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5 May 2010

To: Councillor Tom Bygott, Portfolio Holder

James Hockney  
Hazel Smith

Scrutiny Monitor  
Opposition Spokesman

Dear Sir / Madam

You are invited to attend the next meeting of **POLICY AND PERFORMANCE PORTFOLIO HOLDER'S MEETING**, which will be held in **JEAVONS ROOM, FIRST FLOOR** at South Cambridgeshire Hall on **THURSDAY, 13 MAY 2010** at **11.00 a.m.**

Yours faithfully  
**GJ HARLOCK**  
Chief Executive

**Requests for a large print agenda must be received at least 48 hours before the meeting.**

AGENDA		PAGES
<b>PROCEDURAL ITEMS</b>		
1.	<b>Declarations of Interest</b>	
2.	<b>Minutes of Previous Meeting</b> The Portfolio Holder is asked to sign the minutes of the meeting held on 11 March 2010 as a correct record.	1 - 6
<b>RECOMMENDATION TO COUNCIL</b>		
3.	<b>Model Petition Scheme</b>	7 - 18
<b>STANDING ITEMS</b>		
4.	<b>Forward Plan</b> The Portfolio Holder will maintain, for agreement at each meeting, a Forward Plan identifying all matters relevant to the Portfolio which it is believed are likely to be the subject of consideration and / or decision by the Portfolio Holder, or recommendation to, or referral by, the Portfolio Holder to Cabinet, Council, or any other constituent part of the Council. The plan will be updated as necessary. The Portfolio Holder will be responsible for the content and accuracy of the forward plan.	19 - 20
5.	<b>Date of Next Meeting</b> The next meeting will be held on 20 July 2010, commencing at 11am	

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**SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL**

Minutes of a meeting of the Policy and Performance Portfolio Holder's Meeting held on  
Thursday, 11 March 2010 at 11.00 a.m.

Portfolio Holder: Tom Bygott

**Councillors in attendance:**

Opposition spokesmen: Hazel Smith

**Officers:**

Paul Howes

Corporate Manager, Community and Customer  
Services

Maggie Jennings

Democratic Services Officer

Paul Knight

Senior Policy and Performance Officer

Steve Rayment

Head of ICT

**15. DECLARATIONS OF INTEREST**

None.

**16. MINUTES OF PREVIOUS MEETING**

The minutes of the meeting held on 8 February 2010 were agreed as a correct record.

**17. INFORMATION & COMMUNICATIONS TECHNOLOGY (ICT) STRATEGY**

The Portfolio Holder was informed by the Democratic Services Officer, that under the Scheme of Delegation of Executive Functions, the ICT Strategy did not require Cabinet and Council approval and it could therefore be determined by himself.

The Head of ICT informed the Portfolio Holder that the document was a revision of the current strategy and that no substantial changes to the strategic direction had been made.

Questions, together with responses arising from the ensuing discussion on the contents of the Strategy included:

- Confirmation that the funding reflected the recently approved estimates
- Confirmation that approximately 25% of PC hardware was replaced per annum
- It was noted that some Members might be reluctant to acknowledge problems with their computers and perhaps routine maintenance should be offered? In response the Head of ICT informed the Portfolio Holder that Members were provided with laptops to reduce the maintenance overhead and provided the opportunity for the unit to easily be returned to SCDC if required. The conditions regarding computer provision to Members would be updated in the near future and in the meantime, Members would be reminded that they could contact the ICT helpdesk when problems arose
- It was noted that the current agreement signed by all Members stated that it was the users responsibility for making regular back-up copies of files
- Users from the individual service areas managing their own business projects were required to own the functions themselves
- There were individual ICT Champions from each service area

In conclusion, the Portfolio Holder requested that

- on page 14 of the agenda papers relating to Funding that the columns be headed with **£k** and delete references to **,000**,
- on page 14 of the agenda papers all the figures relating to funding had been rounded up to the nearest thousand, and
- on page 15 of the agenda papers, under chapter 7, that 2009 be replaced with **2009/10**

The Policy and Performance Portfolio Holder **APPROVED**, the Information & Communications Technology (ICT) Strategy 2009-11.

## 18. FINAL SERVICE PLANS 2010/11: COMMUNITY AND CUSTOMER SERVICES

The Corporate Manager, Community and Customer Services tabled an extract from the recently approved estimates showing the expenditure requirements for the service. He clarified that a figure of £41,000 against the heading Reduction to Meet Savings Target could be deleted as this related to a post that was no longer required. The table should therefore read: Salaries, £808,209 with the final estimate for 2010/11, amended to read: £1,499,220.

The Corporate Manager confirmed that the service now had a full complement of staff and referred in particular to the challenging Improvement Plan that had been drafted to ensure that it could deliver the Council's aims and develop performance management.

As a result of the ensuing discussion, the following amendments were made to the plan:

- An alternative to the colour in the headings, currently black on blue
- Remove reference to cuts to grant schemes in 'Threats', p.35
- Remove semi-colons from bullet list on p.37
- P.38, para 5 – amend to read 'To promote equality and diversity, *ensuring a fair allocation of* resources to those in greatest need
- P.43, para 4 – delete the words 'which is towards the geographical centre of the District'
- P.44, para 2 – substitute the word 'haled' for 'hailed'
- P.54, SX048 – the target to be reduced from 10 to 5 minutes
- P.77 – text is missing from the middle column

In response to a query regarding the term 'community intelligence' used within the documentation, it was explained that this related to the demographic information received, eg, from elected Members on where a large percentage of the elderly lived and was there access to a Post Office, a bus route etc. or which areas had pockets of deprivation. Facilities would be then be targeted for those areas identified. An information sheet had recently been produced by the Policy & Performance Team indicating the South Cambridgeshire Area Profile.

It was noted that figures relating to the number of migrant workers in the district had not been included as up to date information was not available; this would be rectified once the results of the 2011 Census was published.

The Portfolio Holder made reference to p.49, para (j) in the agenda relating to response to emergencies and the importance of contingency plans. It was noted that there was a county-wide response team that SCDC was part of and that the Council itself had a business continuity plan.

The Policy & Performance Portfolio Holder, **APPROVED** the Community & Customer Services Service Plan 2010/11, subject to the amendments agreed above.

**19. FINAL SERVICE PLANS 2010/11: INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT)**

The Portfolio Holder was requested to consider the ICT element of the Corporate Services Service Plan as highlighted in the agenda papers. Following consideration of the document, it was requested that the following amendments be made:

- P. 90, delete reference to 'Possible political instability; changes in Cabinet make-up'
- P. 92, delete reference to 'Misunderstanding of the role of the public PFH meeting, ie not for informal early-stage policy discussions'

The Head of ICT gave an explanation for the following abbreviations:

- DR – Disaster Recover (page 112 refers)
- CCN – Cambridgeshire Community Network (Page 113 refers)

The Policy & Performance Portfolio Holder, **APPROVED** the Information and Communications Technology (ICT) Service Plan 2010/11, subject to the amendments agreed above.

**20. CUSTOMER SERVICE EXCELLENCE (CSE) PROJECT PLAN**

Following consideration of the documentation contained in the agenda and confirmation that the stage one of the project was due to be completed by the end of March 2010, the Portfolio Holder, **NOTED**

- (a) the content of the Customer Service Excellence Project Document, in particular the project structure, work plan and timeline, and
- (b) the content of the Highlight Report

**21. CUSTOMER SERVICE QUARTERLY UPDATE (APRIL-DECEMBER 2009)**

The Portfolio Holder reviewed the third quarter performance against the Council's Customer Service Standards and as a result, the following comments were made:

- Progress had been made in respect of Cambourne telephone response performance
- The Contact Centre performance continued to meet targets
- The number of complaints received by Planning and Housing were reflected countrywide
- The overall number of complaints across the services had reduced
- There had been a poor response to satisfaction surveys, however, it was noted that this was also reflected countrywide. Consideration would be given by the Steering Group that satisfaction surveys should only be requested when a complaint had been upheld
- It was expected that the target for response time to complaints set by the Local Government Ombudsman would be met by the end of the year
- Completion of the 'learning from complaints forms' would be actively encouraged by the Service First Steering Group

The Portfolio Holder **NOTED** the contents of the report and congratulated the Service First

Steering Group on the performance against the Council's Customer Service Standards to date.

**22. FINANCIAL MONITORING REPORT: POLICY AND PERFORMANCE THIRD QUARTER 2009/10**

The Corporate Manager, Community & Customer Services informed the Portfolio Holder that Cabinet had requested that it only receives the end-of-year Integrated Business Monitoring report and that the Portfolio Holders for Finance & Staffing and Policy and Performance monitor the interim quarterly reports.

Particular reference was made to the annual measures NI123 and NI188 that could not be updated until the end of the year. In order to monitor throughout the year, proxy measures would be introduced. It was noted that the introduction of a Best Kept Village Competition had been undertaken by the Environmental Services Portfolio Holder and was therefore projected to meet the end of year target.

The Portfolio Holder **NOTED**,

- (a) the performance position and that CorVu would be used more closely to monitor performance issues across the authority, especially those that were currently forecast to fail to achieve their targets, and
- (b) that managers were being reminded to input performance data into CorVu in a more timely manner.

**23. SERVICE PLAN IMPROVEMENT MILESTONES 2009/10 - QUARTERLY REPORT APRIL 2009-DECEMBER 2009**

The Corporate Manager, Community and Customer Services drew the Portfolio Holder's attention to the 5 measures that had been projected to be red at year-end and detailed in para 6 of the report.

- **PP16** - the target that Place Surveys would take place annually, had in fact remained biennially with no survey taking place during 2009/10
- **PP17** – a budget consultation had now taken place and the indicator would change to green in the last quarter of 2009/10
- **NI014c** – the Portfolio Holder requested that the relative percentage measure '*it represents 20% of the 35% of avoidable contacts*' be replaced with an absolute measure of each category of avoidable contact
- **PP25** – Review of Customer Service Strategy would remain at red
- **SX053** – due to a positive response to public participation at Scrutiny & Overview Committee, the end of year target would be met

The Portfolio Holder **NOTED** the contents of the report.

**24. FORWARD PLAN**

The contents of the Forward Plan were **NOTED**.

**25. DATE OF NEXT MEETING**

It was **NOTED** that the next meeting would be held at 11am on 13 May 2010.

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**The Meeting ended at 12.44 p.m.**

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## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

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<b>REPORT TO:</b>	Policy and Performance Portfolio Holder's Meeting	13 May 2010
<b>AUTHOR/S:</b>	Executive Director (Corporate Services) / Acting Legal and Democratic Services Manager	

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**MODEL PETITION SCHEME****Purpose**

1. To adopt a new petitions scheme to meet the requirements of the Local Democracy, Economic Development and Construction Act 2009. This is not a key decision.

**Recommendations**

2. That the Policy and Performance Portfolio Holder agree:
  - (a) to adopt the draft Petition Scheme, in respect of executive functions, and to recommend it to Council in respect of non-executive functions;
  - (b) that the Democratic Services Team Leader be designated as the Petitions Officer and be instructed to report annually to Council or to the relevant Portfolio Holder on the operation of the Scheme;
  - (c) that the relevant Portfolio Holder, based upon the topic of the petition, will receive Ordinary Petitions for decision, but that the Portfolio Holder may refer a petition to Cabinet if s/he felt that it raises wider issues or is outside the powers delegated to the Portfolio Holder;
  - (d) that that Group Leaders / Convenors and relevant ward Councillor(s) be provided with a copy of each petition within 5 working days of receipt, at the same time as it is put on the Petitions Site on the Council website and that all Members and relevant officers be advised by e-mail of its receipt;
  - (e) that the Chief Executive be instructed to incorporate the Petition Scheme in the Council's Constitution and make consequential amendments;
  - (f) that a maximum of 30 minutes be allowed at any meeting for discussion of a petition, but that this can be extended by the Chairman when appropriate; and, where a decision or response is not reached at a meeting, that the petition stand referred to the relevant Portfolio Holder to respond; and
  - (g) that the Democratic Services Team Leader undertake immediate investigation of alternative software provision, including the possibility of an in-house solution, in consultation with the Head of ICT and the Policy and Performance Portfolio Holder.

**Background**

3. The Local Democracy, Economic Development and Construction Act 2009 requires every local authority, from 15 June 2010, to have adopted a "Petition Scheme" which sets out how it will handle petitions, and by 15 December 2010 every local authority must have an on-line petition facility, under which anyone may set up a petition on the authority's website, and other petitioners may "sign up" to the petition on-line.
4. The Act defines different categories of petitions, and allows the authority to define the number of signatures required for each category:
  - (a) "Petitions for Debate" must be reported to and debated at full Council;

- (b) “Petitions to hold an Officer to Account” trigger an open meeting of an Overview and Scrutiny Committee at which the named officer will report and be questioned on their actions;
  - (c) “Exempted Petitions” – Petitions received in response to statutory consultation on planning and licensing applications will continue to be reported to Planning and Licensing Committees; and
  - (d) “Ordinary Petitions”, for which the authority can determine how these petitions will be handled.
5. The Department for Communities and Local Government has issued statutory guidance on Petition Schemes which suggest that authorities should set the number of signatures required for each category of petition at levels which encourage rather than discourage petitions, and should set a lower threshold for petitions on local rather than authority-wide matters.
6. The Petition Scheme would only apply to petitions which relate to matters for which the authority has responsibility or which it is able to influence.

### Considerations

7. A draft Petition Scheme is attached as **Appendix A**, which has been drafted by Peter Keith-Lucas of Bevan Brittan solicitors, taking the statutory guidance into account. The key features of this Scheme are:
- (a) An appropriate officer needs to be designated as the Petitions Officer, to be responsible for recording all petitions received, responding to petition organisers, ensuring that petitions are reported to Council or to Cabinet Members as required, updating a Petitions Site on the authority’s website, inviting petition organisers to attend meetings. This work is best handled by the Democratic Services Team, and so it is recommended that the Democratic Services Team Leader be designated as Petitions Officer for this purpose;
  - (b) The authority needs to decide the number of signatures required for petitions. The current requirement for 20 signatories for ordinary petitions have been retained in the new scheme, and it is suggested that 50 signatories be required for a petition to hold an officer to account (reduced to 20 where it is a local matter which affects no more than 2 wards) and 50 signatories be required for a Petition for Debate (reduced to 20 where it relates to a local matter affecting no more than two wards). These figures can be revised at any time if they are found to act as a deterrent to petitions, or found to encourage frivolous or vexatious petitions, and it is recommended that the Democratic Services Team Leader be instructed to report annually to Council or the relevant Portfolio Holder on how the Petition Scheme is working;
  - (c) The authority needs to decide to whom Ordinary Petitions will be reported for decision. This should ordinarily be the relevant Portfolio Holder based upon the topic of the petition, but the Portfolio Holder should be able to refer a petition to Cabinet if s/he felt that it raised wider issues or was outside the powers delegated to the Portfolio Holder;
  - (d) The authority needs to decide who will be provided with copies of petitions. It is recommended that Group Leaders / Convenors and relevant ward Councillor(s) be provided with a copy of each petition within 5 working days of receipt, at the same time as it is put on the Petitions Site on the Council website and all Members and relevant officers advised by e-mail of its receipt;

- (e) The authority will in practice need to set a maximum time to be allowed for discussion of petitions at any one meeting of Council or Cabinet. Whilst the 2009 Act does not provide for such a limit, the authority does need to ensure that it can continue to discharge its ordinary business effectively. Accordingly, it is suggested that a maximum of 30 minutes be allowed at any meeting, but that this can be extended by the Chairperson when appropriate. Where a decision or response is not reached at a meeting, the petition would stand referred to the relevant Portfolio Holder to respond.
- (f) The authority needs to commence the procurement of an On-Line Petition Facility, to be available from 15 December 2010. Although the existing modern.gov system does have the facility for the authority to enable an e-Petition scheme immediately, the software release version currently used by SCDC is not fully compliant with the requirements of the 2009 Act. An upgrade is available, but NT/e, the modern.gov software providers, warned the authority in January 2010 that, in line with Microsoft's current practice, they would discontinue support for the Windows 2000 operating system used by our modern.gov server from 1 March 2010. This has been reported monthly to Executive Management Team since January, and, although a server upgrade is scheduled for the 2010-11 year, there remains a significant danger that the Council will be unable to receive the necessary upgrades in time to have the scheme fully installed, tested and launched by the statutory deadline of 15 December 2010. In order to ensure that the Council does not fail to achieve its requirements, it is recommended that the Democratic Services Team Leader undertake immediate investigation of alternative software provision, including the possibility of an in-house solution, in consultation with the Head of ICT and the Policy and Performance Portfolio Holder.

### Options

8. The scheme is mandatory, so the only options available would be to reduce or increase the number of signatures required to trigger action on a specific category of petition. It would be advisable to operate the scheme for at least a year before considering any revisions to these thresholds, by which time the public response and use of the scheme would be known.

### Implications

9.	Financial	The costs of dealing with petitions under the draft Petition Scheme, if adopted, cannot be ascertained in advance, as they will depend on the number of petitions received. Currently the majority of petitions received relate to statutory consultations, for example on planning applications, which will continue to be handled as at present.
	Legal	These changes are required to comply with the Local Democracy, Economic Development and Construction Act 2009
	Staffing	There will be a time cost to the Democratic Services Team in setting up and testing the Petitions Website.

Risk Management	As described above, there is a significant risk of the Council not having the necessary server platform to enable an upgrade to its existing software package in time to meet the statutory deadline of 15 December 2010. Alternative arrangements will add additional costs for new software, as well as additional officer time to research the availability of other software packages, including training and development on a new system, as well as the potential time required for development of a viable in-house solution. This will have to be weighed against the cost of, and officer time required for, a server upgrade.
Equal Opportunities	The new rules on petitions are intended to enable public access to the decision-making processes of the authority and as such contribute towards open and inclusive governance.
Climate Change	None specific.

### Consultations

10. Head of ICT.

### Effect on Strategic Aims

11. A revised petitions scheme will support the Council's vision to be a listening Council, and provide additional avenues for residents to raise issues of concern. The new scheme is more specific, so residents petitioning the authority will be better informed from the beginning of the process how their petition will be handled by the authority.

### Conclusions / Summary

12. The Council's existing petition scheme must be updated to reflect the new legislative requirements. There remains a significant risk that the e-petitions facility might not meet the statutory deadline without additional cost to the authority.

**Background Papers:** the following background papers were used in the preparation of this report:

Sections 10 to 22, Local Democracy, Economic Development and Construction Act 2009  
DCLG Statutory Guidance on Handling Petitions  
Procedural Guidance on Petitions, SCDC Constitution Part 5, Section L

**Contact Officer:** Holly Adams – Democratic Services Team Leader  
Telephone: (01954) 713030

## **L Procedural Guidance – Petitions**

The Council welcomes petitions as one way in which residents can let us know their concerns. We set out below how the authority will respond to petitions it receives.

### **Definition**

1. We treat as a petition any communication which is signed by or sent to us on behalf of a number of people. For practical purposes, we normally set a requirement for at least 20 signatories or petitioners before we treat it as a petition. Whilst we like to hear from people who live, work or study in South Cambridgeshire, this is not a requirement and we would take equally seriously a petition from, for example, 20 visitors to the District on matters relating to any aspects of their visit for which the authority has responsibility or influence.

### **Scope**

2. A petition should include –
  - 2.1. A clear statement of your concerns and what you want the authority to do. This must relate to something which is the responsibility of the authority, or over which the authority has some influence. Where a petition relates to a matter which is within the responsibility of another public authority, we will ask the petition organiser whether s/he would like us to redirect the petition to that other authority. Where a petition relates to a matter over which the authority has no responsibility or influence, we will return the petition to the petition organiser with an explanation for that decision;
  - 2.2. the name and contact details of the “petition-organiser” or someone to whom you would like any correspondence about the petition to be sent. Contact details may be either a postal address or an e-mail address;
  - 2.3. the names of at least 20 petitioners (which can include the petition organiser). Where the petition is in paper form, this can include an actual signature from each petitioner, but actual signature is not essential. Where the petition is in electronic form, a list of the names of the petitioners will suffice. You may include the addresses of petitioners, which may be useful to the authority, for example, in assessing the degree of local support or opposition to a planning application, but this is not essential. If you want your petition to be debated at a meeting of the Council (“A Petition for Debate”), or to trigger a public meeting of an Scrutiny and Overview Committee at which a specific officer will be required to report (“A Petition to hold an Officer to Account”), your petition will need to contain a higher number of signatories or petitioners (see below);
  - 2.4. if you are submitting the petition in response to our consultation on a specific matter, please identify the matter which it relates to, so that we can ensure that your petition is considered along with original matter.
3. Where you submit a petition in response to consultation by the authority, please address it to the return address set out in the consultation invitation. This will ensure that it is reported at the same time as the matter to which it relates is considered.
4. We have appointed a Petitions Officer, who is responsible for receiving, managing and reporting all other petitions sent to the authority. Please address petitions to –

Democratic Services Team Leader  
South Cambridgeshire District Council  
South Cambridgeshire Hall  
Cambourne Business Park  
Cambourne

Cambridge CB23 6EA

[democratic.services@scambs.gov.uk](mailto:democratic.services@scambs.gov.uk)

5. The Petitions Officer will ensure that your petition is acknowledged to the petition organiser and entered on the authority's petitions website (<http://www.scambs.gov.uk/meetings>) and that the website is regularly up-dated with information on the progress of your petition. The Petitions Officer can also provide you with advice about how to petition the authority or the progress of your petition, at either of the above addresses or by telephone at 01954 713030.
6. Petitions which will not be reported
  - 6.1. ***Duplicate Petitions***

Where more than one petition is received in time for a particular meeting, each supporting the same outcome on one matter, each petition organiser will be treated as an independent petition organiser, but only the petition organiser of the first petition to be received will be invited to address the relevant meeting.
  - 6.2. ***Repeat Petitions***

A petition will not normally be considered where they are received within 6 months of another petition or public question being considered by the authority on the same matter.
  - 6.3. ***Rejected Petitions***

Petitions will not be reported if in the opinion of the Chief Executive, in consultation with the Monitoring Officer, they are abusive or libellous; frivolous, vague or ambiguous; rude, offensive, defamatory, scurrilous or time-wasting; require the disclosure of confidential or exempt information or are otherwise considered to abuse the Council's powers, duties or obligations; or which do not relate to something which is the responsibility of the authority, or over which the authority has some influence.
7. Petitions relating to applications for a permission, consent or licence yet to be determined will be reported to the relevant regulatory committee with other responses to consultation.
8. The interpretation of the eligibility criteria by the Chief Executive and / or Monitoring Officer, the Leader of the Council and the Chairman of the Scrutiny and Overview Committee shall be final.

## Types of Petition

9. There are five different types of petition, as set out below. How we deal with a petition depends on which type of petition you submit –
  - 9.1. ***Ordinary Petitions***

These are petitions which do not come within any of the following specific types. Please note that petitions which raise issues of possible Councillor misconduct will be taken as complaints arising under the Local Government Act 2000 and will be reported to the Standards Committee Local Assessment Panel, rather than considered under this Petitions Procedure.
  - 9.2. ***Consultation Petitions***

These are petitions in response to an invitation from the authority for representations on a particular proposal or application, for example on planning or licensing applications or proposals for parking restrictions or speed limits. Consultation petitions which are received by the response date in the consultation invitation will be reported to a public meeting of the person or body which will be taking the decision on the application or proposal.

**9.3. Statutory Petitions**

Particular Acts of Parliament require the Council to consider petitions, for example a petition for a review of Parish Councils, or a petition for a directly-elected Mayor. Where you submit a petition under such a specific statute, we will report it to the next available meeting of the Council in accordance with the statutory requirements.

**9.4. Petitions for Debate**

If you want your petition to be reported to and debated at a meeting of the Council, it must contain at least 50<sup>1</sup> signatories or petitioners (this is reduced to 20 signatories or petitioners where the petition relates to a local issue, affecting no more than 2 electoral wards within the authority's area).

**9.5. Petitions to Hold an Officer to Account**

If you want your petition to be considered at a meeting of an Scrutiny and Overview Committee, where an officer, identified either by name or by post title, will be required to answer questions on the conduct of a particular matter, your petition should contain at least 50 signatories or petitioners (this is reduced to 20 signatories or petitioners where the petition relates to a local issue, affecting no more than 2 electoral wards within the authority's area). The authority has determined that such petitions must relate to the Chief Executive, a Director or a Head of Service of the authority. Please note that where the petition raises issues of competence or misconduct, the petition will be referred to the Chief Executive (or to the Head of Human Resources in respect of the Chief Executive) and will be considered under the authority's Disciplinary Procedures, and not under this Petitions Procedure<sup>2</sup>.

## **e-Petitions**

10. The authority maintains a petitions website at <http://www.scambs.gov.uk/meetings>
11. When a petition is received, within 5 working days the Petitions Officer will open a new public file within the website and will put in that file the subject matter of the petition, its date of receipt and the number of signatories or petitioners. The petition organiser's name and contact details will only be included on the website if s/he so requests.
12. As soon as it is decided who the petition will be considered by within the authority, and when that consideration will occur, this information will be entered on the website at the same time as it is sent to the petition organiser. Once the petition has been considered, the authority's decision will be notified to the petition organiser and put on the website within 5 working days of that consideration.
13. Petitions are presented on the petitions website in the order in which they are received, but the website can be searched for keywords to identify all petitions relating to a particular topic. All petitions are kept on the website for 2 years from the date of receipt.

## **The role of Ward Councillors**

14. When a petition is received which relates to a local matter (particularly affecting specific electoral wards), the Petition Officer will send a copy of the petition to each relevant Ward Councillor at the same time as acknowledging receipt of the petition to the petition organiser.

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<sup>1</sup> The number of signatories or petitioners required for Petitions for Debate, and for Petitions to Hold and Officer to Account have been set by the authority to try to ensure that matters of genuine concern can be brought to the authority's attention. These requirements will be reviewed periodically in the light of the number of petitions received, to ensure that the requirements are not excessive.

<sup>2</sup> Note that the Local Democracy, Economic Development and Construction Act 2009 makes no provision for handling petitions which raise issues of officer or member misconduct or officer competence, but in practice such petitions cannot be handled under the Petitions Procedure and must be handled under the procedures appropriate to such matters.

15. When the petition is reported to the person or body within the authority who can take a decision on the matter to which it relates, the relevant Ward Councillor will be invited to attend and to address the decision-taker for no more than 3 minutes (or 3 minutes each), immediately after the petition organiser.

## **Procedure**

### ***What happens when a petition is received?***

16. Whenever a petition is received:
  - 16.1. Within 2 working days of receipt, the Petitions Officer will acknowledge receipt to the petition organiser.
  - 16.2. In some cases, the Petitions Officer may be able to resolve the petitioners' request directly, by getting the relevant Portfolio Holder or officer to take appropriate action. For example where the petition relates to fly-tipping and the authority can arrange for it to be cleared up directly. Where this is done, the Petitions Officer will ask the petition organiser whether s/he considers that the matter is resolved;
  - 16.3. Unless the matter has been resolved to the satisfaction of the petition organiser, the Petitions Officer will within 5 working days of receipt of the petition provide a substantive response to the petition organiser setting out who the petition will be reported to for consideration, when and where that will take place and inviting the petition organiser to attend that meeting and to address the meeting for up to 3 minutes on the issue covered by the petition. The invitation to the petition organiser to address the meeting is in addition to any other public speaking rights at that meeting.
  - 16.4. Whilst we are committed to dealing with petitions promptly, a petition will normally need to be received at least 10 working days before a relevant meeting if it is to be reported to that meeting. Where it is necessary to undertake a significant amount of work to collect information and advice to enable the matter to be properly considered, it may be necessary for the Petitions Officer to decide that the petition will be held over until the following meeting of the relevant body.
  - 16.5. At the same time as responding to the petition organiser, the Petitions Officer will notify political group leaders / convenors and relevant Ward Councillors and officers of receipt of the petition.
  - 16.6. Within 5 working days of receipt of a petition, the Petitions Officer will open a new public file for the petition on the authority's petitions website, setting out the subject matter of the petition, the date of receipt and the number of petitioners. The petition organiser's name and contact details will only be included on the website if s/he so requests.
  - 16.7. At each stage of the consideration of the petition, within 5 working days of any decision, the Petitions Officer will ensure that the petitions website is updated to ensure that petitioners can track progress of their petition.
  - 16.8. The process after this stage differs for the various types of petitions – see below.

### ***What happens to a Consultation Petition?***

17. Consultations Petitions are submitted in response to an invitation from the Council to submit representations on a particular proposal or application, such as a planning or licensing application or a proposed traffic regulation order.
  - 17.1. The petition will be reported to person or body who will take the decision on the proposal or application at the meeting when they are to take the decision on that



application or proposal. The Council's Constitution defines who will take different types of decision, as set out in the Scheme of Delegations and the terms of Reference of Committees and Sub-Committees at Part 3. Most Planning applications are determined by the Planning Committee and all Licensing applications are determined by the Licensing Committee. The exception in respect of planning applications is that specific officers have delegated power to determine domestic planning applications where no objection has been received. So, where a petition has been received objecting to the grant of planning permission, the application would be reported to the Planning Committee for decision. Where the petition supports the planning application, it may be determined by the relevant officer to whom power for determination has been delegated.

- 17.2. Where the petition relates to any other matter which is within the delegated power of an officer, s/he will not exercise those delegated powers but will automatically refer the matter up to the relevant Portfolio Holder for decision.
- 17.3. Where the petition relates to a matter which is within the delegated powers of an individual Portfolio Holder, s/he may decide not to exercise those delegated powers but to refer the matter to Cabinet for decision

### ***What happens to a Statutory Petition?***

18. Particular Acts of Parliament require the Council to consider petitions, for example a petition for a review of Parish Councils, or a petition for a directly-elected Mayor. Where you submit a petition under such a specific statute, we will report it to the next available meeting of the Council in accordance with the statutory requirements.

### ***What happens to Petitions for Debate?***

19. Petitions for Debate will be reported to the next convenient meeting of Council. Petitions will not be considered at the Annual Meeting of Council or at Extraordinary Meetings of Council which are not convened to consider the subject matter of the petition.
20. As set out below, the petition organiser will be invited to address the meeting for up to 3 minutes on the subject of the petition.

### ***What happens to a Petition to Hold an Officer to Account?***

21. Petitions to hold an officer to account will be reported to the next convenient meeting of the Scrutiny and Overview Committee.
22. In advance of the Committee meeting, the petition organiser will be invited to submit a list of questions which s/he would like put to the officer at the meeting. These questions will be provided to the Chairman of the Committee, who will decide whether they are appropriate, and to the officer concerned, in advance of the meeting.
23. At the meeting, the Chairman will invite the petition organiser to address the Committee for a maximum of 3 minutes on the issue, and the relevant officer will then be required to report to the Committee in relation to the conduct of the subject matter of the petition. Members of the Committee may question the officer, and the Chairman may invite the petition organiser to suggest questions for him/her to put to the officer.

### ***What happens to an Ordinary Petition?***

24. The Petitions Officer will arrange for each Ordinary petition to be reported to the next convenient meeting of the relevant Portfolio Holder, of Cabinet, of Council or of a Committee or Sub-Committee of Council which has the power to take a decision on the matter
25. At the meeting, when the matter to which the petition relates is considered:

- 25.1. Petitions which do not relate to an ordinary item of business will be considered before the normal business of the meeting, and will be considered in the order in which they were received, unless the Chairman at the meeting determines otherwise. A maximum of 30 minutes will be allowed at each meeting for considering such petitions and any petitions not reached in the time allowed will be referred to the relevant Portfolio Holder for consideration or deferred until the next meeting.
- 25.2. Any petitions relevant to particular items of business, such as petitions relating to planning applications or proposed traffic regulation orders, will be taken together with that item of business, in the normal order of business.
26. The decision-taker or the Chairman of the meeting may invite a relevant officer to set out the background to the issue before inviting the petition organiser to address him/her for up to 3 minutes. The Portfolio Holder / Chairman may then ask questions of the petition organiser, and will then invite any relevant Ward Councillors present to address him/her on the matter for up to 3 minutes (each). The Portfolio Holder / Chairman will then invite a relevant officer(s) to advise him/her/the meeting, after which the matter will be open for debate among members of the decision-making body. Where the matter is to be determined by a Portfolio Holder, s/he will take a decision on the matter. That decision may be a determination of the matter, or may be a decision to refer the matter for investigation and report back, or to refer it up to a meeting of Council, Cabinet or a Committee of the Council for determination.
27. Within 5 working days of the consideration of the petition by the relevant Portfolio Holder, the Petitions Officer will notify the petition organiser of the Portfolio Holder's decision and advise him / her that if s/he is not satisfied with that decision, s/he may require the matter to be reported to the next convenient meeting of the appropriate Scrutiny and Overview Committee for review.
28. At each stage, the Petitions Officer will enter the relevant information on the website at the same time as it is sent to the petition organiser.

***Appeal to the Scrutiny and Overview Committee***

29. If the petition organiser is not satisfied with the outcome of the authority's consideration of his / her petition, s/he may appeal to the Scrutiny and Overview Committee by notifying the Petitions Officer of his / her intention to appeal within 20 working days of being notified of the authority's decision on the petition.
30. Within 5 working days of receipt of intention to appeal, the Petitions Officer will determine which is the relevant Scrutiny and Overview Committee, if more than one has been established by Council, and will notify the petition organiser of the time, date and place of the next convenient meeting of that Scrutiny and Overview Committee and will invite the petition organiser to attend the meeting and to address the Committee for up to 3 minutes on why he considers that the authority's decision on the petition is inadequate.
31. At that meeting, the Scrutiny and Overview Committee will invite the petition organiser and Ward Councillor(s) to make their representations and to explain why s/he considers that the Portfolio Holder's response was insufficient. The Scrutiny and Overview Committee may not over-ride the Portfolio Holder, but the Portfolio Holder must consider any recommendations made by the Scrutiny and Overview Committee.

***The role of the Petition Organiser***

32. The petition organiser will receive acknowledgement of receipt of the petition within 2 working days of its receipt by the authority.

33. Where the petition is not accepted for consideration (see Paragraph 6 above for grounds for rejection of petitions), the petition organiser will be advised by the Petitions Officer of the rejection and the grounds for such rejection.
34. Where the petition is accepted for consideration, the petition organiser will be advised by the Petitions Officer within 5 working days of receipt by the authority as to who the petition will be considered by, and the date, time and place of the meeting at which it will be considered, and will be invited to address the meeting for up to 3 minutes. The meeting may then ask the petition organiser questions on the subject matter of the petition.
35. The petition organiser may nominate another person to address the meeting and to answer any questions on the matter.
36. The petition organiser will be regularly informed by the Petitions Officer of any decisions in respect of the petition and will be formally notified of the outcome of the petition's consideration within 5 working days of such decision.
37. The petition organiser may notify the Petitions Officer of his/her intention to appeal to the Scrutiny and Overview Committee against the decision of the authority relating to the petition within 20 working days of being notified of that decision, and may attend and address the meeting of the Scrutiny and Overview Committee for up to 3 minutes as to why s/he considers that the authority's decision on the petition was inadequate.

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Date of Portfolio Holder Meeting	Agenda Item	Key	Purpose	Corporate Manager(s)	Responsible Officer(s)
20-Jul-10	Performance indicators full year report 2009 -2010				
	Service plan improvement milestones full year report 2009 - 2010		Discussion		
	Financial Performance full year report 2009-2010		Monitoring	Alex Colyer	Sally Smart
	Integrated Business Monitoring Report				
21-Sep-10	ICT Security Policy			Alex Colyer	Steve Rayment
16-Nov-10	Integrated Business Monitoring Report				
	Customer Satisfaction Survey Response (Nov 2010)				
	Draft Service Plans				
	Financial Monitoring				
18-Jan-11	Capital and Revenue Estimates				
15-Feb-11	Final Service Plans				
	Integrated Business Monitoring Report				
Unscheduled	National Indicators: The New Performance Framework for Local Authorities and Local Authority Partnerships			Paul Howes	Ian Salter
	Performance Improvement Strategy	Y	Monitoring	Paul Howes	

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