

Regulatory and Audit Committee

Title:	Draft Petitions Protocol
Date:	19 November 2013
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Local members affected:	All

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Summary

At the April 2013 meeting of the County Council changes were made to the Constitution relating to petitions. These changes were made as the Government had withdrawn guidance to allow more discretion on how petitions are approached locally and to minimise bureaucracy (Local Democracy, Economic Development and Construction Act 2009). Members are asked to consider a draft protocol to replace the Government guidance. The County Council will continue to provide the on line petition facility which went live in December 2010 (attach link).

Recommendation

That the Regulatory and Audit Committee approve the draft protocol attached to the report.

Supporting information to include the following if a decision is being requested:

The main points of the draft petition protocol are as follows:-

- Petitions can be presented through County Councillors at any relevant meeting of the Council. This is usually through the County Council meeting but also can be through other meetings such as Local Area Forums and Select Committees. Petitions can also be submitted through officers.
- On local issues petitions are usually discussed through Local Area Forums. A report is submitted to the meeting with an officer recommendation. If the majority of Members are not happy with the response, than it should be referred back to the Cabinet Member



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with an explanation of why it should be reconsidered. This also links in well with local scrutiny of specific areas.

- On corporate issues petitions can be referred to the relevant meeting where Members have some influence over the area being discussed. If a petition challenges the policies of the Council the Select Committee could undertake a review.
- On line petitions should be limited to 28 days so that the Council's decision making process is not delayed.
- If petitions are presented to Council then they must be registered with the Monitoring Officer before the meeting.
- Responses on the petition should be reported back to the Council by the relevant Cabinet Member or Committee Chairman within six months.

Resource implications

The proposal can be "contained within existing resources".

Legal implications

The Service Director, Legal and Democratic Services is the author of the report and has considered legal implications.

Background Papers

Council Report – April 2013
