was no way of corroborating that the people listed on the pages of the print-out had indeed signed an equivalent e-petition.

### **3.0 Corporate Implications**

#### **3.1 Financial and VAT**

3.1.1 None

#### **3.2 Legal**

3.2.1 None

#### **3.3 Corporate**

3.3.1 The Council must abide by its constitution, of which the petition scheme is an integral part. The constitution requires the Overview & Scrutiny Panel to be advised if the Monitoring Officer rejects a petition.

#### **3.4 Equity and Equalities**

3.4.1 None

### **4.0 Recommendation**

4.1 This report is for information only.

Contact Officer:	Steven Boyle, Interim Legal Services Manager and Monitoring Officer
Reporting to:	Madeline Homer, Interim Chief Executive

#### **Annex List**

None	N/A
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#### **Background Papers**

<b>Title</b>	<b>Details of where to access copy</b>
None	N/A

#### **Corporate Consultation Undertaken**

Finance	N/A
Legal	Steven Boyle, Interim Legal Services Manager and Monitoring Officer