

<u>Committee and Date</u>	<u>Item</u>	<u>Paper</u>
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LOCAL PETITIONS AND CALLS FOR ACTION CONSULTATION

Summary

This report provides CMT and Cabinet with a draft response from Shropshire County Council to the 'Local petitions and Calls for Action' consultation document published by Communities and Local Government (CLG).

Recommendations

- A. To agree the draft response for submission to CLG

REPORT

1. The Government is consulting on placing a duty on local authorities to respond to local petitions where they have achieved sufficient local support.
2. The ideas are set out in the CLG public consultation document 'Local petitions and Calls for Action' with a deadline of 20 March for responses. This is attached as an appendix.
3. The consultation questions, together with draft responses, are provided below for consideration.
4. PETITIONS

Question

(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 (paragraph 19).

Response

We agree with the view expressed in paragraphs 19 – 21, 'that authorities should be required to respond to any petition that asks them to consider any issue which falls within their broad functions'. We would add that it is important to make clear that this

response can be a 'no' if it is decided by the Local Authority that the issues presented in the petition are not appropriate/ lack substance.

There are some functions however which cross cut public sector bodies and may require further clarity e.g. health NHS trusts (covering two or more councils), PCT, Adult Social Care.

Question

(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? (paragraph 25)*

Response

We would opt for a hybrid of the two i.e. 'an absolute number, or a given proportion of the population, whichever is the lower'.

There is a need for clarity as to what is meant by population. We would suggest that this is defined as a people who live or work in a constituency ward area.

We do not support the option to extend the range of relevant signatures to local children as this may cause them to become subject to petition group pressure.

It would clearly help the authority to recognise the views of the Local Joint Committees

5. CALLS FOR ACTION

Question

(c) What if any matters should be excluded from the call for action? (Paragraph 40)

Response

We agree with the view expressed in paragraph 40 to exclude statutory processes such as planning and licensing appeals. In addition, the following areas should also be excluded:

- Statutory policies / processes or litigation
- Planning guidance (including LDF, 106 Agreements, affordable housing etc.)
- School admissions;
- Issues currently being investigated via internal complaints process / Ombudsman

Question

(d) What guidance should Government provide on the operation of the councillor calls for action? (paragraph 41)

Response

We believe that the guidance should not be statutory and allow local flexibility. However, it would be useful if the guidance could detail the contents of a call for action in a similar way that the consultation document does for petitions (paragraph 32).

6. OVERALL

Question

(e) Taken together, would petitions and calls for action sufficiently empower communities to intervene with their elected representatives? Should we contemplate other measures? (paragraph 43)

Response

No other measures required.

Question

(f) Do you have other views on the operation of the new duty to respond to petitions and the call for action?

Response

As part of looking at the scrutiny function for the new unitary Shropshire Council, calls for action have been considered. The following diagram illustrates the process what will apply:

