

Members' Code of Conduct Committee

25 April 2017



Title	Review of Petition Scheme – responses to petitions		
Purpose of the report	To make a decision		
Report Author	Gillian Hobbs		
Cabinet Member	Councillor Ian Harvey	Confidential	No
Corporate Priority	This item is not in the current list of Corporate priorities but still requires a Cabinet decision		
Recommendations	The Committee is asked to recommend Cabinet to agree the proposed changes to the Petition Scheme and recommend these to Council for approval.		
Reason for Recommendation	Providing Council with a wider choice of responses to petitions will allow it to respond in a more appropriate way to the matters that come before it.		

1. Key issues

- 1.1 In accordance with the requirements of the Local Democracy, Economic Development and Construction Act 2009, the Council adopted a Petition Scheme on 22 July 2010.
- 1.2 The Petition Scheme, which was based on a Model Scheme contained in the DCLG (Department for Communities and Local Government) statutory guidance, is available on the Council's website (www.spelthorne.gov.uk/article/3193/Petition-Scheme) and the procedure rules for presentation of petitions to the Council (or to Cabinet as appropriate), are set out in the Council's Constitution at Standing Orders paragraph 16.
- 1.3 The duty on councils to run a petitions scheme was abolished by the Localism Act 2011. However, the Council continues to run the previously adopted Petition Scheme in order to provide an opportunity for residents to express their concerns and priorities to their local authority.
- 1.4 Following the recent debate of a petition at Cabinet, members expressed concern that Standing Orders limit the options for responding to petitions in the most appropriate way and asked officers to investigate whether the options could be widened.
- 1.5 Even when the Council was required to have a Petition Scheme, the guidance allowed the Council to adapt the Model Scheme to its own requirements provided it fulfilled its statutory duty. Now that there is no longer a requirement to have a Scheme, the Council may adapt the Scheme as it sees fit.

2. Options analysis and proposal

- 2.1 The Constitution currently gives the Council the following options for responding to a petition:
- (a) support the action the petition requests
 - (b) dismiss the action the petition requests
 - (c) if the content relates to a matter on the agenda for the meeting the petition be considered when the item is debated; or
 - (d) the petition be referred to the Cabinet or Overview and Scrutiny Committee for further consideration
- 2.2 It is proposed to amend the options available to respond to petitions as follows:
- (a) take the action the petition requests; or
 - (b) not to take the action requested for reasons put forward in the debate; or
 - (c) note the petition and keep the matter under review; or
 - (d) if the content relates to a matter on the agenda for the meeting the petition be considered when the item is debated; or
 - (e) the petition be referred to the Cabinet or Overview and Scrutiny Committee for further consideration
- 2.3 The Council may alternatively choose to suggest other forms of wording for the options available to it to respond to petitions.

3. Financial implications

- 3.1 There are no financial implications arising from this proposal.

4. Other considerations

- 4.1 No other considerations have been identified.

5. Timetable for implementation

- 5.1 This proposal, if agreed, will be considered by the Cabinet on 11 May and Council on 20 July.

Background papers: Department for Communities and Local Government, [Archived statutory guidance on the duty to respond to petitions](#), March 2010

Appendices: There are none.