



ADUR & WORTHING
COUNCILS

Joint Governance Committee
28 May 2020
Agenda Item 13

Ward(s) Affected: As outlined

2019/20 Review of Petitions Scheme

Report by the Monitoring Officer

Executive Summary

1. Purpose

Both Adur District Council and Worthing Borough Council have a Petition Scheme and welcome petitions from their communities.

Members of the Joint Governance Committee have requested an annual report to update them on the use of the Petition Scheme through the municipal year.

2. Recommendations

The Joint Governance Committee is asked to note the contents of this report.

3.0 Background

Both Adur and Worthing Councils welcome petitions and recognise that they are one way in which residents and the community can let the Council know of their concerns, express their views and engage with the democratic process.

Each Council has a Petition Scheme, which has been formally adopted into each Constitution and is published by the Councils on their website.

The primary provisions of the Scheme may be summarised as follows:

- A Petition must include a clear concise statement covering the subject of the petition and what action petitioners wish the Council to take;
- The Petition must include the name, address and contact details of the Petition Organiser;
- The petition must include a minimum of 50 names, address or postcodes, and signatures (unless electronic) of those who live, work or study in the District or Borough;
- A petition can be rejected by the Monitoring Officer on various grounds, which include, for example, if it is vexatious or defamatory, discloses confidential information, contains advertising statements, relates to the Council's planning or licensing functions, relates to a formal consultation process, or does not relate to an issue upon which the Council has powers or duties or on which it has shared delivery responsibilities.
- Where the petition has less than 1000 signatories it is referred to the relevant decision maker and the Petition Organiser has a right to make representations to the decision maker;
- Where the petition has 1000 or more signatories, it is referred to the next Ordinary Council Meeting for debate, and the Petition Organiser is able to make representations to the Council.
- If the petition relates to action currently being progressed by the Council and it will trigger a Council debate then the action may be suspended pending the debate

The Council's response to a petition may include:

- Taking the action requested;
- Holding an enquiry into the matter;
- Holding a public meeting;
- Holding a consultation;
- Referring the petition to the Joint Overview and Scrutiny Committee for consideration

- Deciding not to agree to do what is asked in the petition.

4.0 Petitions received in 2019/20

4.1 Worthing to be Zero Carbon by 2030

A petition was received by the Monitoring Officer on 15th May 2019 from Ms Joanne Paul which contained 1055 signatures, in regards to a proposal to declare a Climate Emergency and make Worthing Borough Carbon Neutral by 2030, taking into account both production and consumption of emissions.

The Petition was accepted by the Monitoring Officer and deemed to be a qualifying petition as it had in excess of 1000 signatures from those that live, work or study in the Borough. It was therefore referred to the meeting of the Council on 23rd July 2020.

The Petition Organiser attended the Council meeting and presented the petition making representations to the Council. The petition was debated and the Leader advised that the Council was setting up a Board to be chaired by the Chief Executive to look at the work of the Council both internally and externally in order to deliver the net zero carbon emissions target and had made a significant budget commitment. The Leader proposed that the Council welcomed the petition, thanked all those who signed the petition, and moved forward by accepting all of the aims set out in the Joint Strategic Committee report on 9th July 2019. The proposal was seconded and debated and supported.

It was resolved therefore that the Council would move forwards by accepting all of the aims set out in the Joint Strategic Committee report on 9th July 2019.

4.2 Introduction of a Speed Limit for Cyclists on the Esplanade, Worthing

On 19th September 2019 a petition was received by the Monitoring Officer, from Mr Ruewell with 453 signatories, to Worthing Borough Council.

The petition asked the Leader of Worthing Borough Council to lower the risk to young children, the disabled and pedestrians from speeding cyclists, monocycles and scooters, particularly electric ones, by introducing a speed limit on the shared cycle path/promenade, on the Esplanade, Worthing.

The Monitoring Officer accepted the petition and deemed it to be a non-qualifying petition due to the number of signatories being under 1,000. The Monitoring Officer therefore referred the petition to the Leader, as the content related to an Executive

matter. The Leader met with the Petition Organiser and whilst no formal speed limit has been imposed, due to difficulties over resources and enforcement powers, the Leader empathises with the views of those who have signed the petition and is working closely with Officers to investigate alternative mitigation measures to help ensure a safer environment on the seafront.

4.3 Citizens Assembly

In October 2019 the Monitoring Officer received a petition from Jo Paul relating to the setting up of a Citizens Assembly for Climate Change. The petition had 355 signatories.

The petition was accepted by the Monitoring Officer and was classed a non-qualifying petition. It was therefore referred to the Leader of Worthing Borough Council for a response.

The Leader met with the Petition Organiser and, on 19th November 2019, the Leader of the Council made his decision which was to agree to hold a Citizens' Assembly on Climate Change in early 2020. He commented that the Council had declared a climate emergency and taken significant steps to addressing the problems already, and the Council should hold this in depth consultation with the public of Worthing.

5.0 Engagement

Having a Petition Scheme is an effective way of encouraging the residents who live or work or study in the Borough or District to engage with the democratic process.

6.0 Financial Implications

There are no financial implications arising from this report.

7.0 Legal Implications

The requirement to have a Petition Scheme was contained in the Local Democracy, Economic Construction and Development Act 2009 (as amended). Although the legislation is no longer in force, most Local Authorities have retained a petition scheme to support good practice in respect of community engagement.

Background Papers

- Adur District Council and Worthing Borough Council Petition Scheme
- Agenda and Minutes of Worthing Borough Council meeting on 23rd July 2019
- Agenda and Minutes of Joint Strategic Committee meeting on 9th July 2019

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Sustainability & Risk Assessment

1. Economic

Matter considered and no issues identified

2. Social

2.1 Social Value

Matter considered and no issues identified

2.2 Equality Issues

Matter considered and no issues identified

2.3 Community Safety Issues (Section 17)

Matter considered and no issues identified

2.4 Human Rights Issues

Matter considered and no issues identified

3. Environmental

Matter considered and no issues identified

4. Governance

The Council has a Petition Scheme which has been formally adopted as part of the Council's Constitution. All petitions submitted to the Council should be determined in accordance with the published scheme.