

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 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 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

ACTION REQUIRED:

1. Secure future funding to enable TTA to continue to deliver its current programmes of activity.
2. Invest in and work with TTA in order to deliver a much improved and sustainable arts venue the region deserves

Supplementary demands resulting from retraction of TTA Report:

3. Clarity about why planned TTA Report did not go to Full Council and who decided this.
4. For Councillors to receive TTA Report and make informed decision on future investment in TTA.
5. Decision about SWTC intentions with regards TTA future funding and Brewhouse redevelopment.

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 – SWT Council has provided an increased amount of £160,000 in grant funding for 2019/20 Financial Year including an additional £28,000 on off funds, with £132,000 profiled per annum in the Financial Strategy for 20/21, subject to approval in annual budget setting. TTA is requesting an increase on that figure and a detailed breakdown of the figures are included within the attached confidential Appendices.

Supporting the request could increase the Council's expenditure by up to £450,000 (rounded) per year by 2023/4. This is not currently included in the Council's Financial Strategy or Medium Term Financial Plan. The implications of additional revenue support would likely be increased savings targets to be considered as a combination of reduction/cutting of other services based on corporate priorities or increased income generation targets through more ambitious commercial investment plans.
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Officers and the Executive would have to assess the request of the petitioners and a report would have to be brought back to Council through Budget Setting for final approval setting out options for members to consider how this budget pressure could be met and what that would look like in detail. Should the Council agree in principle

to the request for additional revenue support for TTA, the request will have to be considered and a further report brought to Full Council including solutions to enable the Council to set a balanced budget.

In terms of support with securing future funding and enabling TTA to continue to deliver its current programmes of activity in a wider sense of definition other potential avenues could include enabling activities e.g. officer resource within the Economic Development expertise area supporting with bid writing/fundraising applications.

2 – Further capital funding to invest in and deliver an improved venue would have to be assessed against a number of criteria and adopted policies and strategies, namely the Council’s adopted Commercial Investment Strategy and the Council’s adopted Corporate Strategy.

The potential redevelopment of the existing Brewhouse is one part of a wider strategic question of Arts and Culture within the district, alongside the redevelopment of the town centre as a whole, including Firepool. Whilst these strategies are in development, it would be premature to commit any additional funds to the Brewhouse in isolation. The proposals for a redevelopment of the venue/building (circa £25 million) alongside would be a cost above and beyond the additional revenue support requested.

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

1 – Further Officer Investigation if supported.

The Leadership team and Executive would have to assess the request of the petitioners and a report would have to be brought back to Council for final approval setting out how this budget pressure could be met and what that would look like in detail in Feb 2020.

2 – Further Officer Investigation if supported.

Officers in the area of Commercial Investment would have to assess the request of the petitioners and a report would have to be brought back to Council for final approval setting out what this investment entailed for final decision.

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

1 – Further Council Approval would be required through Budget Setting.

Budget setting for financial year 2020/21 with final budget proposals, including financial pressures, priorities and savings plans, will be presented for consideration by Council in February 2020. It is a legal requirement that the Council sets a balanced budget each year and therefore important the Council remains financially resilient. Ultimately the Council has limited financial resources and will need to allocate these within affordability limits to agreed priorities.

2 – Further Approvals would be required in context of the wider town centre development, including Firepool, which would influence the decision to invest further capital funding into the redevelopment of the Brewhouse

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| <ul style="list-style-type: none">• <i>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.</i> |
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1 – Yes

2 – Yes

Likely timescale involved –

1. The timescale for this would be aligned with the Budget Setting process for this and future financial years.
2. The timescale for this is potentially lengthy depending on the course of action decided upon.