

MAIDSTONE BOROUGH COUNCIL

COUNCIL

27 APRIL 2011

REPORT OF THE CABINET

1. EXECUTIVE PROCEDURE RULES - PETITIONS

1.1 Issue for Decision

1.1.1 To consider amendments to the Executive Procedure Rules relating to petitions.

1.2 Recommendation Made

1.2.1 That amendments be made to the Executive Procedure Rules relating to petitions so that there is no age limit on who can sign a petition or present a petition to the Cabinet or a Cabinet Member be agreed and that paragraphs 2.6 (b) (ii) and 2.6 (b) (v) of the Executive Procedure Rules should be amended from:

2.6 (b) (ii) Only petitions containing signatures of 100 persons of voting age will be eligible for submission to the Cabinet or Cabinet Member but the Leader or the Cabinet Member may at his discretion waive this requirement;

2.6 (b) (v) Only one person may speak to the petition for a maximum of five minutes. They should be of voting age, have signed the petition, and be an active supporter of the body submitting the petition but not acting for the petitioner in any professional capacity for financial reward;

to:

2.6 (b) (ii) Only petitions containing signatures of 100 persons will be eligible for submission to the Cabinet or Cabinet Member but the Leader or the Cabinet Member may at his discretion waive this requirement;

2.6 (b) (v) Only one person may speak to the petition for a maximum of five minutes. They should have signed the petition and be an active supporter of the body submitting the petition but not acting for the petitioner in any professional capacity for financial reward;

1.3 Reasons for Recommendation

1.3.1 On 9 March 2011 the Cabinet considered an oral report by the Head of Democratic Services that the Executive Procedure Rules relating to petitions be amended so that there is no age limit on who can sign a petition or present a petition to the Cabinet or a Cabinet Member.

1.3.2 At the Council meeting on 22 September 2010, it was agreed that the Council's Petition Scheme should be amended so that there is no age limit on who can sign a petition or present a petition to Council. The amendment made by Council to the Council Procedure Rules did not change the rules for the presentation of petitions to Cabinet which are dealt with separately in the Constitution's Executive Procedure Rules. On being made aware of this anomaly the Cabinet determined to make the changes in order to have consistency across the Council.

1.4 Alternatives considered and why not recommended

1.4.1 The alternative would be to not amend the Executive Procedure Rules, however this is not recommended as the Executive Procedure Rules should be consistent with the rules for Petitions to Council.

1.5 Background Papers

1.5.1 None

EVALUATION BY THE STANDARDS COMMITTEE – 6 APRIL 2011

In accordance with Article 15.02 (a) of the Constitution, the Standards Committee has evaluated the proposed amendments to the Executive Procedure Rules within the Constitution and believes that their implementation will help to ensure that the aims and principles of the Constitution are given full effect by creating an effective means of holding decision makers to public account.