



Local Democracy, Economic Development and Construction Act 2009

2009 CHAPTER 20

PART 1

DEMOCRACY AND INVOLVEMENT

CHAPTER 2

PETITIONS TO LOCAL AUTHORITIES

Petition schemes

14 Requirement to take steps

- (1) For the purposes of this Chapter, an “active petition”, in relation to a principal local authority, is a petition to which section 12 applies made to the authority where—
 - (a) the petition relates to a relevant matter, and
 - (b) the petition is not in the opinion of the authority vexatious, abusive or otherwise inappropriate to be dealt with as specified in this section.
- (2) For the purposes of subsection (1)(a) “relevant matter” means—
 - (a) in the case of any principal local authority, a matter which relates to a function of the authority, and
 - (b) in the case of a relevant principal local authority, a matter which—
 - (i) does not relate to a function of the authority, but
 - (ii) relates to an improvement in the economic, social or environmental well-being of the authority’s area to which any of its partner authorities could contribute.
- (3) In subsection (2)(b)—

Status: This is the original version (as it was originally enacted).

- (a) “relevant principal local authority” means a principal local authority in England other than a non-unitary district council;
 - (b) “partner authority”, in relation to such an authority, has the same meaning as in Chapter 1 of Part 5 of the [Local Government and Public Involvement in Health Act 2007 \(c. 28\)](#).
- (4) For the purposes of subsection (1)(a)—
- (a) the appropriate national authority may by order specify matters falling within subsection (2)(a) which are not to be regarded as relating to a function of the authority;
 - (b) the Secretary of State may by order specify matters falling within subsection (2)(b) which are not to be regarded as relevant matters.
- (5) A principal local authority’s petition scheme must secure that, where an active petition is made to the authority, the authority must take one or more steps in response to the petition.
- (6) A principal local authority’s petition scheme must secure that the steps which may be taken by the authority pursuant to subsection (5) include the following—
- (a) giving effect to the request in the petition;
 - (b) considering the petition at a meeting of the authority;
 - (c) holding an inquiry;
 - (d) holding a public meeting;
 - (e) commissioning research;
 - (f) giving a written response to the petition organiser setting out the authority’s views about the request in the petition;
 - (g) in the case of a principal local authority operating executive arrangements, referring the petition to an overview and scrutiny committee of the authority;
 - (h) in the case of a principal local authority not operating executive arrangements, referring the petition to a committee of the authority with power under or by virtue of any enactment to review or scrutinise decisions made, or other action taken, in connection with the discharge of any functions of the authority.
- (7) A principal local authority’s petition scheme must secure that where an active petition is made to the authority, the authority must also within the specified period—
- (a) notify the petition organiser in writing of the steps the authority has taken or proposes to take in response to the petition and of the authority’s reasons for doing so, and
 - (b) publish that notification on the authority’s website unless the authority considers that in all the circumstances it would be inappropriate to do so.
- (8) In subsection (7), “specified period” means the period specified for the purposes of this section in the petition scheme.
- (9) A principal local authority’s petition scheme may—
- (a) permit the notification referred to in subsection (7)(a) to be included in an acknowledgment sent pursuant to section 13(1);
 - (b) in a case where the authority takes the step referred to in subsection (6)(f), permit the notification referred to in subsection (7)(a) to be included in the response referred to in subsection (6)(f).