

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**REPORT OF THE EXECUTIVE MANAGEMENT TEAM TO COUNCIL**

**28 July 2010**

**1. PETITIONS SCHEME – RECOMMENDATIONS FROM THE OVERVIEW AND SCRUTINY CO-ORDINATING COMMITTEE**

**Submitted by:** Member Services Manager – James McLaughlin

**Portfolio:** Customer Service and Transformation

**Ward(s) affected:** Non-specific

**Purpose of the Report**

To report on the recommendations of the Overview and Scrutiny Co-ordinating Committee in respect of signature thresholds within the Borough Council's recently adopted Petitions Scheme.

**Recommendations**

**That consideration be given to the following recommendations from the Overview and Scrutiny Co-ordinating Committee in respect of the Petitions Scheme:-**

- (a) That the threshold for the number of signatures required for a debate at the full Council be revised to 1,500.**
- (b) That the threshold for the number of signatures required to hold an officer to account at a meeting of an Overview and Scrutiny Committee be revised to 750.**
- (c) That, where petitions affect no more than two wards, the threshold for signatures required to trigger a debate at a meeting of the full Council be set at 200.**
- (d) That, where petitions affect no more than two wards, the threshold for signatures required to hold an officer to account at a meeting of an Overview and Scrutiny Committee be set at 100.**
- (e) That a report on the number and type of petitions received be submitted to the Council on an annual basis in order to determine the appropriateness of the petition scheme.**
- (f) That the Head of Central Services be designated as the Petitions Officers for the Borough Council.**

**Reasons**

On 19 May 2010, the Council resolved to request the Overview and Scrutiny Co-ordinating Committee to consider the signature thresholds within the Petition Scheme having regard to the practice that had been adopted in other local authorities. This report details the recommendations of the Overview and Scrutiny Co-ordinating Committee.

## 1. **Background**

- 1.1 The Borough Council approved the Petition Scheme on 19 May 2010. During the debate in respect of the matter, concern was expressed at what appeared to be relatively low thresholds for the number of signatures required to trigger a debate at full Council or to require a senior officer to be held to account by an Overview and Scrutiny Committee. The signature threshold to trigger a debate at full Council was set at 1,000 and the threshold for holding an officer to account at an Overview and Scrutiny Committee was set at 500.
- 1.2 Following the debate at Council, it was also resolved:

*That the Overview & Scrutiny Co-ordinating Committee review the proposed thresholds on the number of signatures required to trigger the necessary action.*

## 2. **Issues**

- 2.1 The Overview and Scrutiny Co-ordinating Committee received a report from the Executive Management Team at its meeting on 5 July 2010 that provided information in respect of petition schemes at other local authorities in Staffordshire and Cheshire, as well as the Government's own model petition scheme.
- 2.2 The Local Authorities (Petitions) (England) Order 2010 stipulates that the maximum threshold that can be set is 5 per cent of the local population. The Government expects that a much lower figure will be considered locally appropriate. If the 5 per cent threshold were applied in the case of the population of the Borough, then the number of signatures required for a debate would be 6,190 (based on the population of the Borough being 123,800).

## 3. **Recommendations from the Overview and Scrutiny Co-ordinating Committee**

- 3.1 The Overview and Scrutiny Co-ordinating Committee resolved to make the following recommendations to the Council in respect of the petitions scheme:
- (i) That the threshold for the number of signatures required for a debate at the full Council be revised to 1,500.
  - (ii) That the threshold for the number of signatures required to hold an officer to account at a meeting of an Overview and Scrutiny Committee be revised to 750.
  - (iii) That, where petitions affect no more than two wards, the threshold for signatures required to trigger a debate at a meeting of the full Council be set at 200.
  - (iv) That, where petitions affect no more than two wards, the threshold for signatures required to hold an officer to account at a meeting of an Overview and Scrutiny Committee be set at 100.
  - (v) That a report on the number and type of petitions received be submitted to the Council on an annual basis in order to determine the appropriateness of the petition scheme.
  - (vi) That the Head of Central Services be designated as the Borough Council's Petitions Officer.

#### 4. **Reasons for Recommendations**

4.1 Recommendations (i) and (ii) above have been submitted on the basis that these figures will align the Borough's procedures with the County's procedures. The proposed thresholds also mirror those detailed in the Government's Model Scheme. It was felt that commonality between the County Council's scheme and the Borough Council's scheme would make the petitioning process clear for local people and reduce the potential for confusion.

4.2 The Committee considered the approach of Cheshire East Council and East Staffordshire Borough Council where provisions have been made within their respective schemes for the threshold in respect of full council debates and holding officers to account to be lowered where the matter concerned affects no more than two wards. The Committee felt that the thresholds operating in East Staffordshire would be appropriate to the Borough.

4.3 The Committee had regard to its submission to the Government when responding to an earlier consultation on Petitions and Calls for Action in 2008, where it stated:

*Local people and communities will be more interested in submitting their petition and seeing an outcome from that petition, rather than working their way through unnecessary administrative requirements relating to the percentages of the local population required to sign it in order for the council to consider accepting it.*

The Council should be concerned with ensuring that processes are in place to ensure that calls for action through petitions are acted upon and petitioners receive a response explaining the action taken or otherwise.

4.4 It was felt that an annual report detailing the number of petitions received, the action taken and any issues that may arise in relation to the petitions scheme would be of benefit. Primarily it would show local people what had been done in response to the issues that had been raised over the previous twelve months and would have the added benefit of enabling the Council to formally review the effectiveness of its petition scheme on an annual basis. It was also suggested that the Head of Central Services should be designated as the Petitions Officer, with responsibility for the day-to-day operation of the scheme.

#### 5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

5.1 This report does not propose any outcomes associated with the delivery of the Council's corporate priorities.

5.2 This report does not propose any outcomes linked to the Sustainable Community Strategy.

#### 6. **Legal and Statutory Implications**

6.1 There is a statutory requirement for the Borough Council's petition scheme to detail the thresholds for the number of signatures required to trigger a debate at full Council and hold an officer to account at an overview and scrutiny committee.

#### 7. **Equality Impact Assessment**

7.1 The petitions scheme allows all residents of the Borough to submit a petition, requiring the Council to consider and take appropriate action on the request, whether in paper or electronic form. As "paper" petitions are acceptable, persons without access to the internet are not precluded from organising, signing or submitting a petition.

8. **Financial and Resource Implications**

There are no financial or resource implications directly associated with this report.

9. **Major Risks**

There are no major risks associated with this report.

10. **Earlier Cabinet/Committee Resolutions**

19 May 2010 – Council (10/11)

23 February 2010 – Overview and Scrutiny Co-ordinating Committee (770/10)

2 December 2010 – Overview and Scrutiny Co-ordinating Committee (579/10)

11. **Background Papers**

Newcastle-under-Lyme Borough Council's Petition Scheme

Local Democracy, Economic Development and Construction Act 2009 – Sections 10-22

Local Democracy, Economic Development and Construction Act 2009 Commencement  
Order No. 3

Statutory Guidance on the Duty to Respond to Petitions (Department for Communities and  
Local Government)

