

Recommendation to Council	From:	On:
24 June 2010	Constitution Advisory Group	1 June 2010
	ADOPTION OF THE COUNCIL'S PETITION SCHEME AND CONSEQUENTIAL CHANGES TO THE CONSTITUTION	
1.	Council is asked to approve the following recommendations:-	
	<i>1. that for the purposes of the Petitions Scheme, the Chief Executive and all the Directors be nominated as the senior officers who would be subject to the requirement to give evidence at a meeting of the relevant Overview and Scrutiny Committee in response to a petition;</i>	
	<i>2. that the Council's e-petitions facility, subject to satisfactory testing, be introduced with effect from 1 October 2010;</i>	
	<i>3. that the Petitions Scheme as set out at Appendix A to this report be approved;</i>	
	<i>4. That the consequential amendments to the Constitution set out in Appendix B and Appendix C to this report be approved.</i>	
	Background	
2.	The Constitution Advisory Group at its meeting on 1 June 2010 considered a report recommending a Petitions Scheme and consequential amendment of the Constitution to comply with the Local Democracy, Economic Development and Construction Act 2009.	
3.	The Statutory Guidance in relation to petitions schemes requires that a Council's Petitions Scheme must be approved at a meeting of full Council. Whilst the Constitution Advisory Group reviewed the need for consequential changes to be made to the Constitution, the Central Bedfordshire Petition Scheme is before Council for approval.	
6.	Whilst the existing provisions in the Constitution were originally drafted to reflect the anticipated legislation, some details still need to be addressed in order to comply with the Statutory Guidance which has now been made available and are the subject of the first 2 recommendations above.	
7.	The reasons for the recommendations are set out below.	

	Reasons for Recommendations
4.	<p>Recommendation 1:</p> <p>The Local Democracy, Economic Development and Construction Act 2009 requires that a “senior officer” must give evidence at a meeting of the relevant Overview and Scrutiny Committee in response to a petition when a certain threshold number of signatures is met. It is therefore necessary to determine who will be considered a “senior officer” for the purposes of the scheme.</p>
5.	<p>The Constitution Advisory Group considered that the Chief Executive, Deputy Chief Executive and Directors should be designated as the Senior Officers and has recommended accordingly.</p>
6.	<p>Recommendation 2:</p> <p>The duty contained in the Local Democracy, Economic Development and Construction Act 2009 for an e-petition facility comes into force on 15 December 2010.</p>
7.	<p>Council is asked to approve the introduction of the e-petitions facility to comply with the requirements of the legislation.</p>
8.	<p>Recommendation 3:</p> <p>Statutory Guidance requires that the Petitions Scheme must be approved by a meeting of the full Council before it comes into force. It also requires that the Scheme is published on the Council’s website to enable it to be brought to the attention of those who live, work or study in the area.</p>
9.	<p>The Scheme is before Council to enable compliance with the statutory guidance, attached at Appendix A.</p>
10.	<p>Recommendation 4:</p> <p>Adoption of the Central Bedfordshire Petition Scheme leads to the need for consequential changes to be made to the Constitution. These are set out in the proposed amendments to part A4 Citizens and the Council and part D2 Overview and Scrutiny Procedure Rules attached at Appendix B and Appendix C to this report.</p>

Please note that a copy of the original report can be found on the Central Bedfordshire Council web site at the following link:
[http://www.centralbedfordshire.gov.uk/modgov/Published/C00000651/M00003430/AI00019243/\\$Item10100517petitionsschemereporttoCAGv1.docA.ps.pdf](http://www.centralbedfordshire.gov.uk/modgov/Published/C00000651/M00003430/AI00019243/$Item10100517petitionsschemereporttoCAGv1.docA.ps.pdf)