

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 Petition on The Brewhouse, 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 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

We the undersigned petition the Council to:

Withdraw their proposal to construct a pedestrian and cycle bridge over the River Tone between Morrison's bandstand and Coal Orchard, Taunton (Planning Application 38/22/0347) on the grounds that:

- There is no need for an additional bridge as there is an adequate and safe river crossing for cyclists and pedestrians at Morrison's Bridge
- The bridge is designed primarily for cyclists and it will be dangerous for pedestrians
- The bridge and access ramps are detrimental to the visual and recreational amenity of the area.
- There will be the loss of 5 important mature trees

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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On face value, there is no additional resource required to implement the request of the petition, if the proposals as currently written were withdrawn. There is however significant resource required to then design, consult, procure and deliver an alternative scheme within the timelines of the Future High Street Funding grant funding (which needs to be spent or substantially committed by 31 st March '24).
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| <ul style="list-style-type: none">• <i>What needs to be done to identify the level of resource necessary both in financial and staff terms?</i> |
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There are no requirements to identify additional resource if the bridge proposal is simply withdrawn.

An analysis of alternative schemes, approvals from DHLUC and would require approx. 30 hours (15 hours per Asst Director and Programme Manager), for alternative scheme proposals
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| <ul style="list-style-type: none">• <i>Are any approvals needed to provide these resources?</i> |
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No

- ***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.***

No

Likely timescale involved –