

Derby Community Safety Partnership Response to Local Petitions and Calls for Action Consultation Feb 2008

The views of the CSP are specifically orientated around local petitions that are generated within small communities in neighbourhoods. Often the issue raised has little impact on the wider authority area but is of enormous concern to local communities both by geography and by community.

Petitions		
(a)	What conditions must be met before a local authority is required to respond formally to a petition?	<p>1. Support the proposal that the subject relates to the functions of the local authority, or other public services with shared delivery responsibilities with the local authority through the Local Area Agreement or other partnership arrangement. While this is not specific and is open to interpretation based on local partnership arrangements, it provides a broad definition ensuring that there is a duty to respond.</p> <p>2. Support the proposal that should a petition not meet the condition then there is a requirement to signpost the petition to the relevant organisation and inform the lead petitioner.</p> <p>3. Support the concept that the lead petitioner should be a local person, but it is not feasible to prevent or dissuade National or non local organisations from encouraging local petitions. Evidence in Derby is that local petitions have lead petitioners who are directly affected by the problem who are willing to take responsibility and have a local address. It is not good use of local authority time deciding who is best placed to represent a local petition, they should be able to decide who they want as the lead petitioner.</p>
(b)	<p>How should the level of support required before a petition must get a formal substantive response be defined?</p> <ul style="list-style-type: none"> By a fixed number of 	<p>1. Support the proposal that a fixed number of signatories is required. The other options require an unnecessary amount of time spent on validating the petition.</p> <p>2. In Derby, the majority of petitions received are generated at a local level responding to a local need or voice. The responses are made through the local partnership based Neighbourhood Boards, the degree of Requiring a high number of signatures would work against a single issue group who have a valid grievance about a service that</p>

	<p>signatures?</p> <ul style="list-style-type: none"> • By a percentage of the electorate in the area? • By a hybrid of the two? • Or in some other way? 	<p>discriminates, perhaps unintentionally, against a very small subset of the population, often affecting less than 250 people. Gaining 250 signatures would not make the problem any more or less relevant.</p> <ol style="list-style-type: none"> 3. A figure of 30 signatures for local petitions would indicate a degree of support, local residents want to provide a feeling of credibility. 30 would help to protect against very localised and irrelevant campaigns. If however a higher figure is used there will need to be an alternative clear, robust route for responding to requests for action that are submitted with too few signatures. 4. Support the proposal that young people can be included on petitions as relevant signatures. This is important, given the desire to encourage young people's participation in the democratic process. 5. so long as if under 18 their age is included along with their name or address. 6. To be classed as a relevant signature it must be accompanied by a legible address, the authority will retain the power to challenge a signature based on legibility and relevance based on address provided bearing in mind the affected geographical area 7. Support the use of electronic petitions
Calls for Action		
(c)	What if any matters should be excluded from the call for action?	<ol style="list-style-type: none"> 1. those relating to statutory or regulatory processes including planning and licensing and any appeals 2. those relating to personnel or standards issues 3. those that have been previously considered and responded to within the past 6 months.
(d)	What guidance should Government provide on the operation of the councillor call for action?	<p>The introduction of a councillor call for action will extend power to all councillors. On an informal basis, ward councillors have always been able to take up local matters with Cabinet members or direct with Council or partners officers. A positive outcome can usually be achieved without the need for a formal process, however the introduction of the formal Councillor call for action could be regarded as an approach of last resort. The opportunity to</p>

		make the Councillor Call for action an effective remedy will rely on common sense and a commitment to use the tool when there is a genuine need for action based on community support.
Overall		
(e)	Taken together would petitions and calls for action sufficiently empower communities to intervene with their elected representatives? Should Government contemplate other measures?	<p>Public awareness and support for the petition process is very high and is perceived as an effective tool to influence decision making. However, it is important that petitions are not considered as the first method of raising an issue, rather the last line of action when other reasonable methods have not received an effective response.</p> <p>The opportunity to present petitions alongside the Councillor Call for Action can contribute to the empowerment of communities, but more effective empowerment requires them to be part of other opportunities and measures that genuinely empower, engage and involve. These include the opportunities offered in Derby through Neighbourhood working including Neighbourhood Forums and Boards.</p>
(f)	Other views on the operation of the new duty to respond to petitions and the call for action?	<p>In Derby there is already a commitment to respond to all petitions, while improvements in the process will be continually made to suit local circumstances it is not felt there is a need to introduce detailed legislation to control the process. However, introducing some minimum requirements could help improve residents trust in their authority and increase the feeling of engagement and influence in local decisions.</p> <p>It is important that one of the aims of introducing a duty to respond does not create a system that requires excessive validation and diverts valuable time, energy and resources away from investigating and responding to the issue raised. Any standards introduced should be to support the process of engaging communities and not putting barriers in their way. The effective way to respond to local petitions is about developing relationships and trust with those affected. It's about reducing bureaucracy and guaranteeing a response that understands</p>

		<p>the real issues and explains the reasoning for the response.</p> <p>A process clarifying how to present a petition as well as explaining the process of acknowledgment, investigation and response has been produced in Derby and contributes to providing a shared understanding of how petitions are responded to.</p> <p>Additional publicity would help residents, officers and councillors in understanding the process and improve contributions to their resolution.</p> <p>The process for local petitions taken to Neighbourhood Boards includes:</p> <ul style="list-style-type: none"> • what is deemed to be considered as a petition • guidance on what should be included in an effective petition • what actions will be taken on receipt of a petition • the process and responsibilities for investigations • responsibilities for investigating officers • the process for decision making and options available to the Neighbourhood Board <p>Advantages of the current process:</p> <ul style="list-style-type: none"> • reference point for all, with detailed and specific information to provide guidance • is flexible enough to suit circumstances around individual petitions • detail allows any officer, councillor or lead petitioner to understand the process from start to finish • provides consistency to ensure all petitions receive an acknowledgement, robust investigation and resolution. <p>Disadvantages of the current process:</p> <ul style="list-style-type: none"> • no reference to key principles • level of detail is not needed by all and can be confusing. • Some elements are restrictive and can mean unnecessary bureaucracy at the expense of speedy resolutions.
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