

Receipt of a petition and amendments to the Petitions Scheme

SUMMARY

- 1.1 The Mayor received a petition on 7 June 2016 in relation to Derby's leisure facilities. The petition stated: "Give Derby a swimming pool back". The petition contained in excess of 4,000 signatures and so, in accordance with the approved Petitions Scheme, triggers a debate of Council.
- 1.2 Closer examination of the petition revealed an issue which has become increasingly apparent as the council has received various petitions in recent years; namely the impact of social media. In this particular instance, just 1,219 of the signatories were from Derby. A further 13,094 were from the UK but outside of Derby – the majority being some considerable distance away – while 10,720 signatories were not from the UK. While social media is an important, modern communication tool, it is important to note that the council, and councillors', principal role is to serve Derby's residents.
- 1.3 The Petitions Scheme has not been reviewed since 2012, when the number of signatures required to trigger a Council debate was more than halved. It is proposed that this is an ideal opportunity to review this part of the scheme and others to ensure it is fit for purpose.
- 1.3 This report proposes that the matter at hand is dealt with in accordance with the existing scheme, but that the scheme thereafter is amended to ensure its principle focus is on giving a voice to Derby citizens.

RECOMMENDATIONS

- 2.1 To note the petition in accordance with the existing Petitions Scheme.
- 2.2 To approve the amended Petitions Scheme as detailed at Appendix 2.

REASONS FOR RECOMMENDATION

- 3.1 Despite the concern over the number of non-Derby signatories on the petition before members, it is nonetheless compliant with the existing scheme. It is therefore appropriate to treat it accordingly.
- 3.2 The amended Petitions Scheme is proposed to ensure the scheme is fit for purpose.

SUPPORTING INFORMATION

Debates before Council

- 4.1 The council first introduced a mechanism for the public to bring petitions before members in May 2010, at which point the agreed threshold was 8,500 signatures. Council reduced this to 4,000 in December 2012, at a time when various other changes were introduced to enable petitions to be brought before members, including relaxing rules on e-petitions.
- 4.2 The threshold is considered to be a reasonable number. Petitions are not brought before members frequently, but those that are normally have significant support to justify their consideration.
- 4.3 Increasingly, officers processing e-petitions have noted the number of non-Derby signatures on the petitions. While a certain number of non-city residents are legitimate stakeholders, such as employees within the city or regular visitors, it is expected that the majority of petition signatories should be Derby residents.
- 4.4 It is therefore proposed to make it a condition of the scheme that the 4,000 signatures required to trigger a Council debate be from Derby people.

Other proposed changes

- 4.5 Other issues have arisen during the last municipal year which can be addressed while the petition is reviewed. These are set out in the following paragraphs.
- 4.6 It is proposed that provision be included to prevent the Petitions Scheme being used as a mechanism for employees raising grievances. Other mechanisms already exist for such matters to be addressed and a petition is not considered to be appropriate, as management issues rest with the Chief Executive, as Head of Paid Service, and not elected members.
- 4.7 Neighbourhood boards are included in the present scheme to deal with local issues. Given changes to the delivery of neighbourhood support, the amended scheme proposes that local ward councillors are engaged directly in such instances.
- 4.8 In order to make online petitions as accessible to the public as possible, Council previously agreed that any e-petition site could be used provided that it validated signatories to prevent duplicate entries. It is proposed that this flexibility be retained, except that it be made a condition that the sites used must also indicate the location of signatories to ensure compliance with the change proposed in paragraph 4.4.
- 4.9 Online petitions are considered 'live' documents. There was one instance where a petition had already been submitted but was then re-submitted several weeks later with an increased number of signatories. It is proposed that the scheme be amended to ensure that a petition can only be considered by Council once.

- 4.10 It is proposed that the wording around vexatious petitions be strengthened to specifically state that a petition about named or identifiable individuals, rather than issues, will be considered vexatious. This reduces the risk of the Petitions Scheme requiring a matter to be considered in public which has the potential to be defamatory.
- 4.11 Petitions have been submitted after Council decisions have been taken on budgetary matters. While petitions on budgetary matters are welcomed when they propose something which is feasible, it is proposed that petitions requesting actions that would result in a retrospective change to the authority's agreed budget be invalid. There is a lengthy consultation process in advance of the council's budget being set, during which it would be perfectly legitimate to submit petitions.

OTHER OPTIONS CONSIDERED

- 5.1 To make no changes, fewer changes, or different changes to the Petitions Scheme. The changes proposed in this report are considered to be appropriate.

This report has been approved by the following officers:

Legal officer	Janie Berry, Director of Governance
Financial officer	None
Human Resources officer	None
Estates/Property officer	None
Service Director(s)	None
Other(s)	Paul Robinson, Chief Executive

For more information contact:	David Walsh 01332 643655 david.walsh@derby.gov.uk
Background papers:	None
List of appendices:	Appendix 1 – Implications

	Appendix 2 – Proposed Petitions Scheme
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IMPLICATIONS

Financial and Value for Money

1.1 None directly arising.

Legal

2.1 None directly arising.

Personnel

3.1 None directly arising.

IT

4.1 None directly arising.

Equalities Impact

5.1 None directly arising.

Health and Safety

6.1 None directly arising.

Environmental Sustainability

7.1 None directly arising.

Property and Asset Management

8.1 None directly arising.

Risk Management and Safeguarding

9.1 None directly arising.

Corporate objectives and priorities for change

10.1 None directly arising.