



CORPORATE GOVERNANCE COMMITTEE – 28TH JUNE 2010

STANDING ORDERS AND THE PETITION SCHEME

Report of LEGAL & DEMOCRATIC SERVICES MANAGER

(This matter is the responsibility of Councillor John Williams Leader of the Council)

EXECUTIVE SUMMARY

To approve the revised standing orders and to recommend approval by the Full Council.

1. Background

- 1.1 The provisions relating to petitions were created by the Local Democracy, Economic Development and Construction Act 2009 and come into effect on the 15th June 2010.
- 1.2 Members have already given approval to the guidance for this scheme and this report is to update the standing orders of the constitution in accordance with the scheme for eventual adoption by full council.
- 1.3 It was necessary in light of the revised guidance to also update the Council's standing orders. The variations to the standing orders have been approved by the Constitutional Sub Committee and now need to be approved by this committee.

2. Recommendation

- 2.1 To recommend approval by Full Council.

For further information please contact Tonya Meers, Legal & Democratic Services Manager on 01823 356391 or t.meers@tauntondeane.gov.uk

PRESENTATION OF PETITIONS *

16. (1) (a) A petition is a written request signed by the requisite number of people appealing to an authority about a particular cause or issue.

(b) A petition requiring debate by full council is a petition that contains more than 1,500 signatures and will be debated by full council unless it is a petition asking for a senior council officer to give evidence.

(c) A petition containing at least 750 signatures may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job.
- (2) Excluded Matters are matters that are excluded from the scope of the petitions duty and these are:-
 - (a) any matter relating to a planning decision, including about a development plan document or the community infrastructure levy;
 - (b) any matter relating to an alcohol, gambling or sex establishment licensing decision;
 - (c) any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment
- (3) Petitions submitted to the Council must include:-
 - (a) a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take;
 - (b) the name and address and signature of any person supporting the petition;
 - (c) the name and address of the petition organiser
- (4) All petitions will be acknowledged within 10 working days.
- (5) The Council may respond to the petition in a number of ways such as taking the action requested, considering the petition at a Council meeting, holding an inquiry into the matter, undertaking research into the matter, referring the matter to one of the Council's Overview and Scrutiny Committee or holding a meeting with the petitioners.
- (6) If a petition contains more than 1500 signatures the petition will be debated at the next scheduled meeting of Full Council unless it is a

petition requiring a senior council officer to give evidence at a public meeting.

6.1 The petition organiser will be given 5 minutes to present petition at the meeting;

6.2 Councillors will discuss the petition up to a maximum of 15 minutes;

6.3 The council will decide how to respond to the petition which may include to take the action requested, not to take the action requested for the reasons given in the debate, refer the matter for further investigation, or refer the matter to the Council Executive for final decision.

- (7) A petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. Any petition requesting this must contain at least 750 signatures. The level of senior officer will be limited to the Council's Corporate Management Team.
- (8) A petitioner has the right to request a review of the steps taken in response to the petition if they are unhappy and that request shall be made to one of the Council's Overview and Scrutiny Committees which cannot decide but can only recommend to the Executive Committee or Full Council.