

**Meeting:** COUNCIL  
**Date:** 26 MAY 2010

**Agenda Item:** **16**

## **PETITIONS SCHEME**

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### **1. PURPOSE**

To consider details of a new Petitions Scheme for the Council in accordance with the provisions of the Local Democracy, Economic Development and Construction Act 2009.

### **2. RECOMMENDATIONS**

- 2.1 That the Petitions Scheme, as appended to this report, be adopted and published on the Council's website.
- 2.2 That the Council's Standing Orders (Part 4 of the Constitution) in relation to Petitions (Standing Order 11 a) be amended to reflect the Scheme in relation to the presentation of Petitions and debate on a Petition at a Council meeting.

### **3. BACKGROUND**

- 3.1 The requirement for the Council to put in place a formal Petitions Scheme is set down in the Local Democracy, Economic Development and Construction Act 2009 which aims to reinvigorate local democracy by putting local authorities at the forefront of the drive to reconnect people with public and political decision making.
- 3.2 Councils are required to have a Scheme agreed by Council by 15 June 2010, with provision for E.petitions in place by 15 December 2010.

### **4. REASONS FOR RECOMMENDED COURSE OF ACTION AND OTHER OPTIONS**

- 4.1 The recommended draft Petitions Scheme is attached at Appendix A to this report and is based on the model scheme contained in the statutory guidance from the Department of Communities and Local Government.
- 4.2 The draft Scheme sets out how petitions will be dealt with when received and the options the Council may consider and whilst it is unlikely that the Council will have arrangements in place for e.petitioning until the end of the year the draft Scheme includes specific provisions relating thereto.
- 4.3 It should be noted that whilst the subject matter of a petition can, in the main, be free-ranging the Guidance does provide for the exclusion of petitions that in the

opinion of the authority are vexatious, abusive or otherwise inappropriate. Additionally, in order not to duplicate procedures where established processes exist for communities to have their say, the following matters are also excluded from the Scheme –

- any matter relating to a planning decision, including development plan documents
- any matter relating to an alcohol, gambling or sex establishment licensing decision
- any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal.

4.4 The Petitions Scheme, once adopted will become an Appendix to the Council's Constitution and the Council's Standing Orders will require amendment to reflect the Scheme in relation to debates on petitions at Council meetings (Standing Order 11 a ).

## **BACKGROUND DOCUMENTS**

'Listening to Communities : Statutory Guidance on the duty to respond to petitions' published by the Department of Communities and Local Government

## **APPENDICES**

Draft Petition Scheme