

Wiltshire Council

Full Council

26 November 2019

Proposed Changes to the Constitution: Part 4A (Petitions Scheme)

Summary

This report sets out proposed changes to Part 4A of the Constitution, following reconsideration by the Standards Committee.

Proposals

That Full Council approve the proposed changes to Part4A of the Constitution.

Reason for Proposals

To ensure the council's constitution is up to date, clear and effective.

Ian Gibbons, Monitoring Officer

Wiltshire Council

Full Council

26 November 2019

Proposed Changes to the Constitution: Part 4A of the Constitution (Petitions Scheme)

Purpose of Report

1. This report asks the Standards Committee to consider recommendations of the Constitution Focus Group in relation to Part 4A of the Constitution (Petitions Scheme).

Background

2. The Standards Committee has responsibility for oversight of the Council's constitution. It has established a cross party working group, known as the Constitution Focus Group, to advise and assist in carrying out this function.
3. The Focus Group met on 10 April 2019 and 2 September 2019 to review sections of the Constitution, including those as detailed in paragraph 1. The Standards Committee considered proposed amendments at its meeting on 14 November 2019.
4. The relevant notes of the Focus Group meeting listed in paragraph 3 can be found at **Appendix A**. The relevant minutes of the Standards Committee can be found at **Appendix B**.

Main Considerations

5. The Council is not required to establish a petitions scheme but has chosen to establish a discretionary petitions scheme at Part 4A of the Constitution.
6. The Standards Committee agreed with the conclusion of the Focus Group that the existing scheme, as detailed at **Appendix C**, was lacking in clarity in respect of certain procedures, was not laid out in a clear fashion, and that it was appropriate to recommend amendment to sections in relation to thresholds to trigger council debates and the length of any debate that was triggered.
7. The Standards Committee has therefore recommended a series of changes intended to enhance the role of members of the public, and provide greater clarity around thresholds, expectations on petition organisers, and council procedures when a debate has been triggered by a petition.
8. The proposed changes, set out in **Appendix D**, include:
 - Increasing the length of a debate at Full Council on a petition from 15 minutes to 30 minutes.
 - That 30 minutes would not include the representation from the Petitions organiser, response of the Cabinet Member or the response of group leaders.

Accordingly, to maximise the number of contributions from Members, for such debates only the contributions for Members would be for three minutes.

- Clarifying details that should/should not be included in a petition, and timescales for a response.
- Requiring submission of a petition at least 10 clear working days before a council meeting, in line with rules for motions on notice, to allow the petition details to be verified.
- That rather than a 1% of council area population threshold for triggering a council debate, if requested, there be a target number set at the beginning of each council term. That threshold to be set at 5000 people.
- For Area Boards, to remove the threshold for a petition to be debated. With more than 10 signatures it would be for the Chairman to accept a debate on the subject. For greater than 50 signatures a debate would be required, if requested by the petition organiser, and if the petition is within the remit and powers of the Area Board.
- That complaints about how petitions are dealt with be directed to the council's complaints service rather than Overview and Scrutiny.

9. It was acknowledged that some Members would not support a restriction in the length of time for speaking during a Petition debate. However, the Standards Committee considered that the proposals ensured that the length of time for debate had been greatly extended, and ensured that that time was not taken up by responses by Group Leaders or the responsible Cabinet Member, and that considering also the need for appropriate time for Council business, maximising the number of contributions within an upper limit of 30 minutes in such a fashion, was appropriate.

Safeguarding Implications

10. There are no safeguarding issues arising from this report.

Equalities Impact of the Proposal

11. There are no equalities impacts arising from this report.

Risk Assessment

12. There are no risk issues arising from this report.

Financial Implications

13. There are no financial implications arising from this report.

Legal Implications

14. The recommendations in this report are consistent with the council's duties under relevant legislation.

Public Health Impact of the Proposals

15. There are no public health impacts arising from this report.

Environmental Impact of the Proposals

16. There are no environmental impacts arising from this report.

Proposal

17. **That Full Council approve the revisions to Part4A of the Constitution as detailed in Appendix D.**

Ian Gibbons, Monitoring Officer

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Appendices

Appendix A - Notes of the Constitution Focus Group: 10 April 2019 and 2 September 2019

Appendix B – Minutes of the Standards Committee 14 November 2019

Appendix C – Existing Part 4A

Appendix D – Revised Part 4A

Background Papers

[Part 4 of the Constitution](#)