

North Yorkshire County Council**Ryedale Area Committee****15 November 2017****Area Committee Work Programme Report**

1 Purpose of the Report

- 1.1 To invite the Area Committee to hear from the organiser of this petition, debate the petition, and agree the appropriate course of action.

2.0 Background

- 2.1 A petition containing 655 signatures has been submitted to the County Council in relation to the changes to the Welham Road/Church Street junction to revert back to its original priority.

- 2.2 The petition from Mr Tony Boorman explains the background to the situation that gave rise to the petition.

- 2.3 The Petition summary and background states:

The change to the Welham Road and Church Street junction has decreased traffic flow and causes more queues. It has also forced traffic to use St. Nicolas Street as a rat run. The new layout is also confusing, dangerous and difficult for users.

- 2.4 The petition action states:

We are concerned citizens who urge NYCC to revert the junction back to its original layout.

- 3.0 The Petitions Scheme states:-

At the meeting the petition organiser will be given five minutes to present the petition and the petition will then be discussed by County Councillors for a maximum of 15 minutes. The County 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,
- to commission further investigation into the matter, for example by a relevant Committee.
- Where the issue is one on which the County Council Executive are required to make the final decision, the County Council will decide whether to make recommendations to inform that decision.

- 4.0 The petition organiser, Mr Tony Boorman, has indicated that, under the terms of the County Council's Petition Scheme, he would like to present the petition to the Area Committee, and for the issues raised to be debated.

4.1 The Corporate Director, Business and Environmental Services has been notified and an Officer is in attendance at the meeting.

5 Recommendations

5.1 The Area Committee is asked to:-

- invite the petition organiser to speak (5 minutes maximum) to present the petition;
- debate the petition (15 minutes maximum);
- decide:-
 - (i) to recommend that the Executive take the action the petition requests;or
 - (ii) not to take the action requested for reasons put forward in the debate;or
 - (iii) to commission further investigation into the matter, for example by a relevant committee.or
 - (iv) Where the issue is one on which the County Council Executive are required to make the final decision, the County Council will decide whether to make recommendations to inform that decision.

Barry Khan

Assistant Chief Executive (Legal and Democratic Services)
County Hall, Northallerton

Background Documents: Petitions Scheme



North Yorkshire County Council

Petitions Scheme

The County Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. Anyone who lives, works or studies in the County of North Yorkshire, including under 18's, can sign or organise a petition and trigger a response. All petitions sent or presented to the County Council will be acknowledged within 10 working days of receipt. This 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.

Paper petitions of any size may be sent to:

Barry Khan
Assistant Chief Executive (Legal & Democratic Services)
North Yorkshire County Council
County Hall
Northallerton
North Yorkshire
DL7 8AD

Alternatively scanned copies may be sent by email to:

democratic.services@northyorks.gov.uk

What are the guidelines for submitting a petition?

Petitions submitted must include:

- A clear and concise statement about the subject of the petition;
- A statement of what action the petitioners wish the County Council to take;
- The name and address (including postcode) and signature of any person supporting the petition.
- Contact details, including an address, for the petition organiser.
- A Fair Processing Notice is required by the Data Protection Act legislation, explaining to people that the personal details they provide in connection with the petition will only be shared with the petition organiser, the County Council. An example is suggested in the Data Protection section below.

We will contact the petition organiser(s) to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. 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.

The determination of whether a petition is vexatious, abusive or otherwise inappropriate for a response, will be carried out by the Chief Executive Officer in consultation with the Chairman of the Council.

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

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

Data Protection

The use of individuals' personal data, including their addresses/email addresses, will be protected under the terms of the [Data Protection Act 1998](#) and will be held by us only for the purpose of corresponding in relation to the petition submitted. This information may be shared with the petition organiser, County Council officers, Members of the County Council or service providers.

We advise that for paper petitions, the following Fair Processing Notice is included on each page of the petition that will contain signatures:

“North Yorkshire County Council (the Council) will become the data controller when the petition is deposited with the Council. The details you provide on this form will only be used for the purpose of this petition. Your information may be shared with the petition organiser, Council officers, members of the Council or service providers.”

As with all Council held information, petition information will be subject to the provisions of the Freedom of Information Act legislation and may be disclosed to the public if requested.

What will the County Council do when it receives my petition?

An acknowledgement will be sent to the petition organiser(s) 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. Its receipt will also be published on our website.

If we can do what the 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, it will trigger either:

- A debate either at the relevant Area Committee; or
- A debate at County Council; or
- A senior officer giving evidence at a meeting of the relevant Overview and Scrutiny Committee.

The acknowledgment will confirm which is the appropriate course of action and tell you when and where, if appropriate, any meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning application, is a statutory petition (for example requesting a referendum on having an elected mayor), or is about a matter where there is already an existing right of appeal, other procedures will apply. Where a petition relates to a planning application, it will be treated as 'letters of representation' and be part of the 'letters of representation process'.

The County Council 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.

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).

How will the County Council respond to petitions?

The 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 relevant Area Committee meeting;
- Considering the petition at County Council;
- Undertaking research into the matter – options including meeting with lead petitioners, or holding a public meeting;
- Referring the petition for consideration by a County Council Overview and Scrutiny Committee*;
- Writing to the petition organiser setting out our views about the request in the petition.

*Overview and Scrutiny Committees are committees of County Councillors who are responsible for scrutinising the work of the Council. The Overview and Scrutiny Committees have the power to hold the County Council's decision makers to account.

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

If the petition is about something over which the County 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 County 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 County Council policy), then we will set out the reasons for this to you. You can find more information on the services for which the County Council is responsible here:

<http://www.northyorks.gov.uk/index.aspx?articleid=10835>

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

Debates

Petitions supported by a significant proportion of people from a District Area or the County Council Area as a whole will be presented to a meeting of the relevant Area Committee or to the County Council for debate, depending upon the number of signatories, and whether it relates to a matter of concern to a particular locality or a matter of country-wide interest. If your petition contains signatures from 1% or more, of the District population, it will be scheduled for debate at the next meeting of the appropriate Area Committee. The number of signatures for each district area is as follows:

- Craven 555
- Hambleton 897
- Harrogate 1586
- Richmondshire 539
- Ryedale 501
- Yorkshire Coast & Moors 1086
- Selby 841

If there is the equivalent of 5% (30,130) of the County wide population as signatories, the petition will be scheduled for a County Council debate.

Area Committees usually take place 4 times a year and County Council quarterly, dates and times may be found at

<http://www.northyorks.gov.uk/index.aspx?articleid=10509>.

If a petition meets the threshold for debate at Area Committee and the petition organiser would like to introduce the petition at to the next meeting of relevant Area Committee, or County Council, or if the petition organiser would like the local County Councillor or someone else to present it on their behalf, contact should be made with Democratic Services on 01609 532591, at least 10 working days before the meeting and the process will be explained.

Following receipt, the County Council will endeavour to consider the petition at the next appropriate meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

At the meeting the petition organiser will be given five minutes to present the petition and the petition will then be discussed by County Councillors for a maximum of 15 minutes. The County 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,
- to commission further investigation into the matter, for example by a relevant committee.
- Where the issue is one on which the County Council Executive are required to make the final decision, the County Council will decide whether to make recommendations to inform that decision.

The petition organiser will receive written confirmation of this decision and this confirmation will also be published on our website.

Officer evidence

A 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, a 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. If the petition contains signatures from 0.5% (2,996) or more, of the

County's population, the officer will be asked to appear at the next meeting of the appropriate Overview and Scrutiny Committee.

The senior officers concerned will be limited to Chief Officers and Statutory Officers. The senior officers who may be called to give evidence are:

- Chief Executive
- Corporate Director – Business and Environmental Services
- Corporate Director – Health and Adult Services
- Corporate Director – Children and Young People's Service
- Corporate Director – Strategic Resources
- Assistant Chief Executive (Business Support)
- Assistant Chief Executive (Customer Services)
- Assistant Chief Executive (Legal and Democratic Services)

Petition organisers should be aware that the Overview and 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 County Councillor(s) to attend the meeting. Committee members will ask the questions at this meeting, but petition organisers are able to suggest questions to the Chairman of the Committee by contacting the Assistant Chief Executive (Legal & Democratic Services) up to three working days before the meeting via democratic.services@northyorks.gov.uk

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

If a petition organiser feels that the County Council has not dealt with a petition properly, they have the right to request that the relevant County Council Overview and Scrutiny Committee review the steps that the County Council has taken in response. 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 County Council's response is not considered to be adequate. The Committee will endeavour to consider such request at their next meeting, although on some occasions this may not be possible, and consideration will take place at the following meeting. Should the Committee determine that a petition has not been adequately dealt with, it may use any of its powers to deal with the matter. These powers include:

- Instigating an investigation,
- Making recommendations to the County Council's Executive or arranging for the matter to be considered at a meeting of the County Council.

Once the review 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 the County Council's website.