

**Subject:** Petitions Scheme: Scheme for Handling Petitions made to the Authority

**Status:** For Publication

**Report to:** Policy Overview and Scrutiny Council

**Date:** 15<sup>th</sup> June 2010  
1<sup>st</sup> July 2010

**Report of:** Director of Business

**Portfolio**

**Holder:** Communities and Neighbourhoods  
Customer Services  
Finance and Resources

**Key Decision:** Yes

Forward Plan  General Exception  Special Urgency

**1. PURPOSE OF REPORT**

1.1 To adopt a scheme for the Duty to Respond to Petitions as required by the Local Democracy, Economic Development and Construction Act 2009.

**2. CORPORATE PRIORITIES**

2.1 The matters discussed in this report impact directly on the following corporate priorities:-

- Delivering quality Services to our customers
- Delivering regeneration across the Borough
- Encouraging healthy and respectful communities
- Keeping our Borough clean, green and safe
- Promoting the Borough
- Providing value for money services

**3. RISK ASSESSMENT IMPLICATIONS**

3.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:

- The duty to implement a Petitions Scheme is a statutory requirement from 15<sup>th</sup> June 2010 and there will be a statutory requirement for an e-petitions facility from 15<sup>th</sup> December 2010.

## 4. BACKGROUND AND OPTIONS

4.1 Petitions Schemes are a requirement of the Local Democracy, Economic Development and Construction Act 2009. Authorities must provide a mechanism for making petitions and publish their petition scheme.

4.2 The Act details the statutory minimum requirements of the Petitions Scheme:

- anyone who lives, works or studies in the local authority area, including under 18's, can sign or organise a petition and trigger a response
- a facility for making electronic petitions is provided by the local authority
- petitions must be acknowledged within a time period specified by the local authority
- among the many possible steps that the principal local authority may choose to take in response to a petition, the following steps must be included amongst the options listed in the scheme:
  - taking the action requested in the petition
  - considering the petition at a meeting of the authority
  - holding an inquiry
  - holding a public meeting
  - commissioning research
  - a written response to the petition organiser setting out the authority's views on the request in the petition
  - referring the petition to an overview and scrutiny committee
- petitions with a significant level of support trigger a debate of the full council. Councils will determine this threshold locally but it must be no higher than 5 per cent of the local population
- petitions with a requisite level of support, set by the local authority, trigger a senior local government officer to give evidence at a meeting of the authority's overview and scrutiny committee
- petition organisers can prompt a review of the local authority's response if the response is felt to be inadequate

4.3 The Local Authorities (Petitions) (England) Order 2010 stipulates that the maximum threshold for petition signatures is 5% of the population, however the guidance recommends local authorities to set a lower threshold to encourage participation.

If it is considered the threshold is set too high the Secretary of State has the power to direct authorities to amend their petition schemes.

To ensure that the threshold is not set too high the Petitions Scheme has a mid-way threshold of 2.5% with a recommendation for Overview and Scrutiny to review the Scheme within 12 months.

- 4.4 The Listening to Communities guidance encourages local authorities to consider responding to all the petitions it receives. In response to this, and in order to encourage civic and democratic participation, it is recommended that all petitions be responded to by the Council. This includes responding to petitions from those who do not live, work or study in the local area, petitions which do not qualify and petitions which are not made through the authorities own petition facility.

#### **COMMENTS FROM STATUTORY OFFICERS:**

#### **5. SECTION 151 OFFICER**

- 5.1 There are no material financial implications.

#### **6. MONITORING OFFICER**

- 6.1 Included within the report.

#### **7. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)**

- 7.1 There are no human resource implications.

#### **8. CONCLUSION**

- 8.1 The purpose of the scheme is to reconnect people with public and political decision-making, and to assist people in influencing decisions that affect their local area. This one of the National Indicator targets NI4 (percentage of people who feel they can influence decisions in their locality). Signing a petition is one way for citizens to express their concerns and priorities to their local authority. The Citizenship Survey 2007 shows that petitions are the most popular and recognised form of civic action/participation.

#### **9. RECOMMENDATION(S)**

- 9.1 That members approve the Petitions Scheme and all future minor amendments be delegated to the Director of Business in consultation with the Portfolio Holders.

- 9.2 That a review of the Petitions Scheme be undertaken by Overview and Scrutiny within 12 months of the scheme being implemented.

#### **10. CONSULTATION CARRIED OUT**

- 10.1 Portfolio Holders, Chair of Overview and Scrutiny and Director of Business/ Monitoring Officer.

## 11. COMMUNITY IMPACT ASSESSMENT

Is a Community Impact Assessment required Yes  
Is a Community Impact Assessment attached Yes

## 12. BIODIVERSITY IMPACT ASSESSMENT

Is a Biodiversity Impact Assessment required No  
Is a Biodiversity Impact Assessment attached No

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Background Papers	
Document	Place of Inspection
Listening to communities: Statutory guidance on the duty to respond to petitions	<a href="http://www.communities.gov.uk/documents/communities/pdf/1524975.pdf">http://www.communities.gov.uk/documents/communities/pdf/1524975.pdf</a>
Local Democracy, Economic Development and Construction Act 2009	<a href="http://www.opsi.gov.uk/acts/acts2009/ukpga_20090020_en_1">http://www.opsi.gov.uk/acts/acts2009/ukpga_20090020_en_1</a>