



**AGENDA ITEM: 7**

**EXECUTIVE OVERVIEW &  
SCRUTINY COMMITTEE:  
28 June 2012**

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**Report of: Borough Solicitor**

**Relevant Managing Director: Managing Director (Transformation)**

**Contact for further information: Mrs J Denning (Extn. 5384)  
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**SUBJECT: PETITION REVIEW REQUEST – SOCIAL INCLUSION OF DISABLED RESIDENTS**

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Wards affected: Borough Wide

**1.0 PURPOSE OF THE REPORT**

1.1 To consider a request to review the steps that the Council has taken in response to a petition received in respect of the above.

**2.0 RECOMMENDATIONS**

2.1 That the Committee determines whether it considers the steps taken by the Council in response to the petition are adequate.

2.2 That if the Committee does not consider the steps taken to be adequate, consideration be give as to what action to pursue within existing terms of reference.

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**3.0 BACKGROUND**

3.1 The Council has adopted a 'Petition Scheme' that sets out how it will handle petitions. In accordance with the procedure if a 'petition organiser' does not feel that the Council has dealt with the petition adequately, he/she can request the Executive Overview and Scrutiny Committee to review the steps taken to respond.

#### **4.0 STEPS TAKEN TO RESPOND TO THE PETITION**

4.1 A petition was received on Wednesday, 22 February 2012 containing 35 signatures, details are attached at Appendix A.

4.2 An acknowledgement was sent to the 'petition organiser' on 1 March 2012 which advised that a formal response would be sent to him within 15 working days and detailed what steps the Council may take to deal with the petition i.e.:

- Take the action requested
- Give a written response setting out the Council's views about the request
- Refer to the relevant overview and scrutiny committee
- Refer to Cabinet (executive functions)
- Consider at a meeting of the Council
- Hold an inquiry
- Undertake research
- Hold a public meeting
- Hold a consultation
- Hold a meeting with petitioners
- Call a referendum

4.3 On 13 March 2012 a response was sent to the 'petition organiser', advising that the Transformation Manager, in consultation with the Leader, would provide a written response setting out the Council's views about the request, within 10 working days. A copy of the letter from the Transformation Manager dated 28 March is attached at Appendix B.

#### **5.0 REVIEW REQUEST**

5.1 A request to review the steps taken was received, within the deadline, (4 April 2012). A copy of the request is attached at Appendix C.

#### **6.0 COMMENTS OF THE TRANSFORMATION MANAGER**

6.1 The Council considers that the steps previously taken in respect of consultation with residents and stakeholders around the impact of withdrawing Concessionary Travel within the district were robust. Full account was taken of the social inclusion impacts, and costs and benefits in making decisions at this time. Furthermore, the decision to cease involvement with discretionary travel concessions was also taken at a time when Government funding within this area was withdrawn and any funding for this was passed to Lancashire County Council with effect from April 2011.

#### **7.0 PROCEDURE FOR DEALING WITH REVIEW REQUESTS**

7.1 The 'petition organiser', Mr Lenton, has been notified of the time, date and place of the this meeting and has also been asked if he would like to speak at that meeting on why he considers that the authority's decision on the petition is inadequate, subject to the permission of the Chairman.

## 7.2 At the meeting

- Should the 'petition organiser' wish to speak, with the permission of the Chairman, he will be able to address the Committee in accordance with Overview and Scrutiny procedure rules.  
[Note: The Chairman will normally allow the 'petition organiser' to address the Committee at the beginning of the item, for a maximum of three minutes.]
- Members of the Committee will be able to ask officers questions, through the Chairman.
- With the agreement of the 'petition organiser', Members of the Committee may be able to ask him questions through the Chairman

7.3 Following consideration of the steps taken, the review request and the comments of the relevant officer, the Committee should decide if it considers the petition was dealt with adequately or it may use any of its powers under the Local Government Act 2000 to deal with the matter.

7.4 If the Committee considers that the petition was not dealt with adequately it can:

- Request the relevant officer to bring back a more detailed report on the issue.
- Make a recommendation to Cabinet / Council as appropriate
- Request the Corporate and Environmental Overview & Scrutiny Committee to undertake a Review on the subject matter (subject to current work programmes and resources).
- Set up a Working Group to look at the issue in more detail (subject to the Committees work programme and resources).

7.4 Once the 'review request' has been considered the 'petition organiser' will be informed of the results within 5 working days. The results of the 'review request' will also be published on the website.

## **8.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY**

8.1 Petitions are another method to enable local people to raise concerns with the Council providing a feedback mechanism for the community and improving access for all.

## **9.0 FINANCIAL AND RESOURCE IMPLICATIONS**

9.1 There are no significant financial or resource implications other than officer and Member time in dealing with this request.

## **10.0 RISK ASSESSMENT**

10.1 The Council must follow the procedure it has previously adopted.

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## **Background Documents**

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

### **Equality Impact Assessment**

There is a significant direct impact on members of the public, employees, elected members and / or stakeholders. Therefore an Equality Impact Assessment is required. A formal equality impact assessment is attached as Appendix 4 to this report, the results of which have been taken into account in the Recommendations contained within this report.

### **Appendices**

- A. Copy of petition details – 22 February 2012
- B. Letter to Mr Lenton – 28 March 2012
- C. Review request from Mr Lenton – Received 4 April 2012.
- D. Equality Impact Assessment