

COUNCIL	AGENDA ITEM 7 (iii) (d)
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PETITIONS SCHEME

R E C O M M E N D A T I O N S
FROM: SOLICITOR TO THE COUNCIL
That Council approves the Petitions Scheme and authorises the Solicitor to the Council to update the Constitution accordingly.

1. PURPOSE OF REPORT

- 1.1 The report seeks approval of the Council's Petitions Scheme.

2. BACKGROUND

- 2.1 The Local Democracy, Economic Development and Construction Act 2009 requires every local authority, to adopt a Petitions Scheme which sets out how it will handle petitions. Also, by 15 December 2010 every local authority must have an on-line petition facility, under which anyone may set up a petition on the authority's website, and other petitioners may "sign up" to the petition on-line.

3. PETITIONS SCHEME

- 3.1 The Council is required to publish a scheme that makes it clear how people can petition the Council and what they can expect from the Council in response, especially where certain thresholds have been met. As a minimum the Council should:

- acknowledge all petitions;
- consider what action could and should be taken in response to each petition;
- provide a formal response to a petition organiser explaining what, if any, action will be taken; and
- enable the petition organiser to appeal against the outcome of the Council's consideration of their petition.

- 3.2 The Act defines different categories of petitions, and allows the authority to define the number of signatures required for each category –

- "Petitions for Debate" must be reported to and debated at full Council;
- "Petitions to hold an Officer to Account" trigger an open meeting of an Overview and Scrutiny Committee at which a named officer will report and be questioned on their actions;
- "Ordinary Petitions", for which the authority can determine how these petitions will be handled.

- 3.3 The statutory guidance on Petition Schemes suggests that local authorities should set the number of signatures required for each category of petition at a level which encourages rather than discourages petitions. In line with this approach, it is proposed that in accordance with the Constitution there should be a requirement for at least 25 signatories for ordinary petitions; 250 signatories should be required for a Petition to Hold an Officer to Account, that is 10 times the number required for a petition and 500 signatories for a Petition for Debate by full Council, that is 20 times the number required for a petition. These thresholds will be kept under review and a further report submitted to Council if there is a need to alter them in view of the number of petitions received.
- 3.4 A draft Petitions Scheme is attached at Appendix 1 and has been drafted taking the statutory guidance into account. The key features of the Scheme are as follows –
- (a) The Scheme would only apply to petitions which relate to matters for which the authority has responsibility or which it is able to influence;
 - (b) Anyone who lives, works or studies in Peterborough is able to sign a petition;
 - (c) An officer will be responsible for recording all petitions received, responding to petition organisers, ensuring that petitions are reported as required and updating a Petitions Site on the Council's website;
 - (c) If the petition organiser is not satisfied with the outcome of the Council's consideration of their petition, s/he may appeal to the relevant Overview and Scrutiny Committee to review the steps that the Council has taken in dealing with the petition.

4. LEGAL IMPLICATIONS

- 4.1 The approval of a Petitions Scheme will ensure that the Council is compliant with the Local Democracy, Economic Development and Construction Act 2009.

5. FINANCIAL IMPLICATIONS

- 5.1 The costs of dealing with petitions under the Petitions Scheme cannot be ascertained in advance, as they will depend on the number of petitions received.

6. EQUALITIES IMPLICATIONS

- 6.1 The new rules on petitions are intended to enable public access to the decision-making processes of the Council and as such contribute towards open and inclusive governance.

7. BACKGROUND DOCUMENTS

Local Government, Economic Development and Construction Act 2009
Statutory Guidance on Petitions