

Petition for change

- 1.1 The Localism Act 2011 allows a petition to be presented to introduce a leader and cabinet system or committee system.
- 1.2 A number of referenda have been held as a result of petitions. The minimum threshold for a valid petition is 5% of local government electors registered in the local authority's area. Each local authority must publish its "verification number", i.e. the number of electors which represents 5% of registered electors, each year. The formalities of a petition, e.g. the requirement for each sheet to contain the name of the local authority and the constitutional change which is being sought, are also covered in regulations.
- 1.3 The signatures on the petition must be collected over a maximum period of 12 months. Each signature must be dated; any signature which is over 12 months' old is not counted when determining whether the verification number has been met. Verification is a long and costly process. Once a petition has been validated, the referendum must be held "no later than" the next "ordinary day of election". This is the first Thursday in May each year (irrespective of the electoral cycle in the local authority in question)
- 1.4 If this is less than four months away, the next ordinary day of elections would be used. A local authority is free to choose to hold the referendum earlier than this if it so chooses.
- 1.5 At the time of writing this report, it was understood that the ongoing petition, referred to in paragraph 1 of this report, was supported by over 5000 "signatories". The 5% threshold for Cheshire East would require around 15,000 signatories in order to require a referendum.

2.0 Referendum

- 2.1 The Localism Act 2011 permits a referendum to be held on establishing a Leader and Cabinet system, or on using the committee system. Authorities that have changed their governance arrangements as a result of a referendum can only make a further change following another referendum. Where a local authority has held a referendum on its governance arrangements, a further referendum may not be held for ten years. However there is no limit on holding a referendum to reverse a decision made by a resolution of full Council. Fylde Borough District Council and West Dorset District Council have both moved to a committee system following a yes vote at a referendum.
- 2.2 A referendum could cost Cheshire East well-over £500,000, if its timing necessitated a "stand-alone" ballot. If joined with a scheduled election, the additional cost would still be very significant. Although very difficult to predict, it might be anticipated to cost an additional £100,000 or more in real costs, and would create a significant additional resource burden in terms of the logistics of the election process.