

AGENDA



For a meeting of the
ENGAGEMENT POLICY DEVELOPMENT GROUP
to be held on
THURSDAY, 9 SEPTEMBER 2010
at
2.00 PM
In the
WITHAM ROOM, COUNCIL OFFICES, ST PETER'S HILL, GRANTHAM NG31 6PZ
Beverly Agass, Chief Executive

Group Members:	Councillor Michael Cook, Councillor Mike Exton (Chairman), Councillor Jock Kerr, Councillor Stuart McBride, Councillor Bob Russell, Councillor Ian Selby and Councillor Tom Webster (Vice-Chairman)
Portfolio Holders:	Councillor Ray Auger (Access & Engagement)
Support Officer:	Lucy Bonshor 01476 406120 l.bonshor@southkesteven.gov.uk

Members of the Panel are invited to attend the above meeting to consider the items of business listed below.

- 1. COMMENTS FROM MEMBERS OF THE PUBLIC**
- 2. MEMBERSHIP**
The Group to be notified of any substitute members.
- 3. APOLOGIES**
- 4. DECLARATIONS OF INTEREST**
Members are asked to declare an interest in matters for consideration at the meeting.
- 5. ACTION NOTES FROM THE MEETING HELD ON 11TH MAY 2010**
(Enclosure)

6. UPDATES FROM PREVIOUS MEETING

7. NEW MEMBERS EXPENSE CLAIM FORM

A short presentation on a new Members' expense claim form that can be completed on line.

8. PETITION SCHEME - TASK GROUP TO DISCUSS RECOMMENDATION

The Task Group to discuss with the Engagement PDG their recommendation to the Portfolio Holder for Access and Engagement to adopt the amended scheme as attached (this scheme is based on the model scheme adopted by the Council in April 2010).

(Enclosure)

9. ANY OTHER BUSINESS, WHICH THE CHAIRMAN, BY REASONS OF SPECIAL CIRCUMSTANCES, DECIDES IS URGENT

WORKING STYLE OF POLICY DEVELOPMENT GROUPS

The Role Of Policy Development

- To reflect the voice and concerns of the public and its communities
- Members should take the lead and own the policy development process on behalf of the public
- Policy development should make an impact on the delivery of public services

Remember...

- Scrutiny and policy development should be member led
- Any conclusions must be backed up by evidence
- Meetings should adopt an inquisitorial rather than adversarial style of traditional local government committees

MEETING OF THE ENGAGEMENT POLICY DEVELOPMENT GROUP

TUESDAY, 11 MAY 2010 10.00 AM



GROUP MEMBERS PRESENT

Councillor Michael Cook
Councillor Mike Exton (Chairman)
Councillor Reginald Howard
Councillor Jock Kerr

Councillor Bob Russell
Councillor Ian Selby
Councillor Tom Webster (Vice-Chairman)

PORTFOLIO HOLDER

Councillor Ray Auger

OFFICERS

Corporate Head Partnerships and Improvements – Robert Moreland
Monitoring Officer – Lucy Youles
Communications Officer – Chris England
Democratic Officer – Lucy Bonshor

1. MEMBERSHIP

The Group were notified that Councillor Howard was substituting for Councillor McBride for this meeting only.

2. DECLARATIONS OF INTEREST

None declared.

3. ACTION NOTES FROM THE MEETING HELD ON 25TH MARCH 2010

The notes from the meeting held on 25th March were agreed as a correct record subject to the questionnaire question on sexual orientation should have the word gay replaced with homosexual as it was felt that this would better reflect the answers received.

4. PETITIONS SCHEME

Members had before them report LEG066 which referred to the decision made at Council on 22nd April that a model petition scheme be adopted. A petition scheme had to be in place by 15th June to comply with the statutory regulations introduced under Sections 10-22 of the Local Democracy, Economic Development and Construction Act 2009. At Council it had been agreed that petitions with 5,000 signatures would be discussed at Council and petitions with 2,500 signatures would be discussed at the Scrutiny Committee. The Monitoring Officer informed the Group that they had been asked to form a task group to look at issues relating to the petition scheme to ensure that the model scheme was as informative as possible and had the ability to look at any petition that was submitted to the Council. A short discussion followed with members asking about what constituted a petition and what other authorities had set as their figures for signatures. The Monitoring Officer said that authorities that she had looked at had set a lower figure than this Council had. Mention was then made about planning and licensing decisions as it was often these decisions that most people had issue with. The Monitoring Officer said there was a process already in place to deal with these decisions through the appeals process and these decisions were not included in the petition scheme. The petition scheme had scope within it to deal with other issues such as planning policy decisions which affected a wider public. The Chairman then asked for volunteers for the task group and Councillors; Cook, Jock Kerr and Russell expressed an interest; the Chairman also said he would be happy to be involved in the group. A request was made that at the first meeting of the task group a remit and guidelines be circulated.

Recommendation:

That a Task Group comprising of Councillors; Cook, Exton, Jock Kerr and Russell be established to look at the model petition scheme adopted by the Council.

5. WELCOME TO GRANTHAM - A SHORT FILM PRODUCED BY PUPILS AT ST HUGH'S SCHOOL

Members watched a short film entitled "Welcome to Grantham" which had been made by the students of St Hugh's C of E Mathematics and Computing College as part of the SKDC Community Cohesion Project with Grantham Youth Centre and film makers Electric Egg.

The film had been made by children from migrant families who had come to Grantham to work.

After the film the Local Strategic Partnership Co-ordinator (LSPCO), Carol Drury discussed the issue of community cohesion and why this phrase meant many things to many people. For many of the children who had made the film

they had not had any say about coming to this Country they were uprooted because their parents had come over here for work. They did not speak the language had left other members of their families, friends and pets behind and were expected to integrate in to a strange new society and speak a common language. They were taken out of school on a Monday and Friday morning to attend the youth centre to learn English and new skills and although they felt safe doing this during the day they did not attend in the evening as they did not feel safe.

A discussion then followed about people's perception about things and whether in some cases the perception was worse than what actually transpired.

Although the children came from different eastern European countries, Lithuania, Poland, Russia, Ukraine, Hungary and Portugal they were put together as a group with the assumption that they will "get on" regardless of the fact that they speak different languages this forces them to speak English.

Tensions in schools were also mentioned with the schools dealing with issues themselves. Members asked how the Council could help to ease these tensions and help the children feel safer within the community. The LSPCO spoke of the work being undertaken with the Youth Centre and the Local Children's Partnership to try and get more involved with the migrant families and gain their trust to enable them to reach more families within the area.

Further comments were then made about funding of projects and the unseen prejudice within families which affects children when they take their parent's prejudice into schools.

More work was needed to try and bring about a more cohesive community with more people coming from Eastern European countries the issue was not going to die down. The Chairman congratulated Carol Drury on the work done to date and said that the Group would be pleased to receive further reports on the work being undertaken.

6. COUNCIL WEBSITE – PRESENTATION

The Corporate Head Partnerships and Improvements (CHPI), Robert Moreland referred to the redesigned website that had been launched last November. More functionality had been added to the website and he thought Members would be interested in the new features of the website and analytical information that can be obtained about usage. He introduced Chris England to the Group who was the Communications Officer who dealt with the website.

Members were circulated with a list which highlighted the most popular pages and new functionality together with analytical information and user satisfaction.

Members then discussed the website and raised the following:

- Problems with planning application numbers – this was being looked at and a “fix” was being put in place.
- Training for Members
- Trying to find your councillor on the new website was more difficult than on the old website – needs simplifying
- Languages on website – all information should be together - this was being addressed
- New ability to add news items – see Chris England
- Lack of use of intranet by Councillors – training required
- Can Members expenses be completed on line?

Chris England gave a demonstration of the new “flicker” feature on the website which enabled pictures to be downloaded on to the site and although Members liked the new feature the over riding consensus was Members inability to use the website to its full capacity because they simply did not have the training. This was echoed by nearly all of those Members present and it was agreed that a full days training for all Members to attend with their laptops should be arranged.

Recommendation

That a full days training on IT issues and use of the website be arranged for all Members to attend with their laptops.

Another Member then spoke about the wi-fi connection and that no information had been given about which of the three options which come up is the correct one to get on to the SKDC system - it should be that Members only had to press a button to get on to the system not go through 5 steps to get logged on. The CHPI said that this was something that could be covered in the training session.

The Portfolio Holder for Access and Engagement asked if the website and literature concerning recycling and green waste could be updated as he was sure there were far more items that could now be put in the recycling bin.

7. CLOSE OF MEETING

Before the meeting closed a Member referred to the comprehensive telephone directory that the CHPI had said he would look to get printed, although they had been given a loose sheet version something more substantial was needed.

The meeting closed at 11.50am

1. Petitions

- 1.1 The council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition.

Paper petitions can be sent to:

The Monitoring Officer
Legal and Democratic Services
South Kesteven District Council
Council Offices
St Peter's Hill
Grantham
Lincs
NG31 6PZ

- 1.2 What is a petition?

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. Signatories of a petition have to live; work or study in the South Kesteven District area (including children and young people).

- 1.3 What should a petition contain?

A petition must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take and must be something that 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;
- The name, address and contact details of the "petition organiser".

- The name, address, contact details and signature of any person supporting the petition.
- 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 the original matter.

2. Types of Petition

2.1 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 -

2.1.1 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 Assessment Sub-Committee, rather than considered under this Petitions Procedure.

2.1.2 Consultation/Representation 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. 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.

2.1.3 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.

2.1.4 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 3,000¹ signatories or petitioners (this is reduced to 51% of the electorate in the affected area if less than 3,000).

2.1.5 Petitions to Hold an Officer to Account

If you want your petition to be considered at a meeting of the Scrutiny 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 1,500 signatories or petitioners (this is reduced to 51% of the electorate in the affected area if less than 1,500). The authority has determined that such petitions must relate to the Chief Executive, a Strategic 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 Chief Executives Performance Panel in respect of the Chief Executive) and will be considered under the authority's Disciplinary Procedures, and not under this Petitions Procedure.²

3. The Role of Ward Councillors

- 3.1 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.
- 3.2 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.

¹ 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.

² 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.

4. What happens when a petition is received?

- 4.1 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let the petition organiser know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.
- 4.2 In some cases, the Petitions Officer may be able to resolve the petitioners' request directly, by getting the relevant Cabinet Member 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 acknowledgement may confirm that we have taken the action as requested and the petition will be closed.
- 4.3 Whilst we are committed to dealing with petitions promptly, if the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then our acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, the Petitions Officer will tell you the steps we plan to take.
- 4.4 If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. In such cases the petition organiser will be directed to the appropriate Council department.
- 4.5 At the same time as responding to the petition organiser, the Petitions Officer will notify Ward Councillors of receipt of the petition when it affects their ward.
- 4.6 **We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.**
- 4.7 To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

4.9 What happens to a Consultation/Representation Petition?

- 4.9.1 Consultation/Representation 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.
- 4.9.2 The petition will be reported to the 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.
- 4.9.3 Where the petition relates to a matter which is within the delegated power of an officer, s/he will not exercise those delegate powers but will automatically refer the matter up to the relevant Cabinet Member for decision.
- 4.9.4 Where the petition relates to a matter which is within the delegated powers of an individual Cabinet Member, s/he may decided not to exercise those delegated powers but to refer the matter to Cabinet for decision.

4.10 What happens to a Statutory Petition?

- 4.10.1 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.

4.11 What happens to Petitions for Debate?

- 4.11.1 Petitions for Debate will be reported to the next convenient meeting of the Council. Petitions will not be considered at the Annual Meeting of Council or at Extraordinary Meetings of Council or during the purdah period of any type of election.

4.11.2 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.

4.12 What happens to a Petition to Hold an Officer to Account?

4.12.1 Petitions to hold a senior council officer³ to account will be reported to the next convenient meeting of the Scrutiny Committee⁴

4.12.2 In advance of the Committee meeting (three working days before the meeting is held), 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.

4.12.3 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.

4.13 What happens to an Ordinary Petition?

4.13.1 The Petitions Officer will arrange for each Ordinary petition to be sent to the Cabinet Member or delegated Officer whichever has the power to take a decision on the matter.

5. Consideration of Petitions at meetings

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Senior Council Officer refers to the Chief Executive, Strategic Directors or Heads of Service only
The Scrutiny committee is a committee of councillors who are responsible for scrutinising the work of the council – in other words, the Scrutiny committee has the power to hold the council's decision makers to account.

- 5.1 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 minutes⁵ 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 Cabinet Member for consideration or deferred until the next meeting.
- 5.2 Any petition relevant to particular items of business, such as petitions relating to planning applications will be taken together with that item of business, in the normal order of business.
- 5.3 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 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 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 Cabinet Member, 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 to a Policy Development Group and report back to the Committee/Council with their findings/recommendations.
- 5.4 Within 5 working days of the consideration of the petition by the relevant Cabinet Member, the Petitions Officer will notify the petition organiser of the Cabinet Member'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 Scrutiny Committee for review.
- 5.5 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.
- 5.6 If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners and where possible will work with them to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for

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Note that the Local Democracy, Economic Development and Construction Act 2009 does not provide for a limit on the time allowed for debating petitions – this is something that needs to be set to ensure that the authority can continue to discharge its other functions effectively.

conflicts with Council policy), then we will set out the reasons for this to you.

- 5.7 If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

6. Full council debates

- 6.1 If a petition contains more than 5,000 signatures it will be considered by the full council unless it is a petition asking for a senior council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.
- 6.2 The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a recommended maximum of 15 minutes. The Council will decide how to respond to the petition at this meeting. They may decide to take or endorse the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant Policy Development Group. Where the issue is one on which the Cabinet is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The Cabinet may itself propose a response to the full Council when the petition is considered. The petition organiser will receive written confirmation of the outcome of the Council meeting. This confirmation will also be published on our website.

7. Officer evidence

- 7.1 Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

- 7.2 If your petition contains at least 2,500 signatures, the relevant senior officer⁶ will give evidence at a public meeting of the Council's Scrutiny committee. A list of the senior staff that can be called to give evidence can be found at the end of this scheme. You should be aware that the Scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting [Monitoring Officer – Lucy Youles] at least three working days before the meeting.

8. E-petitions

- 8.1 The Council also plans to have in place by 15 December 2010 an e-petitions facility. Details will appear on our website later.

9. What can I do if I feel my petition has not been dealt with properly?

- 9.1 If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the council's Scrutiny committee review the steps that the council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the council's response is not considered to be adequate.

- 9.2 The committee will endeavour to consider your request within 30 days of receiving it [at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting] Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Cabinet and arranging for the matter to be considered at a meeting of the full Council.

- 9.3 Once the appeal has been considered the petition organiser will be informed of the results within seven working days. The results of the review will also be published on our website.

⁶ Relevant senior officer refers to any of the following: Chief Executive, the Strategic Directors or Heads of Service

10. Petitions which will not be reported

10.1 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 one petition organiser will be invited to address the relevant meeting.

10.2 Repeat Petitions

A repeat petition will not normally be considered where they are received within 6 months of another petition being considered by the authority on the same matter.

10.3 Rejected Petitions

Petitions will not be reported if in the opinion of the Petitions Officer, they are rude, offensive, defamatory, scurrilous or time-wasting.

OFFICERS WHO CAN BE HELD TO ACCOUNT:

Chief Executive, Strategic Directors, Heads of Services (Head of Finance, Head of Legal & Democratic Services, Head of HR & Customer Service, Head of Environmental Services, Head of Assets, Head of Development & Growth, Head of Housing and Neighborhoods)

A review of this document will take place in 12 months time.