

Somerset West and Taunton Council

Petitions to Council – Assessment Form

On receipt of a Petition from the requisite number of people appealing to the Authority (more than 200 for it to be debated at the next ordinary Full Council), the Governance Team will ensure an assessment is made as to its contents to establish whether there are likely to be significant consequences to the Council should the request(s) in the Petition be approved at the subsequent Full Council meeting.

There are Excluded Matters which are matters that are excluded from the scope of the petitions duty and these are:

- a) Any matter relating to a planning decision, including about a development plan document or the community infrastructure levy;
- b) Any matter relating to an alcohol, gambling or sex establishment licensing decision;
- c) Any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
- d) Any matter which the Chair of the Council or relevant Committee believes to be scurrilous, offensive, improper, repetitious, capricious, irrelevant or otherwise objectionable.

Petitions submitted to the Council must include:

- a) A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take;
- b) The name and address and signature of any person supporting the petition;
- c) The name and address of the petition organiser

If valid, the first question to be addressed when assessing the Petition will be:-

“Can the request of the petitioner, if approved, be implemented without the need for any resource (financial and otherwise) to be identified outside existing budgets or staffing capacity?”

If the answer is ‘yes’, then the Petition can proceed towards discussion and potential resolution.

An example of a Petition which would fall into the above category would be where the Council is being asked to lobby the Government, Somerset County Council or other body on a particular issue. If the Petition is carried, the action required will usually involve no more than a letter being prepared and sent to the intended recipient.

However, as in the case of the recent Petitions on The Brewhouse and Extinction Rebellion, the answer to the above question would clearly be 'no'.

In such circumstances, detailed analysis of the wording of the Petition will be required to identify what will be needed if the Petition – when it comes before Full Council – is carried.

Such analysis will include:-

- What additional resource would be required to ensure the Petition (if approved) could be implemented?
- What needs to be done to identify the level of resource necessary both in financial and staff terms?
- Are any approvals needed to provide these resources?
- Will this require reports to be submitted through Scrutiny and the Executive? If a Supplementary Estimate is required, Full Council approval will be required too.

If such analysis is required, the Governance Team will arrange for the attached pro-forma to be completed and this will accompany the relevant Petition onto the agenda of the Full Council meeting so all Members are aware that further investigation will be required before the Petition – even if it is carried – can be implemented.

The Council will decide how to respond to the petition which may include;

- a) To take the action requested.
- b) Not to take the action requested for the reasons given in the debate.
- c) Refer the matter for further investigation.
- d) Refer the matter to the Council's Executive for final decision.

A petitioner has the right to request a review of the steps taken in response to the petition if they are unhappy and that request shall be made to the Council's Scrutiny Committee.

Petitions to Council – Assessment Proforma

(To be used in circumstances where it appears the wording of a proposed Petition will commit the Council to providing further financial or staffing resources which cannot be met from existing budgets)

Details of the Petition -

Petition

The Petition demands;

1. The creation of a Citizen’s Assembly to hold our local Council authorities to account and oversee changes required to combat the climate emergency.
2. Immediate implementation of local policies to reduce carbon emissions to net zero within the Somerset area by 2025 and reduction of overall consumption levels.
3. Reversal or revision of any existing policies which increase net carbon emissions.

Questions to be addressed

- | |
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| <ul style="list-style-type: none"> • <i>What additional resource would be required to ensure the Petition (if approved) could be implemented?</i> |
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1) Citizen’s Assembly -

Comment: The costs will vary greatly depending on exactly what format is pursued and its scale.

2) Net Zero by 2025 -

Comment: The additional resource required to make Somerset West and Taunton Council Area Carbon Neutral by 2025 has not yet been quantified at this moment. This would require further research and resource.

3) Reversal or Revision of Existing Policies -
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Comment:

In terms of looking at existing policies - in February 2019 SWT committed £25k of budget for 2019/20 to support development of a climate strategy/action plan and early project delivery. Of this, £10k has been committed to support the development of the county-wide strategy; largely to permit the Strategic Management Group to access appropriate external expertise, including execution of the consultation plan.

All authorities have already committed considerable resource to development of the county-wide framework to date and, as a result of our activity so far, it is becoming apparent that future development would be better served by securing county-wide project management expertise. This is likely to incur an additional cost but will be

supported by a detailed costing plan and brought forward for approval through appropriate channels.

To date, work developing the Framework documents, initial work stream briefs, and setting up programme management and governance arrangements has been carried out by approximately 2.6 FTE, spread across 11 different officers. The next phase of developing up the action plans and projects for inclusion in the Draft and Final documents will require inputs from a wider range of officers. Some of this will be part of business as usual, some things will be additional tasks. On this basis it is important to recognise the importance of the fact that the SWT Plan will be a “live” and iterative document that evolves over time, and it will not be possible to identify every single action and project that will be required in the time allowed. However, this model will ensure that climate action begins to permeate business as usual across all functions of the Council, rather than being the preserve of a single specialist officer.

As we move towards finalising and ultimately delivering action plans and projects, this will inevitably in some cases lead to further financial and resource implications, however, these will be dealt with separately nearer the time.

- ***What needs to be done to identify the level of resource necessary both in financial and staff terms?***

1) Citizen’s Assembly -

Comment:

As an example, Devon County Council (DCC) are setting a Citizen’s Assembly up (which will be advisory only) and DCC has set aside £250,000 to support this, but overall costs are estimated at just shy of £500,000 (see paper at <https://democracy.eastdevon.gov.uk/documents/s6163/Process%20for%20Developing%20a%20Devon%20Carbon%20Plan%20v3%20App%20C.pdf>).

2) Net Zero by 2025 -

Comment:

An intensive research exercise would need to be undertaken involving staff resource, and may also require outside expertise.

3) Reversal or Revision of Existing Policies -

Comment:

The SWT Framework identifies a number of key early tasks and commitments. Some of these will be for the Council to take forward, some of which are part of operational plans already, some of which will be in addition.

Precise budgets for specific tasks and projects are not possible to establish in detail at this stage. However, the principle of earmarking an initial sum in the 2020/21 budget to support delivery of the Council’s climate change commitment has been identified and will be subject to further discussion as part of the budget setting process. Budget setting for specific projects and commitments will be refined alongside approval and implementation of the final strategy, from July 2020 onwards.

• **Are any approvals needed to provide these resources?**

1) Citizen's Assembly –

Comment: Yes – Full Council approval would be required to set up and define Terms of Reference as well as to approve the budget to support. SWT had not proposed establishing a citizen's assembly. This matter was discussed with the County wide climate change members task and finish group in October 2019, where it was felt that this method of engagement was not necessary or appropriate at this time and was more suited to 'single issue' topics where matters had reached an impasse. SWT nevertheless remain committed to engagement and consultation with our communities and will use a variety of means – other than citizen's assemblies - to do so. **(Please see attached Appendix A)**

2) Net Zero by 2025 -

Comment: Yes - The Council - in common with the County Council and three other district councils in Somerset - has declared a climate emergency and to work towards a carbon neutral district by 2030. This is a very challenging commitment – a full 20 years earlier than the Government's own declared ambition to achieve net zero emissions by 2050. This was also included in the Corporate Strategy 2020-2024 recently adopted by Council in October 2019 - "Work towards making our District carbon neutral by 2030 - deliver projects based on a Carbon Neutrality and Climate Resilience Plan that work toward this goal (for example installing electric vehicle charging points across the District)." The Council's Executive Committee has also approved (October) a 'framework' carbon neutral and climate resilience plan for the district which establishes a range of policy commitments and early actions across a range of topic areas. This framework will be developed into a final strategy and associated action plan in 2020. Meanwhile SWT will act to deliver the early actions identified in the framework document already approved.

3) Reversal or Revision of Existing Policies -

Comment: Yes – However the framework document referred to above includes commitments to policy changes that support the move towards carbon neutrality. This will be developed further in the final strategy and action plan in 2020. Performance around carbon neutrality & climate resilience will be monitored through the relevant delivery plans.

On October 23rd 2019 SWT Executive approved the following;

1) Noted the comments of the Scrutiny Committee and the Climate Change Member Working Group included in the appended minutes of each meeting;

2) Noted the timeline for delivery of both documents, and high level comments in relation to funding and resources going forward;

3) Endorsed the Draft SWT Framework as a driver for stakeholder engagement and public consultation activities over November 2019 – January 2020;

4) Delegated authority to agree and endorse the future Draft SWT Carbon Neutrality and Climate Resilience Plan due in early Spring 2020 to the Portfolio Holder for Climate Change (Cllr Peter Pilkington) in consultation with the Climate

Change Member Working Group, noting that the final draft strategy would come to Executive and Full Council for approval;

5) Endorsed the Draft Somerset-wide Framework as a driver for stakeholder engagement and public consultation activities subject to potential amendments to be discussed with the Joint Task and Finish Group and agreed by the Joint Cabinet/Portfolio Holders Group, in line with the agreed governance arrangements; and

6) Delegated authority to agree and endorse the future Draft Somerset-wide Strategy due in early Spring 2020 to the Portfolio Holder for Climate Change (Cllr Peter Pilkington) in consultation with the Joint Task and Finish Group, noting that the final strategy would come to Executive and Full Council for approval.

- ***Will this require reports to be submitted through Scrutiny and the Executive? If a Supplementary Estimate is required, Full Council approval will be required too.***

1. Citizens Assembly

Comment: – Yes – FC approval to set up and define Terms of Reference as well as to approve budget to support.

2. Net Zero by 2025

Comment: – Yes – at least Full Council approval in a further report or reports.

3) Reversal or Revision of Existing Policies -

Comment: - Yes – Any reversion or revision of existing Policies will require Executive and Full Council decisions in further reports. SWT can't reverse some decisions (e.g. once a planning permission is granted it is granted). SWT would also need to evaluate what decisions are relevant. Also, the answer is not to necessarily stop anything that will have emissions taking place, it is to overall balance them with offsetting and sequestration (carbon neutrality) – clearly the onus is on reducing and avoiding new emissions, but it will be impossible to achieve without offsetting and sequestration.

Likely timescale involved –

1. **Citizen's Assembly** – Potential estimated timescale of up to a year to get the necessary approvals and organise before starting.
2. **Net Zero Carbon in Somerset by 2025** – This is a target that would not be solely down to the District Council to enforce, even if adopted. No policies drawn up if this was set up as the revised target could be immediately implemented as a piece of work would need to be undertaken into the feasibility and partnership work required. The target of 2025 would be significantly more difficult to achieve. The work the Council has undertaken since the adoption of a Climate Emergency is leading to a reduction in overall consumption levels and this is ongoing work.

- 3. Reversal or revision of policies** – This could be estimated at potentially taking at least 1-2 years. A piece of work would need to be undertaken to assess current and forthcoming policies and procedures for their carbon emissions and then the approvals would have to be taken through the democratic process.

Appendices:

Appendix A – Consultation Proposals for the Somerset Climate Emergency Strategy.

Appendix B – Draft Somerset Climate Emergency Framework

<https://democracy.somersetwestandtaunton.gov.uk/documents/s7199/Appendix%20A%20-%20Draft%20Somerset%20Climate%20Emergency%20Framework.pdf>

Appendix C – Carbon Neutrality and Climate Resilience Plan

<https://democracy.somersetwestandtaunton.gov.uk/documents/s7200/Appendix%20B%20-%20CNCR%20Plan%20Framework.pdf>