

PETITIONS

RECOMMENDATION

- 1.1 To note the DCLG Consultation Paper on Draft Statutory Guidance on the Duty to Respond to Petitions and to authorise the Director of Corporate and Adult Services to approve any appropriate response in consultation with the Chair, Vice Chair and a representative of the Liberal Democrat Group.
- 1.2 To approve expenditure of up to £8,000 from the 2009/10 scrutiny research budget to provide an e-petitions facility.

SUPPORTING INFORMATION

- 2.1 Chapter 2 of the Local Democracy, Economic Development and Construction Act 2009 imposes new duties on local authorities to consider and respond to petitions. Section 10 stipulates that the authority must provide a facility for making petitions in electronic form, to be known as 'e-petitions'. Chapter 2 comes into force on a date to be specified by the Secretary of State. Current indications are that this may be 1 April 2010 but it could be later.
- 2.2 The Department for Communities and Local Government (DCLG) has issued a consultation paper on the Draft Statutory Guidance on the Duty to Respond to Petitions. This is attached as Appendix 2 and the deadline for responses is 24 February 2010.
- 2.3 The Commission responded to a previous DCLG consultation on local petitions in March 2008. That consultation was conducted in the lead up to the Local Democracy, Economic Development and Construction Bill. The issues raised by the Commission have now been overtaken by the final provisions in the 2009 Act. Officers are currently considering whether it is necessary to make a response to this latest consultation.
- 2.4 The Council could have to provide an e-petition facility by 1 April 2010. Our committee management system (CMIS) can be upgraded to provide an e-petition facility as part of a version upgrade. The version upgrade also provides a number of improvements to CMIS functionality which would facilitate improvements in information management which would benefit all parts of the Council, including scrutiny. Officers feel that the upgrade will provide a very cost-effective solution.

2.5 Other authorities, e.g. Leicestershire County Council, are beginning to implement e-petition arrangements. If the new statutory duty is not brought into effect on 1 April 2010, then the new facility could be brought in at an appropriate time to be decided by the Council.

For more information contact:	Steve Dunning 01332 255462 e-mail steve.dunning@derby.gov.uk
Background papers:	
List of appendices:	Appendix 1 – Implications. Appendix 2 – DCLG Consultation Paper.

Appendix 1

IMPLICATIONS

Financial

1. None directly arising.

Legal

2. None directly arising.

Personnel

3. None directly arising.

Equalities Impact

4. None directly arising.

Corporate Themes and Priorities

5. This report has the potential to link with all of the Corporate Objectives.