

North Lanarkshire Council Report

Council

Does this report require to be approved?

☒ Yes ☐ No

Ref

Date

09/06/22

Amendment to the Procedure for Considering Petitions

From Head of Legal and Democratic Solutions

E-mail rosean@northlan.gov.uk

Telephone 07951 409714

Executive Summary

The purpose of this report is to seek approval for an amendment to the procedure for considering petitions received by the Council.

Recommendations

Council is recommended to agree the amendment to the process for considering petitions received by the Council, as detailed in the report.

The Plan for North Lanarkshire

Priority	Enhance participation, capacity, and empowerment across our communities
Ambition statement	(24) Review and design services around people, communities, and shared resources

1. Background

- 1.1 At its meeting held on 6 December 2018, the former Policy and Resources Committee agreed a procedure to be followed upon a petition being received by the Council.
- 1.2 A copy of the agreed report from the meeting of the former Policy and Resources committee held on 6 December 2018 is attached as an appendix.

2. Report

- 2.1 Following the local government elections held on 5 May 2022 the new Council Administration indicated its desire to create a Petitions Sub-Committee which would be responsible for dealing with any petitions received by the Council.
- 2.2 The creation of a Petitions Sub-Committee is dealt with separately at the meeting of the Council held on 9 June 2022. There is a requirement for approval to be given for the required changes to the current process to facilitate the sub-committee.

2.3 It is proposed that the process be amended as detailed below:-

Step 1	Petition received by the Council. If petition relates to a specific geographical area, it is sent to the appropriate Area Community Partnership Manager. If the petition relates to the Council area as a whole, or across multiple LAP areas proceed to Step 4.
Step 2	The Area Community Partnership Manager considers whether the desired outcomes can be actioned immediately. If yes, this is undertaken. If no, proceed to Step 3.
Step 3	<p>Petition is considered by the Petitions Sub-Committee. Options available to the Sub-Committee are: (a) request further information, in which case it would be considered at an appropriate future meeting; (b) agree fully or in part, the terms of the petition, or (c) that no further action be taken.</p> <p>Should (b) “agree fully or in part, the terms of the petition”, be agreed, and there are implications which may include, but not restricted to, budgetary or resources, the petition, together with the recommendation from the Sub-Committee, be submitted to the appropriate Committee.</p>
Step 4	The appropriate Committee considers the petition and decides accordingly.


2.4 In reference to Step 3, the Petitions Sub-Committee may, if it so decides, agree to hold a Hearing to consider the terms of the petition and it may invite members of the community and/or stakeholders to address the Sub-Committee.

3. Measures of success

3.1 The proposed Council process is considered good practice

4. Supporting documentation

Appendix – report approved by the former Policy and Resources Committee held on 6 December 2022



Archie Aitken
Head of Legal and Democratic Solutions

5. Impacts (<http://connect/report-template-guidance>)

5.1 Public Sector Equality Duty and Fairer Scotland Duty Does the report contain information that has an impact as a result of the Public Sector Equality Duty and/or Fairer Scotland Duty? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact? If Yes, has an assessment been carried out and published on the council's website? https://www.northlanarkshire.gov.uk/your-community/equalities/equality-and-fairer-scotland-duty-impact-assessments Yes <input type="checkbox"/> No <input type="checkbox"/>
5.2 Financial impact Does the report contain any financial impacts? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant financial impacts have been discussed and agreed with Financial Solutions? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?
5.3 HR policy impact Does the report contain any HR policy or procedure impacts? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant HR impacts have been discussed and agreed with People and Organisational Development? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?
5.4 Legal impact Does the report contain any legal impacts (such as general legal matters, statutory considerations (including employment law considerations), or new legislation)? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, have all relevant legal impacts have been discussed and agreed with Legal and Democratic Solutions? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, please provide a brief summary of the impact?
5.5 Data protection impact Does the report / project / practice contain or involve the processing of personal data? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, is the processing of this personal data likely to result in a high risk to the data subject? Yes <input type="checkbox"/> No <input type="checkbox"/> If Yes, has a Data Protection Impact Assessment (DPIA) been carried out and e-mailed to dataprotection@northlan.gov.uk Yes <input type="checkbox"/> No <input type="checkbox"/>
5.6 Technology / Digital impact Does the report contain information that has an impact on either technology, digital transformation, service redesign / business change processes, data management, or connectivity / broadband / Wi-Fi? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If Yes, please provide a brief summary of the impact?

<p>Where the impact identifies a requirement for technology, has an assessment been carried out (or scheduled) by the Enterprise Architecture Governance Group (EAGG)?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>5.7 Environmental / Carbon impact</p> <p>Does the report / project / practice contain information that has an impact on any environmental or carbon matters?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p>
<p>5.8 Communications impact</p> <p>Does the report contain any information that has an impact on the council's communications activities?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the impact?</p>
<p>5.9 Risk impact</p> <p>Is there a risk impact?</p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>If Yes, please provide a brief summary of the key risks and potential impacts, highlighting where the risk(s) are assessed and recorded (e.g. Corporate or Service or Project Risk Registers), and how they are managed?</p>

North Lanarkshire Council

Report

Policy and Resources Committee



approval



Noting

Ref: AR/EH

Date: 6 December 2018

Petitions Received by the Council

From: Archie Aitken, Head of Business for Legal and Democratic Solutions

Email: AitkenA@northlan.gov.uk

Telephone: 01698 302295

Executive Summary

This report seeks approval for a new process for considering Petitions or Deputations received by the Council which are deemed non operational.

Recommendations

The Committee is recommended to approve the new procedure for considering petitions received by the Council as detailed in Paragraph 2.4.

Supporting Documents

Council plan to 2020: Action 17 – Improve engagement with our communities to maximise involvement and empowerment.

1. Background

- 1.1. At its meeting on 21 June 2018, the Council agreed the terms of the following:-

"That research and other works to identify examples of best practice and public engagement with Local Government be undertaken and a report to the Policy and Resources Committee be submitted for consideration."

- 1.2. During meetings of Political Group Business Managers at which consideration was given to a Review of Standing Orders, consideration was given to information provided by officers on options for a procedure relating to Petitions and/or Deputations received by the Council. It was agreed during those discussions that this matter would be dealt with outwith the Review of Standing Orders.
-

2. Report

- 2.1. The Policy and Resources Committee is reminded that the Council already has a Petitions Policy which was approved by this Committee on 13 May 1997. Specifically, it requires that a report be provided to the appropriate Committee providing details of the petition received together with actions undertaken and the outcome. For information, the existing policy stipulates that to be considered, a petition should be supported by no less than 10 signatures, although there is discretion to waive this requirement if deemed appropriate having regard to the merits.
- 2.2. The Council decision of 21 June 2018 requires consideration to be given to the introduction of a new protocol. Representations have been made to officers that such a protocol should ensure community engagement and remove any barrier to inclusion by all community groups.
- 2.3. Experience of Other Local Authorities
 - 2.3.1. Following the Council decision of 21 June 2018, officers undertook a desktop exercise to review the way in which other local authorities in Scotland process petitions as detailed on the individual websites of each local authority. It became clear that virtually all of the other Scottish Councils, in respect of which information could be obtained, used a single procedure for all of their petitions – operational or otherwise. Of the 17 authorities in respect of which information was available, only five had constituted a Petitions Committee, while the remainder included the remit for considering petitions within either a single Committee or, in most cases, all Committees depending on which was the most appropriate forum to deal with the petition.
 - 2.3.2. Of the other authorities, the majority required the petitions to contain a specific number of signatures; the lowest being one signature other than the petitioner and the highest being 1,000 (or 10% of the registered electors if related to a specific geographical area). However, two authorities allow petitioners to submit their petition without the need for supporting signatures and the petition is then published on those Councils' websites with members of the public being invited to support it. Only when the level of support reaches a specific threshold (100 and 200 signatures respectively) will a petition be considered by those Councils. In addition, different threshold requirements have been put in place across most other authorities if the petition has been submitted by a private sector organisation/commercial enterprise.
- 2.4. North Lanarkshire Model
 - 2.4.1. The table below details the process proposed to be followed upon a petition being received by the Council

Step 1	Request received by the Council. If petition relates to a specific geographical area, it is sent to the appropriate Community Partnership Manager. If the petition relates to the Council area as a whole, or across multiple LAP areas proceed to Step 4.
--------	--

Step 2	The Community Partnership Manager considers whether desired outcomes can be actioned immediately. If yes, this is undertaken. If no, proceed to Step 3.
Step 3	Appropriate Local Area Partnership (LAP) is provided with details of the petition within its "Community Matters" business and considers whether it wishes to proceed with the petition or not. If yes, LAP may request further information, in which case it would be considered at an appropriate future meeting. If LAP able to determine immediately, then may agree (a) that no further action be taken, (b) that the LAP has available budget and delegated authority to agree that the terms of the petition be progressed, or (c) decide to refer the petition to the appropriate Committee.
Step 4	The appropriate Committee considers the petition and decides accordingly.

3. **Equality and Diversity**

3.1. **Fairer Scotland**

There is no requirement to carry out a Fairer Scotland assessment in this instance.

3.2. **Equality Impact Assessment**

There is no requirement to carry out an Equality Impact assessment in this instance.

4. **Implications**

4.1. **Financial Impact**

There is no Financial Impact.

4.2. **HR/Policy/Legislative Impact**

There is no HR/Policy/Legislative Impact.

4.3. **Environmental Impact**

There is no Environmental Impact.

4.4. **Risk Impact**

There is no Risk Impact.

5. Measures of Success

The proposed Council process is considered good practice.

Cetera

Head of Business for Legal and Democratic Solutions