

# **COUNCIL BUSINESS COMMITTEE**

## **Local Petitions and Calls for Action - Consultation Response 17<sup>th</sup> January 2008**

### **Report of the Head of Democratic Services**

#### **PURPOSE OF REPORT**

To allow Members the opportunity to comment on a proposed consultation response relating to the Department for Communities and Local Government (DCLG) consultation on Local Petitions and Calls for Action.

This report is public

#### **RECOMMENDATIONS**

- (1) That the draft consultation response attached at Appendix A be approved for submission as the Council's response to the DCLG consultation exercise on Local Petitions and Calls for Action.**
- (2) That work on developing a process for dealing with Local Petitions and Calls for Action be included as part of the Democratic Renewal Phase 2 Report.**

#### **1.0 Introduction**

- 1.1 The Governance of Britain Green Paper (July 2007), said that petitions can provide an important way for communities to express their views and generate local debate, boosting the relationship between residents and councils. It also announced the government's intention to consult on people's right to 'call for action' and the strengthened role of Councillors in that process.
- 1.2 This consultation seeks views on how arrangements for local petitions can be strengthened and how the new system might operate. It also seeks views on the Councillors' Call for Action, introduced under the Local Government and Public Involvement in Health Act 2007.

#### **2.0 Proposal**

- 2.1 The Consultation which is aimed at citizens, local authorities, councillors and community organisations requests views on all the details in the proposals but particularly sets out a number of questions as follows:

- (a) The Government believes there should be a statutory duty on local authorities to respond to local petitions. What conditions must be met before a local authority is required to respond formally to a petition?
- (b) In particular how should we define the level of support required before a petition must get a formal, substantive response?
  - By a fixed number of signatures,
  - By a percentage of the electorate in the area,
  - By a hybrid of the two,
  - Or in some other way?
- (c) What, if any, matters should be excluded from the call for action?
- (d) What guidance should Government provide on the operation of the councillor call for action?
- (e) Taken together would petitions and calls for action sufficiently empower communities to intervene with their elected representatives? Should we contemplate other measures?
- (f) Do you have other views on the operation of the new duty to respond to petitions and the call for action?

2.2 Officers have considered the content of the consultation document and in particular the questions set out above and have produced a draft response at Appendix A for Members' consideration.

2.3 The consultation document is available electronically as Appendix B to this report or a hard copy may be obtained from Democratic Services.

2.4 Members will be aware that this Council currently has provision for petitions and addresses to be made to full Council (Council Procedure Rules 13 and 14), which are used occasionally. Other petitions received by the Council have also been presented to the most appropriate decision making body in considering a particular issue on an ad hoc basis. There are however no specific advertised arrangements other than those relating to presentation at Council.

2.5 Whatever the outcome of the consultation exercise, this Council may wish to consider strengthening its current arrangements. The Local Governance Committee on 20<sup>th</sup> December agreed that officers should be requested to produce a Democratic Renewal Phase Two report in order to take forward the opportunities offered by the Local Government and Public Involvement in Health Act and other governance and democracy issues (Minute 10 refers) and work on developing a process for dealing with Local Petitions and Calls for Action could be included as part of that report.

### **3.0 Options**

3.1 The Terms of Reference of the Council Business Committee provide for this committee to determine the method of response and where necessary ratify responses on behalf of full Council to consultations.

3.2 The agreed process delegates to the Chief Executive the decision on whether or not the Council should respond to a consultation and the method of agreeing that response.

3.3 On this occasion it has been decided that a draft response be prepared by Officers for comments by this Committee.

3.4 Options available to the Committee are to approve or amend the proposed response attached at Appendix A.

#### **4.0 Conclusion**

4.1 Officers have prepared a draft response for approval or amendment to enable a response to be submitted to the DCLG by the deadline of 20<sup>th</sup> March 2008.

4.2 Whatever the outcome of the consultation exercise, this Council may wish to consider strengthening its current arrangements and it is suggested that work on developing a process for dealing with Local Petitions and Calls for Action could be included as part of a planned Democratic Renewal Phase Two report.

<b>CONCLUSION OF IMPACT ASSESSMENT</b> (including Diversity, Human Rights, Community Safety, Sustainability and Rural Proofing)
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There are no direct implications as a result of this report.

<b>FINANCIAL IMPLICATIONS</b>
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None as a direct result of this report. Any financial implications as a result of proposals for change will be included in future reports.

<b>SECTION 151 OFFICER'S COMMENTS</b>
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The S151 Officer has been consulted and has no further comments.

<b>LEGAL IMPLICATIONS</b>
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None as a direct result of this report. Any proposals for change whether as a result of new legislation or in response to the Council's desire for improvement will include any necessary amendments to the Council's Constitution.

<b>MONITORING OFFICER'S COMMENTS</b>
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The Monitoring Officer has been consulted and has no further comments.

<b>BACKGROUND PAPERS</b>	<b>Contact Officer:</b> Gillian Noall <b>Telephone:</b> 01524 582060 <b>E-mail:</b> gnoall@lancaster.gov.uk
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DCLG consultation document dated 27<sup>th</sup> December 2007.