

**Petitions Committee – Annual Review of Procedures****Report by John Blair, Director, Resources****1 Purpose of Report**

This report invites the Council to conduct the annual review of the Petition Committee's procedures and consider the need for any change.

**2 Background**

- 2.1** On 25 September 2012, the Council agreed to establish a Petitions Committee based on the model operating in Renfrewshire Council.
- 2.2** The availability of a Petitions Committee was seen as strengthening the Council's governance arrangements by improving openness, transparency and accountability.
- 2.3** The operation of the Petitions Committee was reviewed by the Council on 5 November 2013, when a number of changes were agreed, viz:-
- (a) That the Petition Statement box be amended to make it clear that petitions would be rejected and returned to the Principal Petitioner in cases where the wording contained within the Petition Statement box differed from that on any accompanying petition signature sheets;
  - (b) That petitions would not be accepted where the subject matter was currently; had recently been; or would shortly be the subject of public consultation. In these circumstances it was considered that the consultation process should be the mechanism to allow all parties to express their views;
  - (c) Only petitions that were fully valid be accepted. Petitions that were partly valid should be rejected and returned to the Principal Petitioner with an explanation why it had been rejected and inviting them to re-submit a fully valid petition; and
  - (d) That the Head of Customer Services, be the sole arbiter as to whether a petition was valid and petitions which were deemed invalid, no longer be reported to the Petitions Committee for final decision.
- 2.4** The membership of the Petitions Committee is as follows:-
- 2 SNP/

2 SNP	Councillor Coventry (Chair – As Depute Provost) Councillor Rosie
2 Labour	Councillor Muirhead Councillor Russell
1 Independent	Councillor de Vink
1 Green	Councillor Baxter

### **3 Midlothian Council Petitions Documentation**

**3.1** There is a dedicated Petitions page on the Midlothian Council website which shows the following information (as appended to this report):-

**Appendix 1** The information which can be found on the Council's website merged into a single document.

**Appendix 2** The Midlothian Council procedure for dealing with Petitions, including the form to be used to lodge a petition.

**Appendix 3** The document entitled "Putting forward a petition to the Council's Petitions Committee – What you need to know."

### **4 Petitions Received in 2014**

**4.1** Two meetings of the Petitions Committee have so far been held in 2014, namely on 24 June and 4 November. Each of these considered one petition only, as shown at **Appendix 4**. This contrasts with the position in 2014 when 11 petitions were considered.

### **5 Validation of Petitions**

**5.1** In accordance with petition procedures, the Head of Customer Services was given responsibility for validating petitions. Following the Head of Service review at the end of 2013, this post was removed from the establishment, however for the purpose of consistency the previous incumbent continued to validate petitions in her ongoing capacity as Monitoring Officer until her departure from the Council in September 2014. On this basis, the Legal Services Manager, who is currently the Monitoring Officer, has therefore taken over the role of petition validator. In order to give flexibility it is suggested that in the absence of the Monitoring Officer, the Depute Monitoring Officer also be authorised to act as petition validator.

**5.3** During 2014 there was one petition which was rejected in August as not being valid on the basis that it related to a matter which had been considered by the Council within the previous six months. This petition was re-submitted after the six month period had elapsed and was duly heard by the Petitions Committee on 4 November 2014.

### **6 Report Implications**

#### **6.1 Resource**

There are no resource implications arising from this report.

#### **6.2 Risk**

There are no risk issues arising from this report.

### 6.3 **Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- Community safety
- Adult health, care and housing
- Getting it right for every Midlothian child
- Improving opportunities in Midlothian
- Sustainable growth
- Business transformation and Best Value
- None of the above

### 6.4 **Key Priorities within the Single Midlothian Plan**

There may be an impact on the key priorities within the Single Midlothian Plan depending on the particular issues considered by the Petitions Committee.

### 6.5 **Impact on Performance and Outcomes**

There may be an impact on Council performance and outcomes depending on the particular issues considered by the Petitions Committee.

### 6.5 **Adopting a Preventative Approach**

Not applicable.

### 6.6 **Involving Communities and Other Stakeholders**

Not applicable.

### 6.7 **Ensuring Equalities**

An EqIA is not required.

### 6.8 **Supporting Sustainable Development**

There may be an impact on Sustainable Development depending on the particular issues considered by the Petitions Committee.

### 6.9 **IT Issues**

Not applicable.

## 7 **Recommendations**

The Council is invited to:-

- (a) consider the operation of the petitions procedures and the need for any adjustment; and
- (b) confirm that the validation of petitions be by the Monitoring Officer, whom failing the Depute Monitoring Officer.

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