SPECIAL GOVERNANCE AND AUDIT COMMITTEE

MINUTES OF THE SPECIAL MEETING HELD ON TUESDAY, 14 SEPTEMBER 2010

Councillors Present: Jeff Beck (Chairman), Paul Bryant, David Holtby, Tony Linden, Tony Vickers (Vice-Chairman) and Quentin Webb

Also Present: Councillor Adrian Edwards, David Holling (Head of Legal and Electoral Services), Moira Fraser (Democratic Services Manager)

Apologies for inability to attend the meeting: Councillor Julian Swift-Hook

PART I

19. Declarations of Interest

There were no declarations of interest received.

20. Petition Scheme for West Berkshire (C2030)

The Committee considered a report (Agenda Item 3.) concerning the adoption pf a 'Petition Scheme' as required under the Local Democracy, Economic Development and Construction Act 2009 ("The 2009 Act"). The scheme had been discussed at the previous committee meeting where it had not been possible to finalise the draft policy. At the meeting it was agreed that a working party should be convened.

Following that meeting David Holling, the Council's Monitoring Officer had explained that the deadline for introduction of the scheme was 15th June 2010 and as the September Council meeting was the first full meeting of the Council following the implementation date, it was imperative that the scheme was adopted at this meeting. No guidance had emerged from the Coalition Government suggesting that the scheme should not be adopted. By adopting the scheme at the September meeting, the Council would be able to catch up and ensure that the e-petition requirement was in place by 15th December 2010. As Monitoring Officer, he had to ensure that the Council acted in accordance with legislation and direction from Government and he considered that this policy had to be adopted as soon as possible. It had therefore been agreed that a special meeting should be convened, rather than setting up a working party, in order to consider all the changes requested by individual Members and the Committee as a whole.

Members considered the document and requested a number of minor amendments to the document. These included:

- Correcting typographical errors,
- the inclusion of a contact telephone number for enquiries about the petition scheme,
- using the word 'Council' instead of 'authority',
- replacing the words 'decision-taker' with 'person or Committee making the decision' and
- amending the use of 'she/he' etc.

In addition Members requested that:

- the sentence 'Exceptions can be made in special cases at the discretion of the Council's Monitoring Officer' be added to paragraph 6(a) of the scheme,

- the sentence 'The subject matter must relate to the West Berkshire District or to something over which the Council has responsibility or influence' replaced the sentence 'The subject matter must relate to something over which the Authority has some influence, or is an area over which it has responsibility' in paragraph 2(c)(i),
- the words 'or their nominated representative' be added after 'petition organiser' in the third and fourth bullet points in paragraph 7(d)' and
- add 'vexatious' into the list of reasons a petition might be rejected in paragraph 16(b).

The Members agreed that the following thresholds and timescales would be recommended to Council for approval:

- a valid petition would need to include 50 signatories (unless the Monitoring Officer agreed to a reduced threshold),
- petitions would remain open for 90 calendar days;
- Petitions for Debate would require 5,000 signatures or where it related to a local issue that affected no more than two electoral wards 500 petitioners per ward would be required to join the petition,
- Petitions to Hold an Officer to Account would require 750 signatures or where it related to a local issue that affected no more than two electoral wards, 375 petitioners would be required to sign up to the petition, and
- All petition organisers or their nominated representative would be permitted speaking rights of up to five minutes at Committee/Commission meetings.

Officers were asked to circulate the amended Petition Scheme to the Committee after the meeting, to ensure that all requested amendments were incorporated. The amended scheme would then be included in the Council agenda (without the tracked changes being highlighted) with a recommendation for approval.

RESOLVED that the amended Petition Scheme would be recommended to Full Council for approval at the 23 September 2010 meeting.

(The meeting commenced at 9.00am and closed at 10.20am)

CHAIRMAN …….

Date of Signature …….