

MUNICIPAL YEAR 2013/2014 REPORT NO.

MEETING TITLE AND DATE:

OSC - 27th March 2013

REPORT OF:

Director of Finance, Resources &
Customer Services

Contact officer and telephone number:

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| Agenda - Part: | Item: |
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| Subject: Update on Councillor Call for Action and Petitions | |
| Wards: All | |
| Cabinet Member consulted: | N/A |

1. EXECUTIVE SUMMARY

- 1.1 This report provides the Overview and Scrutiny Committee (OSC) with an annual update on Councillor Call for Action (CCfA's) and petitions received by the Council. The last update provided to OSC was received at its meeting on the 12th March 2013.
- 1.2 OSC has a key role in CCFA's and petitions and this is the third report OSC have received on the issues.
- 1.3 Both CCFA's and Petitions are seen as key tools to engage the local community in decision making.
- 1.4 To date there have been 46 CCfA requests from members; 3 have been heard at OSC and there are currently 4 CCfA's which are still being pursued. In 2013, 25 petitions were received and since January 2014, 5 petitions have been received.
- 1.5 CCfA's have become increasingly complex. They invariably involve several agencies and Council departments and require a significant amount of time. An example of the complexity, the time involved and the positive results that can be achieved with a CCFA is one which was raised in October 2009 on problems with accessing GP services. Further investigation revealed the need for more community services. A site was agreed in 2012 to accommodate a new GP practice, Dental Practice, library and community space. This building which represents a real outcome for the community is due for completion in Summer 2014. (Further details 6.3 & 6.4)
- 1.7 The Council has an extremely successful and well used Petition Scheme, which is well regarded by the local community. The Council's approach to petitions in particular the community engagement process has been seen as good practice nationally. A number of other Councils have sought guidance from Enfield.

1.8 Over the last 2 years there has been a significant amount of time invested in 2 key petitions:

- Anti spitting
- Upgrade of Deephams Sewage Works

2. RECOMMENDATIONS

OSC to note the report and provide views and comments

3. BACKGROUND

3.1 The Local Government and Public Involvement in Health Act 2007 introduced CCfA which came in to force on 1st April 2009. CCfA provides members with the opportunity to formally raise local issues for consideration at Scrutiny Panels where other methods of resolution have been exhausted.

3.2 The Council reviewed the Petition's Scheme in September 2012 to take into account changes in legislation and population. Following this review a Privacy statement was added to the scheme and the referral trigger amount was updated to take into account the higher population figures in Enfield, identified from the National Census.

3.3 The Petition Scheme states that the Council will respond to all compliant petitions. Petitions with 3,125 signatures must trigger a debate at full Council which would be concluded with a decision being taken by the Council in respect of the petition and 1,562 must trigger a debate at the Overview & Scrutiny Committee. In addition the Lead Petitioner has the right to request that the petition is referred to OSC if they feel that their petition has not been dealt with properly.

3.4 CCfA's and Petitions are both tools for democratic renewal and community engagement. CCfA's promotes the role of local ward councillors as a conduit between Community and Council in resolving local community issues. Petitions provide an opportunity for the local community to be involved in decision making and make their views known.

4. The role of OSC

4.1 The Role of OSC for CCfA will be a means of "last resort", with issues being raised after all other avenues have been exhausted. It is designed to sit alongside existing methods for Councillors to resolve local issues. CCfA will

focus on outcomes and resolutions for Councillors, and by extension Enfield's community, rather than processes.

- 4.2 The role of OSC is to debate a Petition if it has the requisite number of signatures to trigger a debate or alternatively to review the actions taken if the lead petitioner was not satisfied with the response provided.

5. **Councillor Call for Action – current caseload.**

- 5.1 The current caseload is made up of complex cases and involves several departments, external parties and local service providers. It should be noted that where possible a resolution will be sought and the issue resolved prior to referral to Overview and Scrutiny Committee and full panel involvement. This is in-keeping with the way that CCfA is being implemented in Enfield and has proved successful.
- 5.2 Most of these cases are well known to officers from within departments but resolution is difficult. There is usually frustration from the community and/or residents affected by the issue.
- 5.3 Whilst CCfA's take significant time to progress due to the long running problems/disputes. Petitions must be responded to within 20 working days of receipt.

6. **Outcomes**

- 6.1 Since 1st April 2009 we have received 46 CCfA requests, 9 requests have been rejected as they did not meet the required criteria and 4 CCfA's are currently ongoing
- 6.2 CCfA's have proved to be a highly effective tool with 30 CCfA's requests resolved without the need for them to be referred to OSC; a further 3 CCfA's were referred to OSC all of these were subsequently resolved.
- 6.3 An example of the complexity, the length of time issues can take to be resolved and a real outcome for the community is a CCfA on an issue raised in 2009 regarding difficulties experienced by local residents when attempting to make appointments to see a GP at a local surgery. A scrutiny investigation concluded that the primary care infrastructure in the affected ward, was inadequate both in terms of capacity and quality. There was an urgent need to deliver improved primary care facilities to address these limitations. Enfield Council has worked closely with NHS North Central London to identify suitable premises.
- 6.4 This work has also highlighted the requirement for a new Dental Practice and improved facilities for the current local Library and community hall. In April 2012 a site was agreed to accommodate a "Joint Service Centre" that will provide a new GP Practice, Dental Practice, library and community space. This work is scheduled for completion in 2014.

7. **Petitions**

- 7.1 A number of Petitions have been heard at OSC all of which have resulted in a positive outcome for the community.

- Tender of a local café
- 7.2 This petition came in front of OSC in 2012 and has resulted in the Council reviewing its procedure for tendering.
- Anti spitting
- 7.3 This petition had in excess of 4,000 signatures and has resulted in the agreement of a new byelaw to prevent spitting. This is the first time a bye law has been agreed in the country and the ban took effect in December 2013.
- Sunday Parking
- 7.4 This petition was handed in directly to full Council with the result being a change to Sunday parking charges.
- Upgrade of Deephams Sewage Plant
- 7.5 This municipal year one petition was referred to OSC at a well attended public meeting and this was subsequently referred onto full Council. The actions agreed from this include:
- a detailed technical review of the overall cost- benefit and engineering analyses that Thames Water would be submitting to Ofwat being undertaken,
 - Thames Water sharing their economic analyses with the Local Authorities affected, so that they could review the metrics used and values ascribed to them,
 - A letter from the Chair of OSC being written to Ofwat ensuring that the Council's views have been fed in to the process.
 - A deeper working relationship being formed with Thames Water and partners (Jobcentre Plus) to encourage a greater use of local service providers and jobs for local people.

7. ALTERNATIVE OPTIONS CONSIDERED

- 7.1 None.

8. REASONS FOR RECOMMENDATIONS

- 8.1 see section 6.1

9. COMMENTS OF DIRECTOR OF FINANCE, RESOURCES AND CUSTOMER SERVICES AND OTHER DEPARTMENTS

9.1 Financial Implications

There are no financial implications contained within this report.

9.2 Legal Implications

The report sets out an update on the Councillor Call for Action and Petitions.

9.2.1 Under S21A of the Local Government Act 2000 (inserted by S119 of the Local Government and Public Involvement in Health Act 2007) the Council has a statutory duty to ensure its overview and scrutiny arrangements enable any member of the authority to refer a local government matter to the relevant overview and scrutiny committee (“ Councillor call for action”). This legislation is underpinned by statutory guidance. The Council’s Overview and Scrutiny Rules set out in the Constitution detail how Councillor Calls for Action will be processed.

9.2.2 The Local Democracy, Economic Development and Construction Act 2009 introduced a statutory duty to make and maintain a petition scheme. In response to this the Council adopted its petitions scheme on 26 May 2010. This statutory duty has since been repealed by the Localism Act (with the exception of those petitions made under another enactment). Notwithstanding this the Council has opted to retain its petitions scheme in the interests of promoting democracy.

9.2.3 Privacy information details in the petition scheme have been updated to assist the Council in complying with its statutory duties regarding the collecting, processing and storage of personal data.

9.3 Property Implications

None

9.4 Key Risk Implications

Having Councillor Calls for Action ensures compliance with relevant legislation. Depending on the number and complexity of calls received careful management is required to deal with the risk of rising expectations against limited resources.

10. IMPACT ON COUNCIL PRIORITIES

10.1 Fairness for All

CCfA provide a means for councillors to raise intractable issues and have them addressed. This ensures that all residents affected have access to a process aimed at solving problems. Petitions enable local people to raise issues of importance to them with the Council.

10.2 Growth and Sustainability

CCfA and petitions help ensure that solutions to issues raised by councillors and residents are dealt with effectively and sustainable solutions found.

10.3 Strong Communities

CCfA promotes the role of ward councillors and helps them work with residents on issues, thus contributing to the development of strong communities. Petitions contribute to the development of Strong Communities by encouraging local people concerned about an issue to work together to have it raised within the Council.

11. EQUALITIES IMPACT IMPLICATIONS

It is not relevant or proportionate for an equality impact assessment/analysis to be undertaken for noting the report. However, depending on the individual nature of each call for action or petition, an assessment/analysis might be required at the appropriate stage of progress.

12. PERFORMANCE MANAGEMENT IMPLICATIONS

The role of Scrutiny and Scrutineer Councillors is seen as key to improving local accountability and transparency in addressing community issues through the role of elected members.

Engaging the community in resolving issues will serve to increase community confidence.

13. PUBLIC HEALTH IMPLICATIONS

The Council now has responsibility for public health and CCFA's and petitions are a means by which local Ward Councillors and community can raise issues of concern for consideration by the Council.

Background Papers

Councillor Call for Action files
Petition files
Councils Petition Scheme
The Constitution