

Hudspeth, Shirley

From: Hudspeth, Shirley
Sent: 31 March 2010 08:38
To: Norman, Bill D.
Subject: FW: New action assigned to you:Follow-up from Meeting 01/04/2010, Item: Petition Scheme, from meeting 24/03/2010 Audit and Risk Man...

Importance: High

Bill,

These actions don't mean much to me as I wasn't at the meeting. I now have a number of comments from Scrutiny Chairs that may or may not need to be incorporated into the report to be presented at the next Cabinet meeting.

The duty on local authorities regarding the petition scheme will come into force on 15 June 2010; the e-petitions requirements will then come into force on 15 December 2010.

Alan Veitch has informed us that the new guidance for the scheme was published yesterday.

The following item of news has been updated on your ParliamentToday website...

release date main illustration summary

Local people can now demand their councils take action on under-performing schools and hospitals, drink disorder, anti-social behaviour and other concerns under new rules giving real power to local petitions, announced Communities Secretary John Denham today.

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The Government announced today that it has put in place the legal steps to bring into force on June 15 a statutory duty on councils so they have to respond to petitions for the first time and tell local people what action is going to be taken to address their concerns.

This important step in the Government's drive to ensure communities receive the high quality local services they are entitled to will mean no council can ignore a petition or put it on the shelf to gather dust.

Every council will now have to set out clearly how local people can submit both paper and electronic petitions. Popular petitions will trigger a debate of the full council or require a senior council officer to answer to scrutiny hearings.

New statutory guidance published today sets out exactly how councils will be expected to respond to all petitions, especially on four key areas.

- On underperforming schools - councils should consider the most effective action including issuing a warning notice to immediately improve standards and could appoint more governors, remove budgets or ultimately consider closure if they fail to comply.

- On alcohol related crime and disorder - in areas blighted by alcohol fuelled disorder, councils should consider making it an offence to refuse to stop drinking when asked by police, or to charge licensed premises for additional policing.

- On underperforming hospitals - where communities are concerned about issues like poor hygiene, councils should consider asking their scrutiny committee to investigate, which has powers to review services, request information from NHS bodies, and make urgent recommendations.

- On anti-social behaviour - councils will be expected to consider using the wide range of powers available to them and to work with police on actions such as setting response times for complaints about noise or neighbours

Communities Secretary John Denham said:

"Petitions are an important democratic way to raise concerns that matter most to people. As the locally elected representatives, councillors are there to fight the corner for residents and make sure services are delivered.

"The changes we are putting into effect today will activate petitions so they hold real sway - people will know it's worth taking the time to take a stand because it will finally make things happen.

"For the first time, councils will need to respond to petitions and let people know what they're going to do about underperforming local services."

All councils receive petitions, and some of them deal with them well. However a survey by the LGA found that only 28 per cent of councils guarantee an automatic response to petitions. The petitions provisions will bring the standards of all councils up to those of the best.

Lambeth's new e-petitions facility makes clear links between petitions and council decision making.

Bristol Council responded to a resident's e-petition for better lighting on the Bristol to Bath cycle path following incidents of anti-social behaviour by local youths. The petition was used by Bristol City council as supportive evidence to install better lighting on the cycle path, cut back shrubbery and increase the police presence

More than two and a half thousand people opposed the closure of a local library in Kingston upon Thames through a petition. The council chose to find savings in other ways and Tudor Drive Library remains open and popular today.

Matthew Scott, Director of the Community Sector Coalition said

"We support the petitions duty as an important and innovative tool for devolving power to local people. We need to make local democracy work in a number of accessible and practical ways that wire people into the structures of local decision making and create space for improving, influencing and contesting decisions made in their name. Petitions, alongside other community based interventions, can achieve this."

Toby Blume, Chief Executive of Urban Forum added:

"This is an important tool to increase citizens' influence over local decision-making. Petitions are a tried and tested way for citizens to raise their concerns and make their opinions known. Giving people the right to get a response to a petition will increase public accountability and give a real boost to democratic engagement."

Local authorities already have a wide range of powers and influence at their disposal to respond to issues raised in petitions. Examples include:

- On anti-social behaviour - asking the courts to grant an Anti-social Behaviour Order (ASBO); applying to the courts for a Premises Closure Order to close properties where there is persistent nuisance or disorder; making a Gating Orders to restrict access to any public highway to prevent crime or ASB; providing intensive, non-negotiable behavioural support through family intervention projects to perpetrators of anti-social behaviour and their families
- On alcohol related crime and disorder - placing restrictions on public drinking in the area by establishing a Designated Public Place Order or, as a last resort, imposing an Alcohol Disorder Zone. When an Alcohol Disorder Zone is established, the licensed premises in the area where alcohol related trouble is being caused are required to contribute to the costs of extra policing in that area
- On under-performing schools - issuing a warning notice outlining expectations and a timeframe for improvement; for schools that have failed to comply with a warning notice or are in an Ofsted category of notice to improve (requiring significant improvement) or special measures, authorities can also appoint additional governors, establish an interim executive board, remove the school's delegated budgets, require the school to enter into a formal contract or partnership or (only if the school is in special measures) require its closure.

- On under-performing hospitals - asking the council's scrutiny committee to investigate concerns on issues like poor hygiene - the committee has powers to review services, request information from NHS bodies, and make urgent recommendations; work with Local Involvement Networks, which have powers to carry out spot checks and seek information and responses from health service providers.

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Notes to Editors

1. The petitions duty is contained in the Local Democracy, Economic Construction and Development Act 2009. The majority of the duty on local authorities will come into force on 15 June 2010, the e-petitions requirements will then come into force on 15 December 2010.

2. The new guidance 'Listening to communities: Statutory guidance on the duty to respond to petitions' can be found at www.communities.gov.uk/publications/communities/dutyrespondpetitionguidance.

3. The government response 'Listening to communities: Government response to the consultation on draft statutory guidance on the duty to respond to petitions' can be found at www.communities.gov.uk/publications/communities/dutyrespondpetitionsgovresponse.

The following keyword(s) have been used to identify your interest.
Please click on a keyword if you wish to delete it.

Anti-social behaviour

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-----Original Message-----

From: modern.gov@wirral.gov.uk [mailto:modern.gov@wirral.gov.uk]
Sent: 30 March 2010 14:40
To: Norman, Bill D.; Hudspeth, Shirley
Cc: Ellis, Brian G.; Mossop, Andrew R.; Delap, Mark
Subject: New action assigned to you: Follow-up from Meeting 01/04/2010, Item: Petition Scheme, from meeting 24/03/2010 Audit and Risk Man...

To: Members of Director of Law, HR and Asset Management; Shirley Hudspeth

This is an automatically generated email from Democratic Services informing you of a deadline for an action.

Action type: Follow-up from Meeting

Details: (1) That the following amendments to the proposed Petition Scheme be referred to the Cabinet for consideration prior to the referral of the Scheme to the Council for adoption -
(a) that the scheme be amended to take into account the advice from the Information Commissioners Office in relation to the publication of personal data.
(b) that the thresholds contained within the proposed scheme be amended to mirror the lower thresholds contained within the DCLG Model Scheme;
(c) that the document be amended to include subsets for those petitions specifically excluded from the scheme by the draft statutory instrument.
(2) That, subject to the views set out at (1) above, the proposed adoption of the Petition Scheme and its inclusion within the Council's constitution, with effect from 20 April 2010 be endorsed.
(3) That Committee supports the

For Item: Petition Scheme, from meeting 24/03/2010 Audit and Risk Management Committee
Who to action: Director of Law, HR and Asset Management, Shirley Hudspeth Deadline
date: 01/04/2010

To view details of the item on the Intranet:
<http://wir06metrognome/ieAgenda.aspx?A=2598&AI=7944>

To view details of the item on the public website:
<http://democracy.wirral.gov.uk/ieAgenda.aspx?A=2598&AI=7944>

Hudspeth, Shirley

From: Mountney, Alison
Sent: 25 March 2010 14:32
To: Hudspeth, Shirley
Subject: comments on e-petitions

Shirley

The following 2 points are agreed comments from both Cllr Clarke and Cllr Hale regarding the e-petitions report. I have been informed that at audit and risk management last night (24th March) that Point 1 was tabled and agreed by all parties.

The "draft model" suggests (based on an authority of a population of 150,000) that threshold for petitions requiring a debate by full Council is 1500 and the threshold for petitions which call for evidence from a senior officer is 750. However at Appendix 1 Wirral has upgraded these base threshold figures "to reflect Wirral's larger population" and suggested a threshold of 3000 for debate at full council and 1500 signatures to call for evidence by a senior officer.

Point 1

We should be adopting the national draft model threshold figures – as we should NOT be looking at Wirral as whole as such, but as being composed of several diverse separate towns.

Point 2

The report is suggesting that when a petition is received it will be directed to the Scrutiny Programme Board – Cllrs Hale and Clarke believe that it should go to the relevant scrutiny committees – as they should/would have a deeper understanding of the issues (whatever they might be) contained therein.

Regards

Alison Mountney