

GOVERNANCE COMMITTEE

20 NOVEMBER 2012

REPORT OF HEAD OF COMMUNICATIONS

PETITIONS SCHEME AND E-PETITION FACILITY

1.0 PURPOSE OF REPORT

- 1.1 To update the Committee on the Council's Petitions Scheme and e-petition facility following the introduction of the Localism Act and offer options for the future of the scheme. The scheme is part of the Constitution and the authority to make any changes is with the Full Council.

2.0 RECOMMENDATIONS

2.1 To recommend to Full Council one of the following:-

- (a) **To retain the current Petitions Scheme with the e-petitions facility including the changes highlighted at Appendix A.**
- (b) **To retain the current Petitions Scheme including the changes highlighted at Appendix A and remove the e-petitions element thereby making an annual subscription saving.**
- (c) **To delete Part 1 of the Petitions Scheme from the Constitution and the e-petitions facility thereby making an annual subscription saving. Part 2 of the Petitions Scheme is retained in its current form.**

3.0 KEY ISSUES

3.1 Impact of Localism Act

- 3.2 The Local Democracy, Economic Development and Construction Act 2009 introduced a duty on the part of local authorities to respond to petitions. The core elements of the petition's duty come into force on 15 June 2010. There were further provisions relating to the need to make the scheme available for e-petitions which came into effect on 15 December 2010. The scheme set out the format of a petition, the way the Council would receive a petition, the format of debates, and the number of signatures required to trigger different types of response.

- 3.3 The Localism Act 2011 has repealed the requirement for a statutory petitions scheme and mandatory e-petition facility. This has an effect on the process currently in place at Melton as to whether the Council continues to run a Petitions Scheme with an e-petition facility.

3.4 Use of the current scheme

Since the introduction of the new Petitions Scheme, 3 petitions have been received and one other e-petition is live until 24 February 2013. Details of these petitions are set out at Appendix B.

3.5 Although the e-petition facility has published only 3 petitions, the potential for more in the future is probable due to the growing use of electronic communications and social media.

3.6 Options for the future

3.7 The opportunity for the public to express their views as a group through a petition is a democratic and valued tool for the Council to enable it to understand concerns about local and service issues. However, the success and number of signatories on a petition is dependent on the enthusiasm of the petition organiser(s) and the groundswell of public opinion of the subject matter. To enable a matter to be considered by Full Council, 1500 signatures are needed on Part 1 of the current scheme. For a petition with a lower number of signatures, i.e. 20 to 1499 signatures, there is Part 2 of the Petitions Scheme, which is still in the Constitution and was there before the 2010 changes.

3.8 Part 2 of the Petitions Scheme enables a petition of more than 20 signatures to be referred to the relevant Committee for consideration. The receipt of such a petition is also reported to the Full Council. There is still a place for such petitions as these have lower signatory requirements and enable smaller groups of those affected by a particular matter to make representation and have their views considered by a decision-making body.

3.9 It has been useful for there to be a set procedure for handling large petitions in order to ensure that there is a consistent approach, therefore the existing scheme has been amended to make it more workable rather than removing the previously statutory requirements. The slightly revised scheme is set out at Appendix A with the changes proposed highlighted.

3.10 For some petitions, it has been sensible to join the signatories of paper and e-petitions together and this is formalised in the revised scheme.

3.11 The introduction and cost of the e-petitions element to the scheme is suited to petitions with high numbers of signatories and is not designed for lower level petitions of the type identified in Part 2 of the scheme. Should Part 1 of the scheme be removed then it may be sensible to remove the e-petition facility as the cost and the administration of such a service may not be considered good value for money for low number petitions. Also, as the Council has only received 4 e-petitions in the past 23 months, Members may not consider it good value if each petition was attributed to a quarter of the total subscription cost during that time.

3.12 There is a cost saving of £1,999 per annum in the removal of the e-petitions element of Part 1 of the scheme, however at a time when the Council is looking to provide more online services, this could be seen as a backward step.

3.13 The recommendations include an option to remove Part 1 of the Petitions Scheme which would reverse the Council to the 2010 position in dealing with petitions, i.e. Part 2 of the scheme.

4.0 **POLICY AND CORPORATE IMPLICATIONS**

4.1 The Petitions Scheme is compatible with the Council's intention to be proactive in promoting democracy and involving the community in Council decision-making.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 The former legislation required that each local authority set up on its website an e-petitions facility. The Government made a financial contribution to the cost, however, this did not account for the ongoing subscription to the e-petition package of £2,000 per annum.
- 5.2 The cost of the e-petitions package is already budgeted for in 2013/14 in the Corporate and Democratic Core budget.
- 5.3 On the remainder of the scheme, financial and resource implications will continue to be met from within existing arrangements.

6.0 LEGAL IMPLICATIONS/POWERS

- 6.1 The new Localism Act has repealed the previous requirement for a statutory petitions scheme and mandatory e-Petitions facility.

7.0 COMMUNITY SAFETY

- 7.1 There are no specific community safety implications in this report.

8.0 EQUALITIES

- 8.1 The scheme will be available to the public. An equality impact assessment has been completed.

9.0 RISKS

- 9.1 The impact of the changes and implementation to meet the requirements of the Localism Act will need to be managed to minimise any risk to the Council's reputation or otherwise.

10.0 CLIMATE CHANGE

- 10.1 The proposal to retain an e-petition facility on the website offers and encourages paper free access to information and helps to meet the Council's green targets.

11.0 CONSULTATION

- 11.1 The existing scheme was presented to the Constitution Review Task Group on 12 April 2010 and that group requested deferral for further work and the Overview, Scrutiny and Audit Committee considered the scheme on 8 June 2010. The Council approved the scheme on 14 July 2010 and further approved the e-petition element on 10 October 2010.

12.0 WARDS AFFECTED

- 12.1 All wards are affected.

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Date: 1 November 2012

Appendices: Appendix A: Revised Petitions Scheme
Appendix B: Use of Petitions Scheme

Background Papers: Localism Act 2011
Minutes of Council Meeting held on 14 July 2010
Minutes of Council Meeting held on 10 October 2010

Reference: X: C'tees, Council & Sub-C'tees/Governance/2012-13/20-11-12/Petitions Scheme & E-Petition Facility