

PETITIONS COMMITTEE

ABERDEEN, 19 September 2013. Minute of Meeting of the PETITIONS COMMITTEE. Present:- Councillor Donnelly, Convener; Councillor Carle, Vice-Convener; and Councillors Allan (as substitute for Councillor Lesley Dunbar), Cormie, Delaney, Dickson, Grant, Laing (as substitute for Councillor Graham), Malik, Nathan Morrison, Noble (as substitute for Councillor Kiddie), Samarai, Stuart, Young (as substitute for Councillor Len Ironside CBE) and Yuill.

The agenda and reports associated with this minute can be located at the following link:

<http://committees.aberdeencity.gov.uk/ieListDocuments.aspx?CId=484&MId=3175&Ver=4>

Please note that if any changes are made to this minute at the point of approval, these will be outlined in the subsequent minute and this document will not be retrospectively altered.

CONVENER'S WELCOME

1. The Convener welcomed members to the inaugural meeting of the Petitions Committee, and made reference to the fact that Scottish Labour, the SNP and the Liberal Democrats had all pledged in their May 2012 elections manifestos to establish such a committee.

ORDERS OF REFERENCE AND ARRANGEMENTS FOR THE PETITIONS COMMITTEE

2. Reference was made to article 11 of the minute of meeting of Council of 21 August 2013, at which time Council had before it a report which, amongst other things, proposed that a Petitions Committee be established. An appendix to the report set out the proposed arrangements and Orders of Reference for the new Committee, and this appendix had been referred to this meeting for approval. The Committee had before it on this day, an updated version of that appendix.

The document proposed that the Orders of Reference for the Petitions Committee be agreed as follows "to consider and respond to petitions addressed to Aberdeen City Council in accordance with the Council's approved petitions procedure".

The document set out the proposed arrangements for the new Committee as follows:

- Petitions would only be considered if the criteria outlined in the procedure note had been met. An information bulletin report detailing any petitions which were received but had not met the criteria would be circulated to members of the Committee.
- The Committee would for each valid petition: (1) take no action and advise the petitioner of the Committee's reasoning; or (2) agree that the matter be the

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subject of a report to the relevant committee(s) (petitions could be referred with or without a recommendation); or (3) refer the matter to a relevant organisation with or without a recommendation.

- A petition would require 250 signatures from individuals in Aberdeen City (all signatories must be on the Register of Electors for the Aberdeen City Council area) **or** ten local businesses (to be on the Valuation Roll), voluntary organisations and/or social enterprise companies and/ or Community Planning Partners and/or other bodies.
- A Petitions Form (available to download from the Council website, or from staff in Democratic Services) would have to be completed and submitted to the clerk ten working days prior to a scheduled meeting of the Petitions Committee. Petitions would be checked by the staff in Democratic Services, and, if required, the Director responsible for the subject matter of the petition. If the petition were deemed valid, it would be submitted to the next scheduled meeting of the Petitions Committee. A valid petition received less than ten working days prior to a scheduled meeting, would be considered at the subsequent scheduled meeting.
- A Petitions Form received and hosted on the Aberdeen City Council website must have at least 250 signatories ten working days prior to a scheduled meeting. Petitions could be hosted online for a maximum of twelve weeks, with no minimum period.
- A Petitions Form would only require one signature in order to be hosted online.
- Petitions from businesses would not be hosted online.
- A combination of paper and online signatures would be acceptable.
- A petitioner would have to specifically request (via the website) that a petition be hosted on the Aberdeen City Council website – for clarity, paper petitions received would not be hosted online.
- The Council would be unable to consider petitions on the following:
 - (1) Matters that are subjudice, that is, matters that are the subject of any current court proceedings
 - (2) Planning, licensing and other matters with their own procedures
 - (3) Matters which should be dealt with through the Aberdeen City Council complaints procedure or through the Ombudsman
 - (4) Matters concerning individual elected members or Council employees
 - (5) Employees' terms and conditions
 - (6) Housing allocations in respect of individuals
 - (7) A decision taken by Aberdeen City Council in the previous twelve months
 - (8) A matter which is very similar to, or the same as, a petition which the Committee has considered in the previous twelve months
 - (9) A matter which is the subject of an outstanding committee remit
 - (10) Matters designed to gain or reduce support for one or more political parties
 - (11) Matters that could damage a person's reputation or discriminate against them
 - (12) Personal or business interests

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- (13) An allegation pertaining to people or organisations breaking the law or codes of practice
- (14) An allegation or matter which could be defamatory (contain information which is not true), discriminate against someone or contain offensive language, for example swear words, insulting, sarcastic or provocative language or other terms that could reasonably be considered as offensive by the reader.
- Councillors would not be permitted to submit or sign petitions.
 - The lead petitioner (and two supporters) would be invited to attend the meeting at which the petition would be considered, to speak for up to ten minutes in support of it with a further ten minutes allowed for questions from the Committee. For the avoidance of doubt, Standing Order 10 would not apply to the Petitions Committee, and therefore deputations would not be permitted.
 - The Committee could consider two or more petitions together if they were similar or if they deal with the same subject. The lead petitioner would be told about this beforehand and would be asked to make either joint statements or individual statements for each petition.
 - A guidance note would be produced, and placed on the Council's website. It would detail the powers of the Committee, and make clear the information required, and the procedures to be followed when submitting petitions.

A discussion took place regarding the ability of young people under the age of eighteen (ie those who would not be on the electoral role) to sign petitions. The Committee felt it would be positive if a way could be found for young people to participate in the process, and requested that officers report back on this to a future meeting.

The Committee resolved:

- (i) to approve that the Orders of Reference for the Committee as follows:
To consider and respond to petitions addressed to Aberdeen City Council in accordance with the Council's approved petitions procedure;
- (ii) to recommend that the Scheme of Delegation be updated to grant powers to the Head of Legal and Democratic Services to determine the validity of petitions;
- (iii) to agree the proposed arrangements for the submission of petitions to Aberdeen City Council as outlined above;
- (iv) to request that officers investigate ways in which young people could participate in the petitions process and report back on this to a future meeting;
- (v) to agree that the Convener, Vice Convener and a member of the opposition attend a meeting of Edinburgh City Council's Petition Committee to gain an understanding of how such a committee operates; and
- (vi) to request that officers report back in one year on the operation of the Committee, and on any lessons learned, including any recommendations for improvement.

- **ALAN DONNELLY; Convener.**