



<b>REPORT OF:</b>	<b>DIRECTOR OF HR, LEGAL &amp; GOVERNANCE</b>
<b>TO:</b>	<b>POLICY COUNCIL</b>
<b>ON:</b>	<b>28<sup>th</sup> JANUARY 2021</b>

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**SUBJECT: CONSTITUTION UPDATE – REVISED PETITIONS SCHEME**

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## **1. PURPOSE OF THE REPORT**

To present to Council Forum proposals to update the Petitions Scheme in the Council's Constitution, and recommendations for Members to consider to improve the existing scheme.

## **2. RECOMMENDATIONS**

The Council is asked to:

- I. Approve Option 1 as outlined in the report and.
- II. Subject to I) above, authorise amendments to the Petition Scheme reflecting the changes referred to in Option 1 and update the Constitution accordingly.

## **3. BACKGROUND**

The Council's petitions scheme has been in place since 2010 and was adopted following the requirements under the Local Democracy, Economic Development and Construction Act 2009 for local authorities to have in place a petition scheme and having arrangements for receiving e-petitions. This was repealed by the Localism Act so currently there is no legislation requiring councils to adopt a petition scheme or to respond to petitions/e-petitions. Nevertheless, the Council has a long track record of listening to and working with residents, and in fact accepted petitions well before the former national legislation was introduced.

So whilst it is no longer a requirement to have a petitions scheme, Members may feel that petitions should still be considered, but that in doing so there are realistic parameters established to ensure such a Scheme is fit for purpose for our current governance arrangements.

Currently, there are three types of petitions:

- *“Ordinary” petitions*

These must be signed by at least 6 people.

- *Petitions requiring debate*

Petitions which contain 4,200 signatures or more will be debated by the full Council.

- *Petitions to hold council employees to account*

Petitions which call for evidence from a senior council employee and have at least 2,100 signatures will trigger that response.

#### **4. OPTIONS**

As Members will be aware, the majority of petitions received are considered at the Executive Board, with the remainder considered at the Planning and Highways and Licensing Committees as appropriate.

If Members are minded to recommend the retention of a Petitions Scheme it is proposed that the qualifying threshold for a petition be increased from a minimum of 6 to a minimum of 50, given signatures can now be collected far more quickly, easily and electronically.

Officers have reviewed petitions schemes at some neighbouring Councils and their thresholds are as follows:

**Blackpool – 50**

**Bolton – 100**

**Bury – 50**

**Manchester – 100**

**Stockport – 50**

**Wigan - 100**

Some of the Councils use discretion to consider petitions of less than 50 that call for local action, ie. traffic calming measures in an area.

No changes are proposed to the thresholds for petitions requiring debate, or those that hold employees to account.

No changes are proposed to the current criteria relating to who can sign a petition – signatories must live, work or study in the Borough.

#### **Option 1 – Improve the existing scheme.**

In considering improving the current Petition Scheme the Members could as a minimum review the terms of 'Ordinary' petitions. For example by recommending that only petitions receiving 100 signatures or more are submitted to the Executive Board, with an invitation for the Lead Petitioner to speak. Similarly, petitions receiving 100 signatures or more are submitted to the Planning and Highways and Licensing Committees, in respect of qualifying petitions. For signatures received that are less than 100:

- 50-99 signatures – Chief Officer to consider and respond (with the Chief Executive having discretion to ask the Chief Officer to consider in exceptional circumstances consider petitions of less than 50 that call for local\* action).
- For Planning and Highways and Licensing matters it is proposed that for petitions of 50-99 signatures these are dealt with by the relevant Chief Officer with delegated powers, (with the Chief Executive having discretion to ask the Chief Officer to consider in exceptional circumstances consider petitions of less than 50 that call for local\* action, ie. traffic calming measures in an area).

\* The primary criteria being the low number of residents affected being determined by general circumstances.

**Option 2 – Retain the existing scheme.** As explained above, the existing scheme has been in place for over 10 years, and whilst it has been a good tool for residents to engage with the Council, it is considered an appropriate time to refresh the scheme and bring it up to date.

**Option 3 – Remove the scheme.** There is no legislation that requires the Council to have a petitions scheme, its removal would result in savings in officer time and resources at a time when administrative services in particular are under extreme pressure. Removal of the Scheme completely however may result in a loss of engagement with residents and opportunity to receive feedback, and petitions are an important tool in this regard.

## 5. POLICY IMPLICATIONS

Petitions are a vital tool for engaging with residents and supports other Council policies in this regard.

## 6. FINANCIAL IMPLICATIONS

None.

## 7. LEGAL IMPLICATIONS

The Local Government Act 2000 requires local authorities to prepare, keep up-to-date and publicise their constitution.

There is no legal requirement to have a Petitions Scheme.

## 8. RESOURCE IMPLICATIONS

Officer/Member time in responding to Petitions.

## 9. EQUALITY IMPLICATIONS

Petitions are an important way for residents to highlight equalities issues.

## **10. CONSULTATIONS**

Council Forum are being consulted and asked to agree the proposals.

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Date: 7<sup>th</sup> January 2021

Background Papers: Existing Petitions Scheme (as set out in the Constitution Part 7).