

Report of:	Director of Legal and Governance Services
Submitted to:	Council – 14 October 2020
Subject:	Localism Act 2011 – Repeal of Legislation – Dealing with Petitions

Summary

Proposed decision(s)
To provide members 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.

Report for:	Key decision:	Confidential:	Can be called-in:
Decision	No	No	No

Contribution to delivery of the 2020 - 2023 Strategic Plan		
People	Place	Business
Not applicable	Not applicable	The legislation relating to the requirement to have a statutory petitions scheme was repealed in 2012.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.

Ward(s) affected
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 The Localism Act 2011 repealed the requirement for such a scheme and provided the opportunity for the current petitions scheme to be reviewed in order to provide greater clarity and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 authorities' 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. The report was originally submitted to Constitution and Members' Development Committee in November 2018, however it was not submitted to Council for confirmation.

At the Constitution and Members' Development Committee held on 4 February 2020, members indicated that given the number of new members, and the changes in the political landscape, they would prefer that the report be brought back to Committee for reconsideration, prior to submission to Council.

The report was considered by the Constitution and Members' Development Committee on 24 July 2020 where it was recommended that the revised scheme be submitted to full Council for approval, subject to the threshold for the number of signatures required before a petition can be debated at full Council being revised from 1500 to 500 signatures.

What decision(s) are being asked for?

4. (i) That the full Council decides whether to revise the 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, that Council adopt the suggested new Petitions Scheme. See Appendix 1 & 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.

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. The proposals are in line with the Localism Act 2011.

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 petitions 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.