

Report to Constitution Working Group

Date of meeting: 3 December 2018



Portfolio: Planning and Governance (Councillor J. Philip)

Subject: Petition Scheme

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Recommendations/Decisions Required:

That the Council be requested to agree the revised version of the Petition Scheme for inclusion within the Constitution.

1. The Governance Select Committee has recently undertaken a review of the operation of the Council's current Petition Scheme. As part of the review, the views of members regarding the operation of the Petition Scheme were sought through the Council Bulletin. The revised Petition Scheme is attached as Appendix 1 to this report.
2. The Council's Petition Scheme was originally adopted on 14 December 2010, in accordance with the requirements of the Local Democracy, Economic Development and Construction Act 2009, as part of a duty to promote democracy. The Petition Scheme was based on a model scheme contained in statutory guidance issued by the Department for Communities and Local Government (DCLG), which also required the Council to implement facilities for the submission of 'ePetitions' through its website.
3. Comparative information has been obtained from neighbouring authorities regarding the handling of petitions in terms of signature thresholds, which appears to suggest that low numbers of petitions are received across the local government sector. The current signature thresholds for the handling of petitions have remained constant since the original adoption of the Petition Scheme and the Select Committee has agreed that no changes be made to the thresholds at this time.
4. A review of the existing guidance for the Petition Scheme has been undertaken, to ensure that this is clear and consistent and the revised scheme now incorporates previous separate guidance issued on the creation of e-petitions. Many of the petitions received since the last review of the Petition Scheme did not meet some of the acceptance criteria specified by the Scheme. In the main, such petitions related to services provided by other authorities, including highway maintenance (Essex County Council) and parking enforcement (North Essex Parking Partnership). The revised scheme therefore also sets out the main functions of the Council to ensure that, as far as possible, petitions are directed to the most appropriate organisation.
5. Once agreed, the revised Petition Scheme will be publicised appropriately on the Council's website and in the Council Bulletin, to increase member and officer awareness of the Petition Scheme and the Council's procedures, as it often the case that petitions are submitted directly to ward councillors or officers outside Governance and Member Services, which currently administers the Petition Scheme. The location of

the Petition Scheme pages on the Council's website will also be reviewed, as part of the development of the new website structure.

6. The Petition Scheme forms part of the Council's Constitution (Part 4 - Council Rules) and should therefore be agreed by the Council. It is therefore recommended that, subject to the views of the Working Group, the Council be requested to agree the revised version of the Petition Scheme for inclusion within the Constitution.

Resource Implications:

The revisions to the Council's Petition Scheme will enable it to more effectively meet current requirements.

Legal and Governance Implications:

None. The duty for local authorities to operate a formal petition scheme was abolished by the Localism Act 2011.

Safer, Cleaner, Greener Implications:

There are no implications arising from the recommendations of this report in respect of the Council's commitment to the Climate Local Agreement, the corporate Safer, Cleaner, Greener initiative, or any crime and disorder issues within the district.

Consultation Undertaken:

The review of the operation of the Petition Scheme was undertaken by the Select Committee at its meetings in February and October 2018. The views of members with regard to the operation of the Council's current Petition Scheme were also sought through the Council Bulletin in December 2017, although no feedback was received with regard to the current or future operation of the Scheme.

Background Papers:

None

Impact Assessments:

Risk Management

There are no risk management implications arising from the recommendations of this report.

Equality:

There are no equality implications arising from the recommendations of this report.

Key Decision Y/N

No