

Subject:	Petition Scheme Review	Status:	For Publication
Report to:	Policy Overview and Scrutiny Cabinet	Date:	10 th September 2012 17 th October 2012
Report of:	Director of Business	Portfolio Holder:	Customers, Legal and Licensing
Key Decision:	<input checked="" type="checkbox"/> Forward Plan <input checked="" type="checkbox"/>	General Exception	<input type="checkbox"/> Special Urgency <input type="checkbox"/>
Equality Impact Assessment:	Required:	Yes	Attached: Yes
Biodiversity Impact Assessment	Required:	No	Attached: No
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1.	RECOMMENDATION(S)
1.1	<p>Policy Overview and Scrutiny recommend Cabinet to</p> <ul style="list-style-type: none"> Simplify the existing process for submitting petitions by adding the following wording to the Council's Constitution and withdrawing the current Petition Scheme: <ul style="list-style-type: none"> <i>Other petitions, either paper based or in electronic format, can be submitted to the Council, who will decide how to deal with the petition and notify the petition organiser. To submit a petition please address it to: Legal and Democratic Services, The Business Centre, Futures Park, Bacup OL13 0BB.</i> (To be added to page 9 Part 2 - 3.01 a) Voting and Petitions. That a petitions leaflet be produced as a best practice guide for people to submit petitions.

2. PURPOSE OF REPORT

- 2.1 To review the Council's Petition Scheme, with a view to making it more accessible and less onerous for members of the public to submit a petition. The current scheme should be simplified to improve accessibility by the public. Feedback received from the few people who have used the system indicate that the existing e-petition process is cumbersome and difficult to use (also see the additional issues identified at 5.4 of the report).
- 2.2 Following the recommendation from Policy Overview and Scrutiny a best practice guide was produced for members to consider, this is attached at Appendix A.

3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

4. RISK ASSESSMENT IMPLICATIONS

- 4.1 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 was a statutory requirement from 15th June 2010 and there was a statutory requirement for an e-petitions facility from 15th December 2010. The Localism Act 2011 has since repealed these requirements.

- Removing the scheme will improve community engagement by enabling petitions to be submitted in any format to the Council.

5. BACKGROUND AND OPTIONS

5.1 The scheme was approved by Council on 1st July 2010 with a recommendation that a review be undertaken by Overview and Scrutiny within 12 months of the scheme being implemented.

5.2 Since the start of the Petition Scheme nine petitions have been submitted to the Council. Out of those three were created online, whilst the remaining six were paper based petitions (one of which had an accompanying online petition from an external web site).

5.3 Whilst the Petition Scheme was in place, only two of the six paper based petitions submitted fully met the criteria outlined in the scheme, and in most instances the petition organisers were not aware of the scheme until they had either started their petition or submitted it.

5.4 Even though some of the paper based petitions did not fully meet the schemes criteria, the Council dealt with and responded to them all.

Some of the issues identified with the paper based petitions were as follows:

- The petition did not identify what action the petitioners wanted the Council to take.
- No name was supplied (so could not be validated).
- No address was supplied (so could not be validated).
- The petition organiser did not submit any contact details.
- The petition organiser had to revisit the petition as the original wording misled those signing it as it appeared to be about something different.

5.5 There are cost implications in supporting and administering petitions through existing staffing resources. It is estimated that since the start of the Petition Scheme the administration costs equate to approximately £2,730. This does not include the additional cost of attending follow up meetings to provide mediation, additional meetings, staffing and resources for petitions which have triggered a Council debate, or IT costs for the administration of the online petition facility.

5.6 Since the review process started the requirement to have a Petitions Scheme has since been repealed.

5.7 As there is no longer a requirement for the Council to have a Petition Scheme or E-Petition facility (repealed as per Localism Act 2011), members are asked to review whether to retain the existing policy or change the scheme to enable the Council to have a more relaxed approach to dealing with petitions, which will improve accessibility for members of the public wanting to submit a petition.

COMMENTS FROM STATUTORY OFFICERS:

6. SECTION 151 OFFICER

6.1 There are no material financial implications arising from the report.

7. MONITORING OFFICER

7.1 All legal implications are commented upon in the body of the report.

8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)

8.1 There are no Human Resource implications.

9. CONSULTATION CARRIED OUT

9.1 Statutory Officers, Legal Officers, Committee and Member Services, Management Team and Policy Overview and Scrutiny.

9.2 Policy Overview and Scrutiny Committee made the following recommendations to Cabinet:

- Simplify the existing process for submitting petitions by adding the following wording to the Council's Constitution and withdrawing the current Petition Scheme:

Other petitions, either paper based or in electronic format, can be submitted to the Council, who will decide how to deal with the petition and notify the petition organiser. To submit a petition please address it to: Legal and Democratic Services, The Business Centre, Futures Park, Bacup OL13 0BB.

(To be added to page 9 Part 2 - 3.01 a) Voting and Petitions.

- That a petitions leaflet be produced as a best practice guide for people to submit petitions.

10. CONCLUSION

10.1 Petitions provide a mechanism for galvanizing public opinion. By removing the restrictions of the petition scheme the Council will be able to accept petitions in any format, both paper based and electronic, as long as what is being requested is within the Council's power to act.

Background Papers

Document	Place of Inspection
Listening to communities: Statutory guidance on the duty to respond to petitions	http://www.communities.gov.uk/documents/communities/pdf/1524975.pdf
Local Democracy, Economic Development and Construction Act 2009	http://www.opsi.gov.uk/acts/acts2009/ukpga_20090020_en_1
Current Petition Scheme	http://www.rossendale.gov.uk/downloads/Petitions_Scheme_v4_final.pdf
Localism Act Part 1 Chapter 10: Miscellaneous Repeals	http://www.legislation.gov.uk/ukpga/2011/20/section/46/enacted