

Listening to communities

Government response to the consultation on draft statutory guidance on the duty to respond to petitions



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Foreword



Over the past decade, there has been a steady and sustained transfer of power to local authorities as part of the Government's drive to improve public services and make them more responsive as well as efficient. Local authorities are firmly at the heart of this shift of power, enabling them to hold key service providers, such as police and health, to account on behalf of local residents.

This transfer of power has confirmed the importance of elected local authorities to the Government. We are clear that the foundation of their importance lies with individual citizens, not with the institutions themselves. The founding principle of local government is that citizens have the right to influence the decisions that affect their lives and their communities. Sometimes they may exercise this right through personalised services and sometimes by influencing local services – for example, by having a direct say over how their neighbourhood is policed. And sometimes it will be through lobbying their council. But a key way in which local citizens are able to exercise that right is their ability to elect a strong local council which can lead and shape their area.

That is why the role of councillors and councils, with their unique democratic mandate, is critical to making sure that local services are responsive to the needs of their local communities. Citizens have a right to have their voices heard, and to expect those delivering services to care what they think.

Through the petitions duty in the Local Democracy, Economic Development and Construction Act, we are supporting these principles by ensuring that citizens know how they can voice their concerns with their council and know how these concerns have been taken into account. Through petitions, councils in turn have a valuable opportunity to demonstrate strong local leadership, for example, advocating on behalf of their community with local partners where there are community concerns that services are under-performing.

This response to *Listening to communities: Consultation on draft statutory guidance on the duty to respond to petitions* confirms our belief that the petitions duty is a significant step towards the Government's aim of strengthening local democracy. I am convinced of the benefits of bringing the duty into force at the earliest opportunity, and look forward to seeing the results in stronger relationships between local authorities and the communities they serve.

A handwritten signature in black ink, reading 'John Denham'.

Rt Hon John Denham, MP
Secretary of State for Communities and Local Government

Introduction

Context

1. The Local Democracy, Economic Development and Construction Act 2009 (referred to in this document as 'the 2009 Act') aims to reinvigorate local democracy – putting local authorities at the forefront of the drive to reconnect people with public and political decision-making. This democratic renewal is about restoring trust and confidence in local government and its institutions and its starting point is the citizen.
2. While the Place Survey shows that 80 per cent¹ of people are happy with their area, satisfaction with the way the council runs things is low at 45 per cent. The perception in communities that people can influence decisions that affect their local area is even lower. The duty to respond to petitions is an important step towards addressing this.
3. Signing a petition is one way for citizens to express their concerns and priorities to their local authority and the Citizenship Survey shows that petitions are the most popular and recognised form of civic action². Some local authorities already have well developed processes for responding to petitions and approach them as an opportunity to listen to the community and demonstrate strong local leadership.
4. However, this is not the case across the board. Communities and Local Government examined all English local authority websites in April 2008, and found that only one in five councils make details about how to submit a petition publicly available. In a climate where only 39 per cent³ of people feel they can influence decisions in their local area and in some areas only 48 per cent⁴ feel that their council keeps them well informed about the services it provides, it is essential that we ensure people can easily find out how to send their views about public services to local decision makers. If not, people will continue to feel that their views are not welcome, and will be discouraged from trying to get involved in local decisions.
5. The petitions provisions in the 2009 Act are a significant step towards addressing this situation.

¹ Place Survey: England – Headline Results 2008 (Revised), www.communities.gov.uk/publications/corporate/statistics/placesurvey2008

² 60 per cent of those people who engaged in an act of civic participation in 2007-2008 signed a petition, Citizenship Survey, 2007-2008

³ Citizenship Survey April to December 2007

⁴ Place Survey

Consultation response

6. This document sets out the Government's response to *Listening to communities: Consultation on draft statutory guidance on the duty to respond to petitions*⁵ and incorporates a summary of responses to the consultation. It accompanies the publication of the final statutory guidance to support the petitions duty and the making of The Local Democracy, Economic Development and Construction Act 2009 (Commencement No. 3) Order 2010 and The Local Authorities (Petitions) (England) Order 2010.
7. The consultation took place between 2 December 2009 and 24 February 2010 and received 123 responses from the following categories of respondents:

• Local authorities:	106
• Councillor:	1
• Community and third sector:	5
• Professional associations/bodies:	6
• Local government representatives:	3
• Government bodies:	2

A full list of respondents to the consultation can be found at Annex A.

Summary of key actions

- The core elements of the petitions duty will come into force on 15 June 2010, with the e-petitions requirements coming into force on 15 December 2010
- The Authorities (Petitions) (England) Order 2010 was laid before Parliament on 25 March 2010
- Final statutory guidance to support the petitions duty has been amended to reflect the key concerns of respondents to the consultation, and is being published on 30 March 2010 in parallel with this Government response.

Government response

Main guidance

8. The draft statutory guidance to support the petitions duty gives guidance to which local authorities must have regard when designing and complying with their petition scheme, and information about the role of overview and scrutiny committees under these requirements. It also contains, at Annex A, a model scheme which local

⁵ *'Listening to communities: Consultation on draft statutory guidance on the duty to respond to petitions', 2 December 2009 – 24 February 2010*

authorities may choose to adopt or to adapt to local circumstances. It was drafted to be read in conjunction with the provisions set out in the legislation and followed the principle that sector led guidance is the more appropriate vehicle to provide more detailed practical advice and support on implementing the petitions duty.

9. In particular the guidance aimed to:
 - set out the key principles and key requirements of the petitions duty
 - set a framework for local authorities to use when designing and complying with their petitions scheme
 - allow for significant local determination.
10. The consultation sought views on whether the draft guidance met these aims.

Question 1: Does the guidance clearly set out the key principles and requirements of the petitions duty?

11. 29 respondents (27 per cent of the total who responded to this question) agreed that the guidance was clear in its current form. A further 11 respondents (10 per cent) stated that the guidance was clear overall, with some of those suggesting minor amendments which they considered would improve its clarity. Only two respondents said that they felt the guidance was not clear.
12. 10 respondents stated that they felt the guidance was too prescriptive or bureaucratic, with two suggesting a summary of requirements and one noting that such a summary would be particularly useful for members of the public.
13. In contrast, 55 respondents (54 local authorities and one local government representative body, together representing 51 per cent of responses to this question) felt that additional guidance was needed on one or more issues. By far the most frequently cited suggestion was a definition of what constituted a petition, a suggestion which was made by 39 respondents (36 per cent of the total who responded to this question and 39 per cent of the local authorities who did so). A number of suggestions were offered for the definition, including one from the Association of Democratic Services, which was supported by a number of local authorities in their responses.
14. Other themes on which additional guidance was suggested included:
 - References to the role of the Executive/other decision making organs within the authority, particularly in relation to matters which can not be decided by the full Council (9 respondents, 8 per cent of total).

- Expectations and role of partner authorities (5 respondents, 5 per cent of total)
- Valid signatures/verification of signatures (5 respondents, 5 per cent of total).

Question 2: Are there any existing areas in the guidance which require further clarification?

15. 75 per cent of respondents suggested that there were existing areas in the guidance which required further clarification, with a number of respondents identifying more than one topic on which they felt clarification was needed. 25 per cent of respondents were satisfied with the guidance.
16. 36 per cent of respondents wanted further clarification on petitions requiring debate by the full council where the authority operated Executive arrangements and where the topic of the petition related to Executive functions. The respondents noted that the full council has no power to discharge Executive functions and therefore such a debate would not be able to resolve the issue.
17. 33 per cent of respondents to this question wanted the guidance to clarify the issue of setting different thresholds for petitions on different issues, which some suggested might make the scheme difficult to understand for the public. 30 per cent of respondents to this question wanted clarification of the minimum numbers of signatories that should be expected for "ordinary" petitions.
18. 17 per cent of respondents to this question asked for more guidance on paragraph 19 of the draft statutory Guidance, dealing with variable thresholds. They felt that the wording suggested that county councils could set thresholds for district councils in their areas.

Question 3: Are there any additional areas which you feel this statutory guidance should cover? If so, please state what they are and why you feel they should be included.

19. 65 per cent of respondents to Question 3 suggested that there were additional areas that the statutory guidance should cover. 35 per cent of respondents were satisfied with the existing guidance contents. Respondents often suggested a number of areas where they wanted additional guidance.
20. 33 per cent of respondents expressed concerns that the allotted time suggested for petitioners to speak and for petitions to be debated by the council were too generous in comparison with existing speaking rights for councillors.

21. 33 per cent of respondents wanted more guidance regarding how councils should treat petitions covering the same issues.
22. 32 per cent of respondents requested that guidance should include information about the involvement of representatives from partner authorities or other statutory agencies when the subject of the petition requiring debate related to a matter which was with the responsibility of that authority or organisation.
23. 29 per cent of respondents wanted the guidance to allow for “petitions requiring debate” to first be considered by other means, such as the Cabinet, Cabinet Member, a Committee or Sub-Committee. In addition the respondents suggested that if the petition could be dealt with in this way that guidance should allow for the petition not to be debated at full council.
24. 21 per cent of respondents asked for the guidance to include provision to exclude petitions from the scope of the duty where the issue raised related to a statutory consultation.

Question 4: Are there any additional areas which, while not appropriate for statutory guidance, you would like to see covered by sector-led guidance?

25. 38 responses (31 per cent) of 123 responses suggested or endorsed others’ suggestions of areas for sector led guidance. Many of these responses contained multiple suggestions for guidance areas or what might be considered as ‘good practice’ in any such guidance, so that there were 98 suggestions in total within those 38 responses.
26. 10 of these 98 suggestions (approximately 10 per cent) were concerned with guidance on data protection issues, including the viability and procedures for sharing data and ensuring security of data. 7 (7 per cent) wanted additional, sector led guidance to be provided on the procedures for and expectations around petition debates. Guidance on the verification of e-signatures was requested by 6 (6 per cent) suggestions. 5 per cent (5 suggestions) requested further guidance on the thresholds for petitions, and 5 per cent requested further guidance on the role and responsibilities of Members and Senior Officers.
27. All other areas were identified in less than 5 per cent of the suggestions. These included requests for further guidance on the procedures for: the review of decisions; the rejection and acceptance of petitions; petition schemes (including ,specifically, e-petition schemes); working across local authority and partnership boundaries; engaging with young people in the petitions process; and investigations (including the questioning of officers). Suggestions were also made regarding guidance on: further clarification of the role of full council, the Oversight and Scrutiny Committee,

and the fit of this with Executive arrangements; calling senior managers and members to account; the fit of petition schemes with other legislative duties; and the marketing of schemes and management of expectations. Other individual suggestions were made, each accounting for around 1 per cent of the overall suggestions made.

Question 5: Are there any areas covered in this statutory guidance which you feel would be more appropriately covered in sector-led guidance? If so, please state what they are and why you feel they should be addressed in this way.

28. 14 respondents (11 per cent of the total) suggested that some areas of the statutory guidance might be better covered in sector-led guidance. The issues receiving most mention (5 responses each) were:
- that the steps to be considered and examples of responses were made too prescriptive by being placed in statutory guidance; and
 - that, generally, sector-led guidance based on real life examples of the way petitions had been responded to, or sharing of established good practice, was of more use than statutory guidance.
29. There were calls for sector-led guidance on some other specific issues (most of which are not covered by the statutory guidance), including: the security of electronic petitions; making decisions about accepting or rejecting petitions (and specifically the criteria for excluding petitions or finding them vexatious etc); the calling of officers to account; procedures around reviewing the council's response to petitions; standards of website update and presentation; the thresholds for petitions; the general fit of this duty with wider tools for scrutiny etc; and dealing with petitions relating to planning issues.

Government response: Questions 1–5 on Guidance

30. The Government is pleased that around a quarter of respondents felt that the guidance was already sufficiently clear. It notes that some local authorities and other bodies consider the guidance at present to be too detailed, but that a significant number of suggestions have nevertheless been made for material that might be included to improve its clarity. The Government also welcomes the many suggestions respondents put forward for inclusion in any sector led guidance on the duty.
31. The Government wishes to provide maximum flexibility to local authorities in considering how best to implement the petitions duty in the particular circumstances of their areas. It is therefore keen to avoid adding to statutory guidance, to which local authorities must pay regard under the Act, unless it is convinced that such

additions are genuinely necessary to the effective implementation of the duty. It considers that any additional guidance would be more appropriately developed by the local government sector to ensure that it covers those issues on which local authorities would welcome additional support, while avoiding central prescription on matters of detail. The Government will make available the suggestions that have been made for additional topics for guidance on the petitions community of practice on the Improvement and Development Agency's website, so that this can inform any work the sector wishes to take forward.

32. A number of the issues raised in relation to these questions apply to both the statutory guidance and model petitions scheme. Working from the principles set out above, we have therefore made the following amendments to the guidance and model scheme:

- **Including in guidance a definition of what constitutes a petition.**
The revised guidance notes that authorities should treat as petitions for the purposes of their scheme anything which identifies itself as a petition, or which a reasonable person would regard as a petition.
- **Clarifying the expectations around a full council debate on a petition in authorities operating Executive arrangements.** The guidance and model scheme have been revised to clarify that, in such circumstances, the full council will decide whether to make recommendations to the Executive to inform their decision on the issue.
- **Clarifying that district authorities should set their own thresholds for triggering particular action in relation to petitions presented to them.**
The wording of the draft guidance had been interpreted by some respondents as meaning that county councils would set thresholds for district councils in their area. That is not the case and the revised guidance clarifies this point.
- **Suggesting a time frame within which petitions which attract the required number of signatures must be debated by the full council.**
A number of respondents asked that expectations on this be set out more clearly. The guidance therefore asks that local authorities endeavour to consider such petitions at the next meeting of the full council following submission of a qualifying petition. In exceptional cases, for example where there are a number of petitions already scheduled for debate, discussion can be deferred to the subsequent meeting. The model scheme has also been revised to reflect this position.

- **Clarifying that local authorities should *consider* making representations to partner authorities on issues raised by petitions that were outside their remit.** The draft guidance and model scheme said that authorities should “aim to” make representations to other bodies in such circumstances. A number of respondents pointed out that local authorities would not necessarily agree with the view set out in the petition, and should not be expected to make representations to partner bodies in those circumstances.
- **Amendments to the model petition scheme:** changing the frequency of full council meetings from 4 to 6 weeks and extending the period of notice that petition organisers are asked to give if they wish their petition to be debated at a meeting of the full council from 5 to 10 working days, to reflect existing arrangements in a large number of councils; being clear that other timeframes relate to working days; clarifying that the relevant Cabinet member can be called to give evidence at an overview and scrutiny meeting alongside a senior officer; and asking that petitioners seeking a review of the council’s response to their petition give a short explanation of why they consider the response to be inadequate.

Model scheme

33. In order to demonstrate how the framework set out in the 2009 Act can work in practice, the Government has created a model scheme which local authorities can choose to adopt or adapt. The model scheme was included as part of the draft statutory guidance which was published for consultation.

Question 6: Do you think the model scheme is clearly expressed and easy for people to use? Please explain your reasons.

34. 40 respondents (48 per cent of the total responding to the question) thought that the model scheme was clearly expressed and easy for people to use, although a number of these respondents also made suggestions to further improve the scheme. 5 respondents (6 per cent) said they did not think it was clear and easy to use. A further 38 respondents (46 per cent) made suggestions to improve the clarity of the scheme.
35. 19 respondents (23 per cent) commented on the length and complexity of the scheme and some suggested that a simpler guide could be produced – potentially in the form of a diagram or flow chart – possibly through sector led guidance.
36. 15 respondents (18 per cent) were concerned that the scheme misrepresented the powers of the council, for example by suggesting that following debate by the full council, it would decide how to respond to the petition when it might not have the power to do so.

37. 20 respondents (24 per cent) suggested that the examples given in the scheme of particular subjects for petitions and appropriate steps should not be included, and/or that more local examples should be used.
38. 7 respondents (8 per cent) also raised concerns about local authorities being required to deal with petitions on issues that were outside their control, with some suggesting that the authority should simply be able to refer the petition on to the relevant organisation. There was a particular issue around the council aiming to make representations to the organisation, for example where the action sought by the petition was against council policy.

Question 7: Do you think the standards set out in the model scheme are achievable and appropriate to citizen expectations?

39. 30 respondents (32 per cent of the total that responded to this question) thought that the standards set out in the model scheme were achievable and appropriate to citizens' expectations. Only 3 respondents (3 per cent) specifically said they did not feel that the standards were achievable or appropriate. Some of these respondents also made suggestions to improve the model scheme. 60 respondents (65 per cent) commented on the standards in the model scheme.
40. The most common issues raised were:
 - The model authority used in the scheme held monthly meetings of the full council and overview and scrutiny committee. A number of respondents (16 commented on this issue in relation to full council meetings, and 21 in relation to overview and scrutiny committees) explained that such meetings were usually less frequent and that councils might need to convene special or additional meetings, with the associated expense, to meet these standards.
 - In the model scheme, petition organisers were given 5 minutes to present the petition at council meetings. 16 respondents (17 per cent) noted that under their own procedures non-council speakers usually only had 2-3 minutes to speak, and Councillors 5 minutes.
 - In the model scheme, petition organisers were asked to give the council only 5 days' notice of their wish to present a petition at a council meeting (10 respondents, 11 per cent). Respondents explained that this could mean that council would not be able to meet the requirements to provide the agenda 5 clear working days in advance of the meeting.

Question 8: Do you think there is anything that should be added to the model scheme?

41. Of those who responded, there was a relatively even split between those who felt that the draft model scheme was sufficient and those who wished to see additional material covered. 30 respondents (32 per cent of the total who responded to this question) felt that no further material was needed, with a further 9 respondents (10 per cent of those who responded) commenting that the model scheme was too long already. In contrast, 52 respondents (57 per cent of those who responded to this question) felt that additional material should be included.
42. The suggestions for additional matters that might be included in the scheme varied widely. Those recurring most frequently were:
 - a range of issues around meeting arrangements, including speaking rights and the length of time for discussion of petitions at meetings of the full council (13 respondents, 14 per cent of respondents to this question)
 - highlighting the other routes available for citizens to express their views (7 respondents, 8 per cent of those who answered this question)
 - further details relating to when a council might refuse to accept a petition (9 respondents, 10 per cent of respondents to this question)
 - a range of comments around information on the officers who could be called to give evidence to an overview and scrutiny committee, the issues around doing so, and suggestions around the role of the appropriate Cabinet member in such circumstances in LAs operating Executive arrangements (8 respondents, 9 per cent of respondents to this question)
 - comments on examples of steps an authority might take in response to petitions on particular issues (6 respondents, 6 per cent of respondents to this question)
 - issues relating to variable thresholds/ thresholds for “very local” issues (5 respondents, 5 per cent of respondents to this question); and
 - suggestions or comments around the role of other decision-making organs of the council, e.g. the Executive or Area Committees (5 respondents, 5 per cent of respondents to this question).
43. Other points made in response to this question included the approach local authorities intended to take in their own schemes, stylistic comments on the model scheme, and comments on the accessibility of the scheme to those without internet access or who required access in different formats.

Government response: Questions 6–8 on the Model Scheme

44. The Government is pleased that almost half of respondents felt that the model scheme was clearly expressed and easy for people to use. In addition, over one third of respondents thought the standards set out on the scheme were achievable and appropriate to citizens' expectations.
45. The Government notes again that while some respondents felt the scheme was too lengthy, in contrast a number of suggestions for improvements and additions were made in response to the questions on the model scheme. The Government wishes to provide maximum flexibility to local authorities in considering how best to implement the petitions duty in the particular circumstances of their areas. It aims to provide a model scheme which is clearly expressed and easy to use, offering an effective practical aid for local authorities to adopt or adapt to fit their particular circumstances. Adaptations, subject, of course, to meeting the requirements of the Act, could include meeting frequencies, speaking times and the amount of notice required to present a petition at a council meeting, as well as the thresholds and other standards such as timescales for providing acknowledgements to petitions, which councils may, for example, wish to bring in line with corporate standards for other correspondence, should they choose.
46. The Government is therefore keen to avoid adding to the scheme unless it is convinced that such additions are genuinely necessary to the effective implementation of the duty, or helpful in ensuring that the scheme accords with the current arrangements in a significant number of local authorities. A summary of the key changes to the model scheme can be found below. Those suggestions which have been made in response to the questions in this section, but which have not been reflected in the model scheme for the reasons given above, will be incorporated in the list of issues for consideration in sector led guidance.
47. As noted in section 1, a number of the issues raised by respondents applied to both the guidance and the model scheme. As a result, a number of the revisions made in response to those points apply to both documents.
48. The following key changes to the model scheme have been made in response to consultation:
 - **Clarifying the expectations around a full council debate on a petition in authorities operating Executive arrangements.** The guidance and model scheme have been revised to clarify that, in such circumstances, the full council will decide whether to make recommendations to the Executive to inform their decision on the issue.
 - **Suggesting a time frame within which petitions which attract the**

required number of signatures must be debated by the full council. A number of respondents asked that expectations on this be set out more clearly. As noted above, the guidance therefore asks that local authorities endeavour to consider such petitions at the next meeting of the full council following submission of a qualifying petition. In exceptional cases, for example where there are a number of petitions already scheduled for debate, discussion can be deferred to the subsequent meeting. The model scheme has also been revised to reflect this position.

- **Clarifying that the model local authority in the model scheme will consider making representations to partner authorities on issues raised by petitions that were outside their remit.** The draft guidance and model scheme said that authorities should “aim to” make representations to other bodies in such circumstances. A number of respondents pointed out that local authorities would not necessarily agree with the view set out in the petition, and should not be expected to make representations to partner bodies in those circumstances. The model scheme has been revised to clarify this point.
- **Further amendments to the model petition scheme include:** changing the frequency that the model local authority holds full council meetings from 4 to 6 weeks and extending the period of notice that petition organisers are asked to give if they wish their petition to be debated at a meeting of the full council from 5 to 10 working days, to reflect existing arrangements in a large number of councils; being clear that other timeframes relate to *working* days; clarifying that the relevant Cabinet member can be called to give evidence at an overview and scrutiny meeting alongside a senior officer; and asking that petitioners seeking a review of the council’s response to their petition give a short explanation of why they consider the response to be inadequate.

Draft order

49. The Government wants to ensure that the petitions duty enables people to express their views on issues of local concern and to know that those views have been listened to. It also wishes to ensure that, in meeting this aim, the requirements placed on local authorities by the duty are proportionate. On this basis Ministers set out, during the passage of the Local Democracy Act through Parliament, the Government’s intention to exclude from the duty matters for which there were already established processes in place for people to have their say. The aim of the draft order included in the consultation was to achieve this intention.

Question 9: Do you agree with the categories we have excluded in the order? If you do not agree with the categories please explain why you do not think they should be excluded.

50. 66 per cent of respondents to this question agreed with the categories excluded in the order. A further 27 per cent of respondents to this question offered suggestions for additional matters to be excluded. Only 7 respondents (7 per cent of those who responded to question 9 and less than 6 per cent of respondents overall) disagreed with the categories suggested in the draft order.

Question 10: Do you think there should be additional categories excluded? If so, please state what they are and why you feel they should be excluded.

51. While 42 per cent of respondents to question 10 did not believe additional categories should be excluded from the petitions duty in the order, 58 per cent of respondents who answered this question made suggestions for additional categories that might be excluded. Examples included statutory consultations, complaints to the Local Government Ombudsman, repetitive petitions, petitions containing exempt information and petitions relating to internal disciplinary proceedings. A number of these suggestions are already addressed by provisions in the duty or in the order.

Government response – Questions 9 and 10 on the draft order

52. The Government has evaluated those suggestions not already covered and is not persuaded that it is necessary to expand the categories listed in the order. The Government's approach is to keep the greatest number of topics within the scope of local authorities' petition schemes and to exclude only those areas where unnecessary duplication may occur i.e. those areas where there are existing and established mechanisms for communities to express their views. None of the suggestions made fell into this category.
53. The Local Authorities (Petitions)(England) Order 2010 therefore maintains the approach on which the Government consulted and excludes the following matters from the scope of the duty:
- any matter relating to a planning decision, including about a development plan document or the community infrastructure levy
 - any matter relating to an alcohol, gambling or sex establishment licensing decision

- any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment.

Timescale for implementation

54. In addition to seeking views on the draft statutory guidance, model scheme and secondary legislation to support the petitions duty, Government asked respondents to share their views on the timescales for bringing the duty into force.

Question 11: Following on from this consultation, what do you consider the most appropriate timescale for bringing the petitions duty into force? Please explain your reasons.

55. 39 per cent of respondents to the consultation made suggestions consistent with bringing the duty into force in 2011, stating that sufficient notice would be required in order for local authorities to effectively implement the duty.
56. 35 per cent of respondents made suggestions consistent with implementation of the duty in 2010. This figure includes those respondents who suggested notice periods and general timescales or requirements which were consistent with a 2010 commencement date, as well as those who specified commencement in 2010 in their response. A number of respondents in this group also suggested that sufficient notice would be required in order for local authorities to effectively implement the duty.
57. 17 per cent of respondents indicated no preference as to when the duty was brought into force.
58. The remaining respondents made a variety of suggestions including: the duty should be delayed; the duty should not be brought into force; or implementation should be staggered across the country, with the duty coming into force at different times in different places.

Question 12: Initial discussions with both the local government and technology sector indicate that it would be wise to stagger the implementation of the e-petition element of the duty, bringing the e-petition requirements into force 12 months after the other elements of the duty are commenced. Do you agree? Please explain your reasons.

59. 37 per cent of respondents agreed with the suggestion to bring the e-petitions requirements into force 12 months after the other elements of the duty. However, a similar number (33 per cent of respondents to the consultation) indicated that while a staggered implementation would be appropriate, the gap between implementation for paper and e-petitions should be less than 12 months.
60. 17 per cent of respondents indicated no preference as to what stage the e-petitions provisions were brought into force.
61. 7 per cent of respondents suggested that all elements of the duty should come into force at the same time in 2011, with an additional 4 per cent suggesting this approach but in other timescales.
62. The remaining respondents made a variety of suggestions including: e-petitions should be brought into force in 2012; the duty should be delayed; the duty should not be brought into force; or implementation should be staggered across the country, with the duty coming into force at different times in different places.

Government response – Questions 11 and 12 on timescales for implementation

63. The Government believes that early implementation of the petitions duty is an essential step towards strengthening local democracy and will realise important benefits for local communities. The Government is pleased that a significant number of respondents felt that the duty could be appropriately brought into force in 2010 and recognises that local authorities often suggested that timing of the publication of the final statutory guidance and relevant orders would be important to their ability to implement the provisions in the duty.
64. The Government has therefore decided to bring the core elements of the duty into force on 15 June 2010. In recognition of the need for local authorities to prepare quickly for implementation, it has ensured that the final secondary legislation and statutory guidance are available alongside this response.

65. While recognising that the e-petitions requirements are an essential part of the petitions duty the Government also acknowledges the additional steps that a large number of local authorities will need to take in order to put the necessary arrangements in place. However, the Government believes that it is vital that the momentum behind implementing the petitions duty is maintained and that communities are able to submit petitions to their local electronically by the end of the year.
66. As noted above, the number of respondents who suggested 12 months would be an appropriate gap between implementation of the core elements of the duty and e-petitions, was roughly equal to those who considered that less than 12 months would be sufficient. The Government is, therefore, not persuaded that a 12 month interval is necessary. The e-petitions requirement of the duty will therefore come into force on 15 December 2010, six months after the other petitions provisions and almost 9 months after the publication of the final statutory guidance. Further sector led best practice advice on e-petitions will also be published in due course.

Annex

List of respondents

Association of Democratic Services Officers

Audit Commission

Aylesbury Vale District Council

Barnsley Metropolitan Borough Council

Bassetlaw District Council

Birmingham City Council

Boston Borough Council

Bracknell Forest Council

Breckland District Council

Brighton & Hove City Council

Bristol City Council

British Horse Society

Broxtowe Borough Council

Buckinghamshire County Council

Carlisle City Council

Centre for Public Scrutiny

Chesterfield Borough Council

Christchurch Borough Council

City of London Council

Cornwall Council

County Councils Network

Crawley Borough Council

Derby City Council

Derbyshire County Council

Derbyshire Fire and Rescue Service

Dorset County Council

Dudley Metropolitan Borough Council

Durham County Council
East Dorset District Council
East Northamptonshire Council
Eastbourne Borough Council
Gloucester City Council
Halton Borough Council
Hampshire County Council
Harrogate Borough Council
Herefordshire Council
Hinckley & Bosworth Borough Council
Institute of Historic Buildings Conservation
Institute of Fundraising
Kent County Council
Kirklees Council
Knowsley Metropolitan Borough Council
Lancashire County Council
Lancaster City Council
Leicestershire County Council
Lewes District Council
Liverpool City Council
Local Government Association
London Borough of Bexley Council
London Borough of Bromley
London Borough of Hackney Council
London Borough of Haringey Council
London Borough of Merton
London Borough of Newham Council
London Borough of Redbridge Council
London Borough of Southwark Council
London Borough of Sutton Council
Luton Borough Council
Maidstone Borough Council

Maldon District Council
Mansfield District Council
Mid Suffolk District Council
National Association of Head Teachers
New Forest District Council
Newark & Sherwood District council
Newcastle upon Tyne City Council
Newcastle-under-Lyme Borough Council
North East Derbyshire District Council
North Kesteven District Council
North Lincolnshire Council
North Yorkshire County Council
Northampton Borough Council
Nottingham City Council
Nuneaton and Bedworth Borough Council
Oxfam GB
Oxfordshire County Council
Planning Aid England
Plymouth City Council
Public Fundraising Regulatory Association
Purbeck District Council
Reading Borough Council
Ribble Valley Borough Council
Richmondshire District Council
Ridditch Borough Council
Rochford District Council
Rossendale Borough Council
Rother District Council
Rotherham Metropolitan Borough Council
Rugby Borough Council
Rushcliffe Borough Council
Sandwell Metropolitan Borough Council

Scarborough Borough Council
Scarborough Borough Council
Scottish Parliament
Sefton Council
Shepway District Council
Solihull Metropolitan Borough Council
Somerset County Council
South Gloucestershire Council
South Hams District Council
South Kesteven District Council
South Lakeland District Council
South Oxfordshire District Council/The Vale of White Horse District Council (Joint response)
South West Councils
St Albans City & District Council
Staffordshire Moorlands District Council
Stratford-on-Avon District Council
Taunton Dean Council
Teignbridge District Council
The Buckingham Society
The Consultation Institute
Tunbridge Wells Borough Council
Urban Forum
Warwick District Council
Warwickshire County Council
Watford Borough Council
Waveney District Council
Waverley Borough Council
Westminster City Council
Wigan Council
Wolverhampton City Council
Worcestershire County Council
Wychavon District Council

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