REPORT TO CONSTITUTION COMMITTEE

REPORT OF: Head of Legal and Democratic Services

REPORT NO: LDS006

DATE: 11th October 2010

TITLE:	**PETITION SCHEME**	
KEY DECISION OR POLICY FRAMEWORK PROPOSAL:	Not applicable	
PORTFOLIO HOLDER: NAME AND DESIGNATION:	Councillor Paul Carpenter – Portfolio Holder for Corporate Governance and Housing	
CONTACT OFFICER:	Lucy Youles – Head of Legal and Democratic Services Tel: 01476 406105. E-mail: l.youles@southkesteven.gov.uk	
INITIAL IMPACT ASSESSMENT: **Equality and Diversity**	Carried out and appended to the report:n/a	Full impact assessment Required:n/a
FREEDOM OF INFORMATION ACT:	This report is publicly available via the Your Council and Democracy link on the Council's website: www.southkesteven.gov.uk	
BACKGROUND PAPERS	Petition scheme	

1. RECOMMENDATIONS

It is recommended that the Constitution Committee

- note the proposed amendments to the Petition Scheme adopted by Council at its meeting on the 22nd April 2010 as set out in the draft scheme appended to this report.
- Approve the changes necessary to the Constitution to delegate officer authority to the Monitoring Officer to deal with petitions received under the proposed draft petition scheme.

2. PURPOSE OF THE REPORT

The purpose of this report is to approve changes to the Constitution to allow the Monitoring Officer the delegated authority to deal with all petitions received as outlined in the proposed draft petition scheme.

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3. CONTRIBUTE TO PRIORITY THEME

Customer First, Quality Organisation

4. DETAILS OF REPORT (SUMMARY – USE APPENDICES FOR DETAILED INFORMATION)

Sections 10-22 of the Local Democracy, Economic Development and Construction Act required the Council to have in place a petitions scheme by 15th June 2010. At Council on 22nd April the Council approved a draft model scheme and tasked the Engagement PDG with the detailed work of looking at the scheme. The Engagement PDG appointed a Task Group (comprised of Councillors; Cook, Exton, Jock Kerr and Russell) to look at the scheme and make any recommendations to the Portfolio Holder Access and Engagement.

At its meeting on the 9th September 2010 the Engagement PDG recommended to the Portfolio Holder for Access and Engagement that the scheme as amended be approved. Copies of both the model scheme and the proposed petition scheme are appended to this report.

The decision of Council on the 22nd April was for the Constitution Committee to consider consequent amendments to the Constitution for recommendation to Council. As the numbers for petitions for debate and calling an officer to account have been amended by the Engagement PDG's recommendation to the Portfolio Holder for Access and Engagement, the amended petition scheme will have to be put before Council in October for approval as these numbers need to be approved by Council.

5. OTHER OPTIONS CONSIDERED

None, legislation requires a petition scheme to be in place.

6. RESOURCE IMPLICATIONS (INCLUDING FINANCIAL, PEOPLE)

None.

7. RISK AND MITIGATION (INCLUDING HEALTH AND SAFETY AND DATA QUALITY)

None.

8. ISSUES ARISING FROM EQUALITY IMPACT ASSESSMENT

None

9. CRIME AND DISORDER IMPLICATIONS

None

10. COMMENTS OF SECTION 151 OFFICER

Any comments from the Section 151 Officer will be given at the meeting.

11. COMMENTS OF MONITORING OFFICER

Comments from the Monitoring Officer will be given at the meeting.

12. APPENDICES:

- The model petition scheme adopted by Council 22nd April 2010
- The proposed draft petition scheme as recommended by the Engagement PDG