

**RECOMMENDED ITEM FROM COUNCIL – 14<sup>TH</sup> JULY 2010**

**148. ADOPTION OF A PETITION SCHEME**

The Solicitor to the Council advised Members that under the Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act) requires that every local authority from 15<sup>th</sup> June 2010 has adopted a Petition Scheme.

Local authorities also need to have an on-line petition facility by the 15<sup>th</sup> December.

The CLG produced a model Petition Scheme, the Council's scheme was based on this model Petition scheme. The number of signatures required to trigger a petition is just under 1% of the population for Bolsover.

The approved Scheme will be published on the Council's website.

Moved by Councillor A. J. Hodkin, seconded by Councillor E. Watts.

**RESOLVED** that the Petition Scheme as set out in Appendix A be approved and published,

**RECOMMENDED** that the Petition Scheme be referred to Standards Committee for inclusion in the Council's Constitution.

(Head of Democratic Services/Standards - Constitution)

Council	Council	Agenda Item No.:	11
Date:	14th July 2010	Category	1 <sup>st</sup> report
Subject:	Adoption Of A Petition Scheme	Status	Open
Report by:	Head of Democratic Services		
Other Officers involved:	Solicitor to the Council		
Director	Solicitor to the Council		
Relevant Portfolio Holder	Councillor A. J. Hodkin Portfolio Holder for Resources		

### **RELEVANT CORPORATE AIMS**

Customer Focused Services

This is a statutory duty in the Local Democracy, Economic Development and Construction Act 2009

### **TARGETS**

Does the subject matter contribute to any targets specified in the Corporate Plan.  
No

### **VALUE FOR MONEY**

Please describe how the proposals deliver value for money for the Council and its customer. Not applicable – this is a statutory duty of the Councils and relates to Constitutional matters.

### **THE REPORT**

The Local Democracy, Economic Development and Construction Act 2009 (the 2009 Act) requires every local authority, from 15 June 2010, to have adopted a Petition Scheme which sets out how it will handle petitions.

In addition every local authority must have an on-line petition facility by 15 December 2010, under which anyone may set up a petition on the Authority's

website, and other petitioners may “sign up” to the petition on-line (e-petitions).

The 2009 Act introduced a duty on the part of local authorities to respond to petitions. All Councils within England are required to adopt a Petitions Scheme to deal with petitions made to the Authority.

The guidance confirms that the aim of the 2009 Act is to reinvigorate local democracy putting local authorities at the forefront of the drive to reconnect people with public and political decision-making. This democratic renewal is about restoring trust and confidence in local government and its institutions and its starting point is the citizen.

The CLG has produced a model Petition Scheme. Local authorities can choose to adopt this scheme wholesale, adapt it to their local circumstances or to design their own scheme, provided it meets the minimum requirements of the duty. The Council’s scheme is based on this model Petition scheme.

The approved Scheme is to be published on the Council’s website following approval from Council.

The main proposed thresholds to trigger petitions have been based on the Office of National Statistics (ONS) 2008 mid-term population estimate for Bolsover of 74,300. The number of signatures required to trigger a petition is just under 1% of the population of Bolsover.

#### Petition types

- Petitions requiring Council debate
- Petitions to hold a relevant accountable employee to account

#### Signatory thresholds to trigger off petitions

- 1% of the population of the District (700) signatures for petitions requiring Council debate or where it is a local matter which affects more than two wards 1% of the aggregated population of the two wards
- 350 signatures for petitions to hold a relevant accountable employee to account.

#### Co-ordination of Petitions

Guidance suggests that an officer needs to be designated as responsible for recording all petitions received, responding to petition organisers, ensuring that petitions are reported to Council or to Cabinet members as required, updating the petitions site on the Authority’s website, inviting petition organisers to attend meetings. It is suggested that these duties and co-

ordination of the scheme be carried out by existing posts within the Democratic Services Department

Relevant accountable employees

A petition to hold a relevant accountable employee to account is for the following posts:

Head of Paid Service )  
Monitoring Officer ) Statutory officers  
Section 151 Officer )  
Director of Neighbourhoods  
Director of Development

**ISSUES FOR CONSIDERATION**

The Council has a statutory duty to implement such a Petition Scheme.

**IMPLICATIONS**

Financial : There will be costs involved in setting up e-Petitions later in the year. This will be subject to a further report

Legal : This is a statutory duty as described in the report.

Human Resources : Officer time in Democratic Services in administering the scheme. It is not possible to predict the amount of time required to administer the scheme but records will be kept and workloads within Democratic Services may need to be reviewed. Increased officer time in meetings of Council and Scrutiny Committees.

**RECOMMENDATIONS that**

- (1) the Petition Scheme set out in Appendix A be approved and published,**
- (2) the Petition Scheme be referred to Standards Committee for inclusion in the Council's Constitution**

ATTACHMENT: **Yes – Petition Scheme**  
FILE REFERENCE:  
SOURCE DOCUMENT: None