

**NON EXEMPT**

## **HAVANT BOROUGH COUNCIL**

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**Cabinet**

**26 June 2019**

### **PETITION SCHEME**

**Report by Governance, Audit and Finance Board**

**FOR DECISION**

**Cabinet Lead: Councillor Bowerman**

**Key Decision: No**

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#### **1.0 Purpose of the paper:**

- 1.1 This report is submitted to seek approval for a revision to the Council's current petition scheme.
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#### **2.0 Recommendations**

- 2.1 Agree the revised petition scheme as set out in Appendix A of this report
- 2.2 To review the revised threshold figure for full council debate within twelve months of the revisions to the scheme, as set out in 2.1 above being approved by Cabinet.

#### **3.0 Executive Summary**

- 3.1 The Board, at the request of the Chairman, reviewed the Council's current petition scheme, which has only been reviewed once since it was adopted by the Council in 2010.
- 3.2 The Board felt that the scheme, in its current form, was not particularly user-friendly and not clear on the process or qualifications for a valid petition scheme. To overcome this issue the Board recommends that the revised scheme set out in Appendix A of this report be adopted.
- 3.3 Under the current scheme, petitions with at least 50 signatures are accepted as valid petitions. If the number of signatures is at least 750 or the petition

requests an officer's progress report, the issue is referred to scrutiny. However, if the petition has at least 1500 signatures, the petition is referred to full council for debate, unless an officer's progress report is requested, where it will be considered by scrutiny.

3.4 The Board also felt that the current threshold for submitting a petition for a Full Council debate (at least 1500 signatures) was too high and penalised those areas of the Borough where there was a longstanding difficulty in motivating the community to sign a petition. The Board noted from the [Benchmarking Exercise](#) that although the current threshold was in line with a majority of the other Councils in terms of the percentage of population (1%), it was below the median average (1000 signatures). The Board therefore considered that a more appropriate threshold would be 1000 signatures. The Board acknowledged that there was a risk that a reduction in the threshold could result in an increase of inappropriate petitions being submitted for a Full Council debate and therefore recommends that the threshold be reviewed after a period of 12 months.

3.5 A change to the threshold figure for a full council debate would require the other thresholds to be amended to as follows:

<b>Type of Petition</b>	<b>Current Threshold (signatures)</b>	<b>Revised Threshold (signatures)</b>
Valid petition	At least 50	At least 50
Petitions Requiring a Scrutiny Review	At least 750	At least 750
Petition Requiring a Full Council Debate	At least 1500	At least 1000

#### **4.0 Options and Reasons for Recommending Relevant Option**

Option 1: Do Nothing. This option is the simplest and requires no effort and little resource. However, the complexity of the current scheme would remain making it difficult for a member of the public to understand. The retention of the current threshold for full council debate would leave the Council's threshold above the median average for this threshold for the benchmarked councils.

Option 2: This will provide a revised user - friendly scheme with a threshold for full council debate in line with the majority of neighbouring authorities.

## RISK

<b>OPTION</b>	<b>FOR</b>	<b>AGAINST</b>
1	No cost. Easy	Retains a complex and non-user-friendly scheme which increases the risk of complaints from members of the public
2	Reduced risk of challenge and complaints from members of the public over the difficulty of submitting petitions. Increased transparency and possibility for public engagement.	Will require Officer resource to amend the scheme and the constitution.  Increase in time spent by officers and councillors attending more full council petition debates.

### **Quality & Equality Impact Assessment**

None. However, a more user-friendly petitions scheme with a lower threshold would benefit all residents of the Borough.

#### **7.0 Resource Implications**

##### 7.1 Financial Implications

There is a risk that change to the threshold for a full council debate could lead to more petitions being submitted to Full Council and lead to longer meetings. However, the current evidence suggests that valid petitions that have been submitted in the past do not qualify for a full council debate because they relate to consultations which are dealt with under other procedures and not due to the current threshold figure. Therefore, the risk is considered very low and can be accommodated within the existing budget.

##### 7.2 Human Resource Implications

The proposed changes could result in additional work for democratic services, who administer the scheme.

##### 7.3 Information Governance Implications

Not applicable.

##### 7.4 Other Resource Implications

Members time for full council.

## **8.0 Legal Implications**

There is currently no legislation requiring councils to adopt a petition scheme or to respond to petitions.

## **9.0 Significant Risks**

The do-nothing option risks future complaints.

## **10.0 Consultation**

Not applicable.

## **11.0 Communication**

The revised petition scheme will be republished and included in the constitution in its amended form.

## **Background Information**

<http://havant.moderngov.co.uk/ecSDDisplay.aspx?NAME=SD1571&ID=1571&RPID=501171471&sch=doc&cat=14067&path=14065%2c14067>

## **Agreed and Signed off by:**

**Monitoring Officer:** 13 June 2019

**Section 151 Officer:** 13 June 2019

**Cabinet Lead:** 14 June 2019

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