

PETITION SCHEME

1.0 Executive Summary

- 1.1 The Council approved its Petition Scheme at its meeting on 19 April 2010 to ensure that its governance arrangements complied with the changing law. A recent review of the Scheme has resulted in proposed amendments to make it more effective; and a number of proposed revisions to the authority's Council Procedure Rules to ensure compatibility with the Petition Scheme.

2.0 Epetitions

- 2.1 The Local Democracy, Economic Development and Construction Act 2009 requires all local authorities in England to establish a Scheme for handling electronic petitions. The Legislation for "Epetitions" has an implementation date of 15 December 2010 and so this report outlines proposals that will ensure that the Council complies with the implementation deadline.
- 2.2 The Council will be utilising its existing Committee Management System "Modern.gov" in order to comply with the Act at no additional cost to the Council. The Council will create a webpage ('the Epetitions page') through which the public will be able to access the Epetitions process.
- 2.3 The Epetitions page will give members of the public the ability to place petitions on the Council's website and for those petitions to be "signed" by other members of the public. These petitions will then be dealt with by the Council in the same way as paper petitions.
- 2.4 Extensive testing of the new Epetitions system has been carried out by the Democratic Services Manager and her staff. The testing involved creating test petitions and ensuring that the system can address all the vital criteria as outlined in the Local Democracy, Economic Development and Construction Act 2009.
- 2.5 The design of the Epetitions page is progressing well and a demonstration of how it works will be made to the Cabinet Portfolio Holder for Community and Customer Engagement, Councillor Ian Lewis, very soon.
- 2.6 It is recommended that the Epetitions system is implemented as soon as the web pages and the testing of them are complete. Implementation will have to take place prior to the statutory implementation deadline of the 15 December 2010 and the Epetitions facility will be implemented before that deadline. Members will be informed when it goes live.

3.0 The Petition Scheme

- 3.1 The Council's Petition Scheme was introduced in July 2010. Working with the Scheme for the past five months it is clear that a number of changes need to be made to the Scheme in order to improve it and make it more effective. The Scheme is appended to the report at Annex A with the proposed changes highlighted.
- 3.2 The purpose of the petition duty (as set out Department of Communities and Local Government guidance Listening to Communities) is to ensure:
- (a) local people know how to express their views
 - (b) local authorities take action to respond to petitions
 - (c) local people know that their views have been listened to
 - (d) local people have the opportunity to hear their local representatives debate their concerns
- 3.3 As was pointed out at a recent Council meeting, the authority's Council Procedure Rules (as set out in the Constitution) relating to petitions need to be revised so that the Standing Orders are consistent with the statutory requirements of the Petition Scheme. The recommended revisions to the Procedure Rules are highlighted in Annex B to this report.

4.0 Repeal of Statutory Guidance

- 4.1 On 24 September 2010 the Department for Communities and Local Government wrote to the Council noting that the Statutory Guidance relating to petitions schemes being enacted under the Local Democracy, Economic Development and Construction Act 2009 had been withdrawn with immediate effect (see Annex C). However, the Act itself remains in force.
- 4.2 At present it is suggested that no alterations are made to the Petitions Scheme adopted by the Council or as amended as a result of this report. The key legislative requirements remain in force, including the need for a new e-petitioning facility.
- 4.3 A report will be presented to a future Cabinet meeting providing an assessment of the operation of the petitions policy, including Epetitions, and further consideration of the removal of Statutory Guidance could be undertaken at that time.

5.0 Legal Implications

- 5.1 The Council is obliged by the Local Democracy, Economic Development and Construction Act 2009 to have an electronic means for the public to submit petitions to the Council by 15 December 2010.

6.0 Financial implications

- 6.1 As an existing customer of Modern.gov the Council receives the Epetitions module for no additional cost. However there may be financial implications if the introduction of the Petitions Scheme results in a significantly increased number of petitions needing to be processed.

7.0 Staffing implications

- 8.1 It is difficult to assess how much additional work will be generated through Epetitions so this will be kept under review.

8.0 Equal Opportunities implications

- 8.1 The Petition Scheme is accessible to all users and provides access to local government to the broadest possible range of groups. The Epetitions web pages are being built in order to comply with Web Analytics Association (WAA) Standards.

9.0 Community Safety implications

- 9.1 None

10.0 Local Agenda 21 implications

- 10.1 None

11.0 Planning implications

- 11.1 None

12.0 Anti-poverty implications

- 12.1 None

13.0 Human Rights implications

- 13.1 None

14.0 Social Inclusion implications

- 14.1 None

15.0 Local Member Support implications

- 15.1 Ward Members can be asked to present petitions at Council meetings.

16.0 Background Papers

- 16.1 The Local Democracy Economic Development and Construction Act 2009; Communities and Local Government – Listening to Communities: Consultation on Draft Statutory Guidance on the Duty to Respond to Petitions December 2009.

17.0 Recommendations

That:

- (1) Cabinet notes the implementation of the Epetitions Scheme through modern.gov; and that the launch will be prior to the 15 December 2010 statutory deadline;
- (2) Council be recommended to revise the authority's Petition Scheme by approving the proposed amendments set out in Annex A to this report; and
- (3) Council be recommended to revise the Constitution by amending the Council Procedure Rules relating to petitions, as set out in Annex B to this report.

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