

By: Alex King, Deputy Leader
Peter Sass, Head of Democratic Services and Local Leadership

To: Selection and Member Services Committee
27 January 2011

Subject: **Petition Scheme – review**

Classification: Unrestricted

Summary: As agreed at the County Council on 16 December 2010, this Committee continues its ongoing review of the Petition Scheme.

1. Introduction

- (1) At the meeting of the County Council on 16 December 2010 a number of amendments were made to the Petition Scheme (a copy of the updated Scheme is attached as **Appendix A**).
- (2) It was agreed at County Council that there would be a report to this Committee giving the opportunity to review the Scheme and especially the petition debates on County matters relating to Borough/District Council areas.

2. Current Situation

- (1) On 24 September 2010 the Department for Communities and Local Government (DCLG) sent a letter to all local authority Chief Executives informing them that the statutory guidance “Listening to communities: statutory guidance on the duty to respond to petitions” had been withdrawn.
- (2) The Localism Bill, which was introduced to Parliament on 13 December 2010, proposed the repeal of the legal requirements relating to petitions which were introduced by the Local Democracy, Economic Development and Construction Act 2009. A list of these legal requirements is attached as **Appendix B**.
- (3) A letter from the DCLG to all Chief Executives dated 16 December 2010 (copy attached as **Appendix C**) made it clear that the County Council is still legally bound to comply with the minimum requirements of the current legislation but stated that:

“In considering your approach to doing so, you will wish to have regard to both the Government’s commitment to remove unnecessary prescription for local authorities and the priority of cutting out all wasteful spending.”

3. E-Petitions

(1) Concern has been expressed by some Members about the ease of accessing the E-Petition Scheme. It is intended to demonstrate at the meeting how a member of the public would set up and sign an e-petition.

(2) The E-Petition Scheme is run from the modern.gov system which operates the Committee Management system. This system is used by a number of other local authorities including Brighton and Hove Council and Lambeth Council who have had e-petition schemes for over a year. This is a no cost option as it is included in the package. There are a number of other e-petition systems on the market but there would be a cost to procure another system.

(3) The concerns raised at the last meeting of the Committee on the ability to access the e-petitions page from the home page on kent.gov have been passed to the Central Web Manager in the Communications and Media Centre. She has stated that work is being undertaken to make the links in the "Do it on line" box on the home page more visible (the current way that this page works will form part of the demonstration at the meeting). It is anticipated that the improved home page design features will be released in February.

(4) The Communications and Media Centre intend to have a kent.gov home page feature on Petitions before every County Council meeting.

4. Petition debates on County matters relating to Borough/District Council areas

(1) At the meeting of the County Council it was agreed that this Committee should give further consideration to the balance between exposing petitions on County matters relating to Borough/District Council areas to meetings of the County Council and the efficiency of the business of that meeting.

(2) It is suggested that such petitions would more appropriately be considered at a meeting of the appropriate Locality Board, with special provision made for matters that cover more than one Borough/District Council area. This is a matter that could be considered when the remit of these Boards are determined.

(3) At the last meeting of this Committee, the following two options for petitions relating Borough/District Council areas (which trigger the threshold of 1,000 signatures per area) were considered, but it was decided to take no action at this time:

- (a) To hold these debates at the next meeting of the appropriate Policy Overview and Scrutiny Committee (POSC). The advantage of having Borough/District area issues debated at POSCs rather than County Council would be that the members of the POSC would have developed a detailed knowledge of the subject which would assist them in debating the matter and making recommendations. Cabinet Members attend POSCs, which are

open to the public and webcast. Currently POSCs only meet 5 times a year and these meetings are not spread evenly throughout the year.

- (b) To refer any petition that reaches the threshold for a county matter relating to a District/Borough area and which relates to an Executive matter to be discussed at Cabinet. The advantage of this option is that petitions reaching the relevant threshold will be responded to formally in a more timely fashion because of the frequency of the Cabinet meetings. If this particular option were chosen, it might be also be appropriate to consider whether a formal amendment to the Scheme was required to allow local Members to attend and speak on petitions at Cabinet meetings.

- (4) It should be noted that if Members wish to propose any amendments to the Petition Scheme these will require approval by the County Council.

5. Recommendation

That the Selection and Member Services Committee:

- (a) note the provision with in the Localism Bill to remove the statutory requirements relating to Petitions.
- (b) consider whether the remit of Locality Boards should include referring petitions that reach a certain threshold to them for debate and recommendation.
- (b) consider whether they wish to make any recommendations to the County Council to amend the Petition Scheme in relation to petition debates on county matters relating to Borough/District Council areas in the meantime.

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Background documents - Nil