

<b>Report of:</b>	The Monitoring Officer – Bryn Roberts
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<b>Submitted to:</b>	Constitution and Members’ Development Committee – 30 November 2018
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<b>Subject:</b>	Localism Act 2011 – Repeal of Legislation – Dealing with Petitions
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**Summary**

<b>Proposed decision(s)</b>
To provide Council with the opportunity to review the Council’s current Petitions Scheme adopted at the Council meeting on 19 May 2010, following the repeal of legislation relating to the requirement for the Council to have a statutory Petitions scheme.

<b>Report for:</b>	<b>Key decision:</b>	<b>Confidential:</b>	<b>Can be called-in:</b>
Decision	No	No	No

<b>Contribution to delivery of the 2018-22 Strategic Plan</b>		
<b>Business Imperatives</b>	<b>Physical Regeneration</b>	<b>Social Regeneration</b>
The legislation relating to the requirement to have a statutory petitions scheme was repealed in 2012. In line with the review of the Council Constitution it is considered timely to review the Council’s current Petitions Scheme which was last reviewed in 2010.	Not applicable	Not applicable

<b>Ward(s) affected</b>
Not applicable

**What is the purpose of this report?**

1. The purpose of the report is to agree the revised Petitions Scheme following the repeal of legislation relating to the requirement for local authorities to have a statutory scheme.

## **Why does this report require a Member decision?**

2. The initial statutory Petitions Scheme was agreed by full Council on 19 May 2010 and any revisions to the scheme should be confirmed by full Council.

## **Report Background**

3. The Local Democracy and Construction Act 2009, made it a statutory duty for all Councils to adopt a formal petition scheme. The Localism Act 2011 repealed the requirement for such a scheme and provided the opportunity for the current petitions scheme to be reviewed in order to provide greater clarity and flexibility in respect of dealing with petitions. As part of the review research was carried out in relation to other local authority's petition schemes and to examine best practice. Whilst there is no longer a legal requirement for the authority to have a petitions scheme it is deemed appropriate to have a mechanism that allows the public to highlight issues that are of importance to many people and requires some form of response from the Council

## **What decision(s) are being asked for?**

4. (i) That Council decide whether to revise the Council's current Petitions Scheme adopted at the Council meeting on 19 May 2010, following the repeal of legislation relating to the requirement for the Council to have a statutory petitions scheme.  
  
(ii) If the decision is to revise the scheme, for Council to adopt the suggested new Petitions Scheme. See appendix1 & 2

## **Why is this being recommended?**

5. There has been some confusion with regards to the process for dealing with petitions received by the Council, which has resulted in some negative experiences by the public. The revised petition scheme will provide greater clarity in respect of how petitions will be dealt with in the future. As a full review of the Council's constitution is also being considered this will provide Council with the opportunity to review the Council's current Petitions Scheme which has not been reviewed since 2010.

## **Other potential decisions and why these have not been recommended**

6. Maintain the current procedure which is out of date and not in line the customer focussed ethos that the Council is promoting.

## **Impact(s) of recommended decision(s)**

### ***Legal***

7. No impact.

### ***Financial***

8. No impact.

***Policy Framework***

9. Not applicable. The report does not propose an amendment to the policy framework.

***Equality and Diversity***

10. Not applicable.

***Risk***

11. The public may become disenfranchised with the democratic process if clarity is not provided which could also lead to negative publicity

**Actions to be taken to implement the decision(s)**

12. If agreed, the Council's Petition scheme will be amended and put into a user friendly format

**Background papers**

No background papers were used in the preparation of this report.