


Non-Executive Report of the: Overview and Scrutiny Committee 2 November 2015	 TOWER HAMLETS
Report of: Melanie Clay, Director, Law, Probity and Governance	Classification: Unrestricted
Request for a Review into the Council's Response to a Petition – Leaseholder charges and services delivered by Tower Hamlets Homes	

Originating Officer(s)	Matthew Mannion, Committee Services Manager
Wards affected	All Wards

Summary

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns.

The Council's Petition Scheme, published on the website, sets out how petitions should be considered and responded to by the Council.

The Petition Scheme also sets out the right of any petitioner who was not satisfied with the response of the Council to request that the Overview and Scrutiny Committee review the steps the Council took in response to the petition.

This report provides details of the petition that was submitted to the Council and the Council's response. The Overview and Scrutiny Committee are requested to review the details and make any comment deemed necessary.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. To review the petition and the Council's response to that petition.
2. To determine whether any recommendations should be made or investigations should be undertaken following consideration of the evidence presented.

1. REASONS FOR THE DECISIONS

- 1.1 The Council's Petition Scheme requires that the Overview and Scrutiny Committee consider any requests to review the steps that the Council has taken in response to a Petition submitted to the Council.

2. ALTERNATIVE OPTIONS

- 2.1 There are no alternative actions as the Constitution requires the Committee to consider the request.

3. DETAILS OF REPORT

- 3.1 The Council adopted a Petition Scheme at its Council meeting on 14 July 2010. The Scheme sets out how the Council will process and respond to petitions. The Petition Scheme is attached at Appendix 1 to this report.
- 3.2 In summary a petition should contain a clear and concise statement covering the subject of the petition and set out the actions the petitioners wish the Council to undertake.
- 3.3 A petition of any size may be submitted to a Directorate or Service Area for consideration. However, petitions containing a certain number of signatures of those who live, work or study in the Borough, may also, should it be requested by the petitioner, be considered at Council, or relevant Committee, meetings. The thresholds of the number of signatures of are:
- 30 Signatures – Presentation to Council, Cabinet or relevant Committee
 - 1000 Signatures – Require a senior Council officer to provide information in public at the Overview and Scrutiny Committee about the issue raised in the petition.
 - 2000 Signatures – A full debate at a Council meeting.

Presentation of Petitions at Council

- 3.4 A popular method of submitting petitions to the Council is to request to have them presented to meetings of Council. The Council's Rules of Procedure (Constitution Part 4) allow for three petitions signed by 30 or more people who live work or study in the Borough to be presented to each ordinary Council meeting. The petitioners have three minutes to present their petition, they then respond to any questions Councillors may have. The relevant Lead Member will then provide a formal response to the petition. To conclude the presentation, Council agrees a recommendation that the relevant Corporate Director should provide a further written response to the petitioners should there be any matters which have not been dealt with at the meeting.

Requesting a review of the Petition Response

- 3.5 The Petition Scheme provides that if the Petitioners are not satisfied with the Council's response then they have the right to request that the Council's Overview and Scrutiny Committee review the steps that the Council has taken in response to the petition.
- 3.6 The petitioners are asked to provide a summary explanation of the reasons why they do not consider the Council's response to be adequate.
- 3.7 The Overview and Scrutiny Committee will consider the request and should it determine that the petition has not been dealt with satisfactorily may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council's Executive or arranging for the matter to be considered at a meeting of the full Council.
- 3.8 Once the appeal has been considered the petition organiser will be informed of the outcome. The review will also be published on the Council's website as part of the minutes of the Overview and Scrutiny Committee meeting.
- 3.9 Appendix 2 to this report contains the petition that was submitted to the Council and the petitioners reasons for requesting a review. Appendix 3 to this report sets out how the petition was considered and what steps were taken in response.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no financial implications arising from the recommendations within this report. However, any decisions to carry out a follow up investigation would need to consider the financial implications of that work and any additional resources would need to be agreed by Cabinet.

5. LEGAL COMMENTS

- 5.1 The terms of reference of the Overview & Scrutiny Committee provided that in respect of the Council's petition scheme, power is delegated to the Committee to undertake a review if a petition organiser feels the authority's response to his/her position was inadequate. In her request for a review (appendix 2 attached), the petition organiser states that despite submitting a petition to Council in January 2014, no formal response has been received and an explanation and a response is sought.
- 5.2 There are no immediate legal implications arising from this report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 Petitions play an important role in allowing local residents to engage with the Council on matters of importance to them.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 Proper consideration of issues raised through Petitions ensures that the Council is aware of residents' concerns and thus promotes good governance.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 None specific to this report. If there are any in relation to the petition being considered they will be set out in Appendix 3.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 None specific to this report. If there are any in relation to the petition being considered they will be set out in Appendix 3.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 None specific to this report. If there are any in relation to the petition being considered they will be set out in Appendix 3.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix 1 – The Petition Scheme.
- Appendix 2 – The original petition submitted to the Council and the request for a review.
- Appendix 3 – The Council's response to the petition – **TO FOLLOW**

Local Government Act, 1972 Section 100D (As amended)

List of "Background Papers" used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- None

Officer contact details for documents:

- N/A