

Body: Full Council

Date: 15 September 2010

Subject: Petitions – implementation of new duty

Report of: Local Democracy Manager

Purpose: (1) To seek formal approval of the revised petitions scheme.
(2) To note progress to date with regard to implementing an e-petitions facility.
(3) To approve changes to certain sections of the Council's Constitution associated with the revised petitions scheme.

Contacts: David Robinson, Local Democracy Manager. Telephone (01323) 415022 or internally on extension 5022, or

Katie Armstrong, Scrutiny Co-ordinator. Telephone 413031 or internally on extension 5023.

Summary:

This report updates members on the new duty to respond to petitions from people who either live, work or study in the council's area. Councils must respond to 3 types of petition:

- An ordinary petition.*
- A petition requiring full council debate.*
- A petition calling for a senior officer to appear at a public session of an overview and scrutiny committee.*

The council must set minimum signature thresholds for each type of petition. In addition councils must make provision for both paper and electronic petitions.

The Government have published regulations and statutory guidance, together with a model petitions scheme. In line with the Council's decision on 24 February 2010 a revised petitions scheme meeting the new requirements was published prior to the implementation date of 15 June 2010.

The report also outlines proposals for the East Sussex councils to collaborate on a shared e-petitions facility whereby people can submit and sign petitions electronically. This will be implemented in time for the 15 December 2010 deadline for introducing on-line petitioning.

Recommendations:

(1) That the revised petitions scheme set out in appendix 1 to this

report be approved.

(2) To note progress to date with regard to implementing an e-petitions facility and authorise the Local Democracy Manager to take all necessary steps to ensure the statutory deadline for implementation is met.

(3) That required changes to the Scrutiny Committee and Council terms of reference and their respective procedure rules as set out in the Council's Constitution be approved as shown in appendix 2 to this report.

(4) That the Head of Strategy and Democracy is designated as the proper officer for the purpose of deciding if a petition should be rejected.

(5) To note that the Scrutiny Committee will review the thresholds 12 months after the implementation of the on-line petitions facility.

1.0 The legislation

1.1 The Local Democracy, Economic Development and Construction Act 2009 requires every principal local authority to have a petitions scheme.

1.2 The main statutory requirements are as follows:-

1. To have an on-line petition facility which allows anyone to set up a petition on the authority's system, and allows anyone to "sign" the petition on-line.
2. To adopt a petition scheme which sets out how the authority will acknowledge receipt of petitions and advise the petition organiser how the petition will be dealt with. The Act requires that the petition scheme define three categories of petition, and set a minimum number of signatures for each type of petition.
3. To come within the scheme, the petition must relate to a function of the authority or, for all authorities other than non-unitary district councils, to "an improvement in the economic, social or environmental well-being of the authority's area to which any of the authority's partner authorities could contribute".
4. The authority can delegate to an appropriate officer the power to reject petitions which he/she considers to be vexatious, abusive or otherwise inappropriate.
5. The new petition scheme does not apply to petitions received under other statutory procedures, such as petitions for a mayoral constitution or a community governance petition. The Secretary of State has introduced a provision that petitions in response to some statutory consultations, such as on planning or licensing applications, should also remain outside the new system.
6. For "ordinary petitions", the authority is given wide flexibility to

set the threshold number of signatures as high or low as it wishes, and to determine how such petitions will be dealt with. The Act provides that a petition may be signed by anyone who lives, works or studies in the authority's area.

7. "Petitions requiring debate" must be reported to full Council for debate, and the Council can set a higher number of signatures as the threshold for such petitions.
8. "Petitions to hold an officer to account" must name a senior officer and will trigger an open meeting of the appropriate Overview and Scrutiny Committee at which the officer may be questioned by the Committee in relation to his actions on a particular matter. The authority can set a different threshold number of signatures for "petitions to hold an officer to account".
9. Where the petition organiser is not satisfied by the actions taken by the authority in response to a petition, the petition scheme must give a right of appeal to a relevant Overview and Scrutiny Committee.

2.0 Previous Council decision

2.1 Full Council, at their meeting on 24 February 2010 noted the resolutions of the Scrutiny Committee in respect of representations to Government on the (then) proposed regulations and statutory guidance relating to the new duty and approved the grant of delegated authority to the Local Democracy Manager in liaison with the Chairman and Deputy Chairman of the Scrutiny Committee and the lead Cabinet member to agree revised wording of the Council's original petitions scheme so as to comply with the requirements of the legislation and statutory guidance, including:-

- determining the signature thresholds for debates;
- specifying the senior officers who may be held to account at an open meeting of the Scrutiny Committee and the signature thresholds for such petitions; and
- determining the minimum number of signatures for an 'ordinary' petition.

Council also agreed that the Scrutiny Committee should review the petitions scheme and thresholds 12 months after implementation of the e-petitions facility.

3.0 Action to date

3.1 The previous Labour Government made (on 19 March 2010) the order bringing into force the relevant legislative provisions within the Local Democracy, Economic Development and Construction Act 2009. The main provisions were effective as from 15 June 2010 and the requirement to have an e-petitions facility will be in force as from 15 December 2010. The statutory guidance was published at the same

time.

3.2 Members were advised of this in the April 2010 edition of the Members' newsletter. In early May, the Chairman and Deputy Chairman of the Scrutiny Committee and the lead Cabinet member were consulted on the petitions scheme and agreed the proposed revisions to the scheme and the suggested thresholds. The wording of the scheme broadly follows that of the Government's model with modifications to suit local circumstances. The senior officers specified in the scheme who can be "called to account" have been defined as the members of the Corporate Management Team. As the on-line petitioning facility would be shared with other councils in East Sussex we had sought a common approach on wording and the thresholds for the different types of petitions. The chosen thresholds are as follows:

- | | |
|--|-------|
| (a) The minimum number of signatures that will be needed for a petition to be covered by the scheme. | 10 |
| (b) The number to require a senior officer to be called to account at a Scrutiny Committee meeting. | 750 |
| (c) The number triggering a debate at full Council. | 1,500 |

3.3 The County Council have chosen higher thresholds of 2,500 and 5,000 respectively for (b) and (c) above. The other district and borough councils are however expected to adopt the same thresholds as Eastbourne, although not all have made their decisions as yet. The Scrutiny Committee will be asked to review the thresholds 12 months after on-line petitioning is implemented.

3.4 Shortly in advance of the 15 June deadline, the revised petitions scheme was placed on the Council's website and the section in the Council's Constitution containing the scheme updated.

4.0 Adoption of petitions scheme

4.1 A copy of the scheme now proposed for formal adoption by the Council is set out at **appendix 1**. This is essentially the same as that currently published on the Council's website but with the following additions and amendments:

(a) Inclusion of text relating to e-petitions (this will be added to the website version once the on-line facility is operating).

(b) Deletion of the following sentence at paragraph 2.4 on the grounds that this could entail significant workload if a large petition was received:

"If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser."

Instead we will endeavour to identify and contact a lead persons or persons.

5.0 E-petitions facility

- 5.1 At this time, the petitions scheme does not yet provide for on-line petitioning. As reported to Council last February, we are working in partnership with other East Sussex councils and Public-i Ltd. to provide a shared e-petitions facility. Eastbourne's share of the initial cost will be c.£1,200. This is much less than the cost of going alone. East Sussex County Council will host and provide central administrative support (e.g. directing petitions to the relevant council for action) and this is not expected to cost us unless the numbers of petitions becomes very large.
- 5.2 The software package can manage both paper and online petitions and allows for multiple officers to be involved in moderation and management of the petition as well as by providing important management information. The public can sign and/or create petitions. The Council is able to enter background information or allow the petitioner to do so if desired. The Council can communicate with the petitioners about progress and impact of the petition. The link to the petitions site will be via Council's website.
- 5.3 The Council's Head of Infrastructure and the IT team are involved and support the proposed approach.

6.0 Required amendments to other sections of the Council's Constitution

- 6.1 These are detailed in **appendix 2** to this report and add consideration and debate of petitions to the terms of reference of full Council and the Scrutiny Committee, add provisions covering public attendance and speaking at full Council and also dealing with petitions at the Scrutiny Committee.
- 6.2 In addition it is proposed that the Head of Strategy and Democracy be authorised to reject any petition that does not comply with the requirements of the petitions scheme. Advice from the Council's Monitoring Officer will normally be sought in cases where a petition is considered to be vexatious or abusive.

7.0 Policy and performance implications

- 7.1 The introduction of an updated petitions scheme and an e-petitions facility can be seen as linked to the "Thriving Communities" priority in the Corporate Plan 2010/15. Affording citizens greater opportunities to make representations should be seen as a positive move and in line with the Council's aspirations to improve services and responsiveness to residents and stakeholders.
- 7.2 The idea of a group of people asking their local public service for action via a petition is an important form of community engagement. One difference from a council's own consultation efforts is that petitions

start with residents or other communities of interest rather than being initiated by the council itself.

8.0 Legal implications/risk assessment

8.1 There will be a danger that arguments may arise as to the legitimacy of petitions whether as to the subject matter, validity of signatories or, and most likely, that the Council has failed to adequately respond to the petition and that this could have significant implications for the Council's lawyers.

9.0 Financial and resourcing implications

9.1 As mentioned in paragraph 4.1 above the likely initial cost of Eastbourne's share of acquiring the e-petitions facility will be in the region of £1,200. Annual running costs are expected to be minimal. This doesn't take account of the extra workload that may be placed on staff dealing with petitions. This will have to be absorbed.

9.2 This cost is expected to fall in the current financial year. At the time budgets were set this was an unknown factor and hence not provided for, although it was flagged as a risk in the service and financial planning process.

9.3 Last March, the previous Labour Government issued a statement that:

Under the new burdens principles, central Government will meet the costs of the new burdens associated with the petitions duty. It is expected that the national cost to the public sector of responding to local petitions will be approximately £4.7 million per year, decreasing over time. These costs arise from increased work for council officers, time at council meetings and overview and scrutiny committees, and set up costs for e-petitions.

I have corresponded with the Department for Communities and Local Government on a number of occasions since then to find out if the new Government intends to honour this commitment. To date they have been unable to give a definitive answer.

9.4 Evidence to date from other Council already offering an e-petitions facility is that the number of petitions will be manageable. For example, at the time of drafting this report (25 August) the number of active petitions in selected councils is as follows:

Bristol – 8

http://epetitions.bristol.gov.uk/epetition_core/community/activepetitions

Birmingham – 3

<http://epetition.birmingham.public-i.tv/activepetitions.php>

Lambeth – 3

<http://www.lambeth.gov.uk/Services/CouncilDemocracy/DemocracyElections/ePetitions.htm>

- 9.5 All petitions within the scope of the petitions scheme should be submitted to a single point - the Council's "petitions office". This will be undertaken within the Local Democracy team and has been assigned to the Scrutiny Co-ordinator. The exception to this procedure will be when a petition is submitted in response to a Council initiated consultation and the petition is to be submitted to the address given in the consultation.

David Robinson
Local Democracy Manager

Background papers (used in writing this report):

Local Democracy, Economic Development and Construction Act 2009

http://www.opsi.gov.uk/acts/acts2009/pdf/ukpga_20090020_en.pdf

Current petitions scheme and statutory guidance

<http://www.eastbourne.gov.uk/council/petitions/>

To inspect or obtain copies of the background papers, please refer to the contact officers listed on page 1 of this report or use the weblinks provided.

Petitions Scheme

Petitions - introduction

- 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. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.
- 1.2 For practical purposes we set a requirement for at least **10 signatures** before we will treat it as a petition. Whilst we like to hear from people who live, work or study in Eastbourne, this is not a requirement and we would take seriously a petition, for example, from visitors to the town on the subject of visitor attractions.
- 1.3 Further details are given in this scheme about how you should go about submitting a petition, the different types of petition and how in certain cases special rules apply.
- 1.4 Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted.
- 1.5 We will not normally consider a petition if it is about the same matter as one considered within the last 6 months.

2. Guidelines for submitting a petition

- 2.1 Paper petitions should be sent to:

Petitions Office
Local Democracy Team
Eastbourne Borough Council
Town Hall, Grove Road, Eastbourne, BN21 4UG

or in the case of a consultation petition (see paragraph 3.1.2 below) to the address given in the consultation.

[You may also use our online e-petitions facility to create, sign and submit by following this link]

Please note that the e-petitions facility will be available shortly. We are working in partnership with other councils in East Sussex to set up a joint facility. This will save money and provide a single point of access across the county.

- 2.2 Petitions can also be presented to a meeting of the council. These meetings take place 5 times a year. [Dates and times](#) can be found on the council's website. If you would like to present your petition to the council, or would like your councillor or someone else to present it on your behalf, please contact a

member of the Local Democracy Team (contact details are given at the end of this document) at least 10 working days before the meeting and they will talk you through the process.

2.3 Petitions 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
- the name and address and signature of any person supporting the petition

2.4 Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website.

2.5 In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.

2.6 If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

3. Types of petition

3.1 There are different types of petition as set out below. How we deal with a petition depends on which type you submit.

3.1.1 Ordinary petitions

These include any petition not included in the types below. Please note that a petition which raises issues of possible councillor misconduct will be dealt with under the standards committee procedures, rather than under the petitions scheme. Similarly, a petition that makes a complaint about the conduct of a council officer may need to be dealt with under the council's complaints procedure. We will let you know how we intend to proceed.

3.1.2 Consultation petitions

These are petitions in response to an invitation from the council for comments as part of a consultation on a particular matter, for example, on a planning or licensing application or a proposed policy or strategy affecting the town. A petition on such a matter will be reported to the meeting, person or body with responsibility for taking the decision.

3.1.3 Governance petitions

There are certain matters where an Act of Parliament requires the council to consider a petition from local electors, for example, a petition calling for a referendum on having a directly elected mayor or asking for the creation of a parish or community council in part of the council's area. This petitions scheme does not apply to such petitions and we regret that the relevant

legislation does not yet allow for the online e-petitions facility to be used. Advice about these petitions should be sought from the Local Democracy Team.

3.1.4 Petitions for debate

If you want your petition to be debated at a meeting of the council it must have at least 1,500 signatures.

A petition receiving fewer signatures may still be the subject of debate at a public meeting of the council, or other council body, if it is decided that this is the best way of dealing with the matter. In such cases the organiser of the petition will be notified in advance and have the opportunity of speaking at the meeting and being questioned by councillors.

More information about petitions for debate at full council is given in section 6 below.

3.1.5 Petitions to hold officer to account

If you want your petition to be considered at a meeting of the scrutiny committee* where a senior council officer will be required to answer questions on the conduct of a particular matter, your petition must have at least 750 signatures. The officer must be identified in the petition by name or job title.

(*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.)

More information about this type of petition is given in section 7 below.

4. What will the council do when it receives my petition?

- 4.1 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them 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 If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.
- 4.3 If the petition applies to a planning or licensing application, is a governance 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. Further information on all these procedures and how you can express your views is available on the council’s website or by contacting the Local Democracy Team.
- 4.4 We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate. We will explain the reasons for this in our

acknowledgement of the petition. We will not normally consider a petition if it is about the same matter as one considered within the last 6 months.

- 4.5 To ensure that people know what we are doing in response to the petitions we receive, the details of all 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.

5. How will the council respond to petitions?

- 5.1 Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a meeting of the council or other council body such as the cabinet or the scrutiny committee
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

- 5.2 In addition to these steps, the council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

- 5.3 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 these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you.

- 5.4 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 1,500 signatures it will be debated 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. 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 maximum of 15 minutes.

- 6.2 The council will decide how to respond to the petition at this meeting. They may decide to take 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 committee.
- 6.3 Where the issue is one on which the council's cabinet* are required to make the final decision, the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

(* The cabinet is the council's main executive body. It is composed of a small number of leading councillors who have responsibility for many of the services the council operates and decides many policy matters. It is required to operate within an annual budget and an overall policy framework set by the full council. It cannot deal with certain matters such as planning and licensing applications and staff appointments.)

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 750 signatures, the relevant senior officer will give evidence at a public meeting of the council's overview and scrutiny committee. A [list](#) of the senior staff that can be called to give evidence can be found on the council's website in part 7 of the council's constitution. The list comprises all the members of the corporate management team. 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. The committee may also decide to call the relevant councillor to attend the meeting. 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 the Local Democracy Team up to three working days before the meeting.

8. E-petitions

Text to be added once e-petitions facility is up and running:

- 8.1 *The council welcomes e-petitions which are created and submitted through our website [[link](#)]. E-petitions must follow the same guidelines as paper petitions set out above. The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six*

months, but you can choose a shorter or longer timeframe, up to a maximum of 12 months.

- 8.2 *When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.*
- 8.3 *If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.*
- 8.4 *When an e-petition has closed for signature, it will automatically be submitted to the Petition Office. In the same way as a paper petition you will receive an acknowledgement within 10 working days. If you would like to present your e-petition to a meeting of the council, please contact the Local Democracy Team within 10 working days of receipt of the acknowledgement.*
- 8.5 *A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.*

9 How do I 'sign' an e-petition?

Text to be added once e-petitions facility is up and running:

- 9.1 *You can see all the e-petitions currently available for signature here [[link](#)].*
- 9.2 *When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link, which you must click on, in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.*

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

- 10.1 *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.*
- 10.2 *The committee will endeavour to consider your request 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 council executive and arranging for the matter to be considered at a meeting of the full council.

- 10.3 Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

11. Local Democracy contact details:

By e-mail:	localdemocracy@eastbourne.gov.uk
By telephone:	Katie Armstrong, Scrutiny Co-ordinator (01323) 415023
	Other local democracy (01323) 415021 or 415022
Minicom:	(01323) 415111
By post/in person:	Town Hall, Grove Road, Eastbourne, BN21 4UG
By fax:	(01323) 410322

Amendments to Constitution

A. General

In Part 1, of the Constitution (Summary and Explanation), paragraph 9 (Citizens' Rights) amend the 5th bullet point to read as follows (new text highlighted in bold):

~~"Petition to request~~ **Sign a petition relating to any of the Council's functions or a petition requesting** a referendum on a mayoral form of executive."

B. Council terms of reference

In Part 3, Section B of the Constitution, at paragraph 1.2, to add a new sub-paragraph:

"4 (vi) Within the Council's published petitions scheme to consider petitions requiring full Council debate."

C. Scrutiny Committee terms of reference

In Part 3, Section B of the Constitution, at paragraph 2.2 to add a new sub-paragraph:

"(10) Within the Council's published petitions scheme consider petitions which call for a senior officer of the Council to attend the Committee to answer questions on how a particular service is being delivered; also to review the Council's response to petitions in cases where a petition organiser feels this is inadequate."

D. Council Procedure Rules

In Part 4, Section A of the Constitution, at paragraph 2 to add a new sub-paragraph:

"(vi) receive petitions in accordance with Rule 11.3;"

and re-number subsequent sub-paragraphs.

In Part 4, Section A of the Constitution, at paragraph 11 to add a new sub-paragraph:

"11.3

(a) Some petitions may trigger debates at a Council meeting if they contain sufficient signatures within the Council's petitions scheme. In these cases, the subject will be set out in the meeting agenda.

(b) Petitions may be presented to a Council meeting by petition organisers or a councillor on their behalf.

- (c) The spokesperson for the petition may speak for a maximum of five minutes.
- (d) The petition will be debated by councillors for a maximum of 15 minutes.
- (e) The Council will decide how to respond to the petition and the petition organiser will be told, in writing, of the Council's decision."

and re-number subsequent sub-paragraphs.

E. Scrutiny Procedure Rules

In Part 4, Section E of the Constitution, at paragraph 16 amend sub-paragraph 16.1 to read as follows (new text highlighted in bold):

"16.1 The Scrutiny Committee may scrutinise and review decisions made or actions taken in connection with the discharge of any Council functions, **and shall do so if a petition has been received within the Council's petitions scheme calling for a senior officer to attend to answer questions on the delivery of a service.** As well as reviewing documentation, in fulfilling the scrutiny role, it may require any Member of the Cabinet, the Chief Executive and/or any Senior Officer to attend before it to explain in relation to matters within their remit:..."

In Part 4, Section E of the Constitution, at paragraph 16 add a new sub-paragraph 16.4 as follows:

"16.4 In respect of a petitions calling for a senior officer of the Council to attend the Committee to answer question, the Scrutiny Secretary will, in addition to giving the petition organiser notice of when the meeting will be held, ensure that the organiser is given the opportunity of suggesting questions to the Chairman and for these to be received no later than 3 working days before the meeting."