

Council Petition Scheme

Council

Date: 7th November 2013

Author: Director of Law and Democratic Services

Wards: All

Locality Affected: All

Parishes Affected: All

1. Purpose and Reasons

1.1 To report on Petitions received.

1.2 At the Annual Council meeting held on 21st May 2010, the Council formally adopted a Petition Scheme in accordance with the requirements of Sections 10 to 22 of the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act) and subsequent statutory guidance.

1.3 Operating the Petition Scheme helps deliver the strategic corporate priority of working with people and families to help them fulfil their potential by developing public participation in decision-making.

2. Recommendations

Council is recommended to:

2.1 To hear from the Lead Petitioners (or representatives) presenting the Petition headed “Repeal the ‘bedroom tax’ – No evictions” and to determine any action to be taken in respect of that Petition.

2.2 Note that the Petition opposing incineration in Swindon has been referred to the Head of Planning

3. Detail

3.1 A petition has been received which satisfies the requirements for it to be presented to Full Council for debate.

“Repeal the “Bedroom Tax”- No Evictions”

3.2 A petition of 2,298 signatures asking for Swindon Borough Council to lobby the Government to repeal the relevant legislation and seeking a public commitment from the Council that it will not evict tenants who suffer financial hardship arising from the changes to benefit entitlement arising from the Welfare Reform Act 2012.

3.3 At the Annual Council meeting, the Council resolved to adopt a petition scheme to apply to all petitions received by the Council.

Further information on the subject of this report can be obtained from Stephen Taylor on Direct Dial No. 463013 or Email staylor@swindon.gov.uk or Ian Willcox, Committee and Member Services on Direct Dial No. 463601 or Email iwillcox@swindon.gov.uk

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3.4 The Minute of Council is set out below:

”(1) That, subject to (2) below, the Swindon Borough Council Petitions Scheme, as set out in Appendix 1 of the joint report of the Leader of the Council and Director of Law and Democratic Services be adopted.

(2) That if a Petition is to be reported to and debated at a meeting of the Council it must contain at least 1,500 signatories or petitioners (this is to be reduced to 750 signatories or petitioners where the petition relates to a local issues affecting two or three wards or 350 signatories or petitioners for a single ward issue within the Council’s area.)

(3) That the Director of Law and Democratic Services be appointed as the Council’s Petitions Officer.

3.5 The Council’s Petitions Officer has determined that the Petition set out in paragraph 3.2 of the report meets the requirements to be considered by the Council.

3.6 In accordance with the Scheme:

3.6.1 The petition organiser, or their appointed deputy, will be invited to address the meeting for up to 5 minutes on the subject of the petition.

3.6.2 The petition organiser will be notified of the outcome of the debate in writing and of any follow-up actions that are agreed by the meeting.

3.7 Copies of the petitions are available for inspection by contacting Committee and Member Services.

3.8 The Lead Petitioners have been advised that their Petition will be presented to Council on 7th November 2013 and have been invited to attend.

3.9 The relevant Lead Member will respond having heard what the petitioner has said, and will make a recommendation to Council accordingly.

Opposition to incineration in Swindon

3.10 In addition, a petition of 1,707 signatures has been received opposing “incineration in Swindon, including the current application for a wood burning plant on the Cheney manor Industrial Estate.”

3.11 Under the Petition Scheme, a petition should contain a clear statement of concerns and state what the Council is being asked to do. Further, the Petition Scheme states that a petition will not be reported if in the opinion of the Petitions Officer it relates to a specific and individual planning decision.

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- 3.12 The petition relates to a specific planning application, which the Planning Committee decided to defer at its meeting on 13th August 2013 to enable the applicants to carry out further public consultation and to give members of the public further opportunity to find out more about the proposed scheme and for their feedback to be considered, before it makes a decision.
- 3.13 The Petitions Scheme stipulates that such petitions will be referred to the relevant Officer or Regulatory Committee. On that basis, this petition has been referred to the Head of Planning.

4. Alternative Options

- 4.1 No alternative options are proposed.

5. Implications, Diversity Impact Assessment and Risk Management

Financial and Procurement Implications

- 5.1 There are none specific to this report. However, should the Council determine that action be taken in respect of this petition this will require a report to the Cabinet, Cabinet Member or relevant Committee and any Financial and Procurement Implications will need to be addressed in that report.

Legal and Human Rights Implications

- 5.2 Legal and human rights implications have been taken into account in the body of the report. Sections 10 to 22 of the Local Democracy, Economic Development and Construction Act 2009 and the Department for Communities and Local Government Statutory Guidance on Handling Petitions have been taken into account in the development of the Council's Petition Scheme.

All Other Implications (including Staff, Sustainability, Health, Rural, Crime and Disorder)

- 5.3 None

Diversity Impact Assessment

- 5.4 Since no service changes are proposed, no diversity impact assessments were undertaken.

Risk Management

- 5.5 None

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6. Consultees

- 6.1 The Board Director, Resource (Section 151 Officer) and Director of Law and Democratic Services (Monitoring Officer) are consulted in respect of all reports.

7. Background Papers

- 7.1 None

8. Appendices

- 8.1 Petition Front pages