



CONSTITUTION AND STANDARDS COMMITTEE

Wednesday, 24 February 2021

REPORT TITLE:	REVISION OF THE PETITION SCHEME
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

REPORT SUMMARY

This report provides the Committee with an opportunity to comment on the Council's pre-existing Petition Scheme and seeks the Committee's support for a review of the scheme to be undertaken for a new scheme, if desired, to be brought back for approval.

A review of the scheme is necessary in order for it to align with the recently changed governance arrangements following the adoption of a new Constitution by the Council at the Annual Meeting held on the 28th September 2020.

This is not a key decision.

RECOMMENDATION/S

The Constitution and Standards Committee is requested to:

1. consider and comment on the report and
2. recommend that a detailed review be undertaken of the existing petition scheme and reported back to the next meeting.

SUPPORTING INFORMATION

1.0 REASON/S FOR RECOMMENDATION/S

- 1.1 The need for a review of the existing petition scheme to accord with the constitution also affords members the opportunity to consider the scheme in its totality and make any relevant recommendations to be considered as part of the review.

2.0 OTHER OPTIONS CONSIDERED

- 2.1 Not to review the Petition Scheme at the present time.

3.0 BACKGROUND INFORMATION

- 3.1 The Council's existing Petition Scheme sets out the framework for which residents of the borough are able to submit petitions to the Council, and how those petitions will be dealt with.
- 3.2 The requirement for a Petition Scheme of this kind to form part of the Council's Constitution no longer applies, following the repeal of the requirement to have such a scheme in that form, and was removed from the Constitution in the 2020 re-write introducing the committee system form of governance.
- 3.3 Following the adoption of a new Constitution by the Council at the Annual Meeting held on the 28th September 2020, therefore, the processes set out in the existing Petition Scheme no longer align with the new governance arrangements and remains as an outstanding area to be reviewed.
- 3.4 Accordingly, this report highlights the work to now be undertaken to produce a Scheme, if desired, and to ensure it reflects both the new governance arrangements and the means by which petitions (particularly e-petitions) are to be processed and dealt with effectively.
- 3.5 The Committee is requested to comment on the existing Petition Scheme and considerations for a review of the scheme. The current scheme is attached at Appendix 1.

4.0 FINANCIAL IMPLICATIONS

- 4.1 There are no financial implications arising from this report.

5.0 LEGAL IMPLICATIONS

- 5.1 The Constitution and Standards Committee is charged by full Council to keep the Council's constitutional arrangements under review and to make recommendations as to amendments and improvements to the Council's constitution, including codes and protocols.

5.2 The previous requirement for local authorities to have a Petition Scheme was set out in the Local Democracy, Economic Development and Construction Act 2009, alongside other initiatives such as 'calling to account'. These provisions were generally considered to be difficult to manage in practice and overly prescriptive in detail and were repealed by the Localism Act 2011. The Council's petition scheme was based on those formerly mandatory requirements.

5.3 There is no mandatory requirement for the Council to have a petition scheme.

6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS

6.1 There are no resource implications arising from this report.

7.0 RELEVANT RISKS

7.1 There are no risks arising from this report.

8.0 ENGAGEMENT/CONSULTATION

8.1 The cross-party Governance Working Group has been consulted and supports the proposed review.

9.0 EQUALITY IMPLICATIONS

9.1 There are no equality implications arising from this report.

10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS

10.1 There are no direct environment or climate implications arising from this report.

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APPENDICES

Appendix 1 – Existing Petition Scheme

BACKGROUND PAPERS

Constitution
Local Democracy, Economic Development and Construction Act 2009

SUBJECT HISTORY (last 3 years)

Council Meeting	Date