

COUNCIL MEETING – 15 OCTOBER 2019

COUNCIL PETITIONS SCHEME

1.0 Purpose of Report

- 1.1 To approve a revised Petitions Scheme for the Council as recommended by the Councillors' Commission at their meeting held on 30 September 2019.

2.0 Background Information

- 2.1 Members will be aware that at the last three meetings of the Council (March, May and July) there have been petitions that have been presented for debate under the current requirements of the Council's Statutory Petitions Scheme and a further one appears as an earlier item on this agenda.
- 2.2 Section 46 of the Localism Act 2011 repealed all of Chapter 2 of the Local Democracy, Economic Development & Construction Act 2009, which in essence removed the requirement for local authorities to have a statutory petitions scheme. Therefore, the Council now has greater discretion in how it decides to deal with citizens' petitions and officers considered it was appropriate to consolidate elements of the local and statutory scheme into a single scheme.
- 2.3 The recent increase in the number of petitions presented to the Council for debate under the provision of the statutory scheme has raised a number of issues, which the Councillors' Commission were invited to consider. Issues with the current scheme included: there being no set deadline for submitting petitions; the threshold for requiring a debate at full Council Meetings; who can present petitions for debate; and how to ensure that all those signing a petition live or work in the District, which is of particular relevance when considering the increasing number of e-petitions.

3.0 Proposals

- 3.1 The Commission considered it was essential for the Council to have a scheme for dealing with petitions in place, even if the statutory requirement has now been removed. The Commission therefore considered the consolidation and refinements to the current schemes over the course of their last two meetings and a single scheme is now being recommended to the Council for approval and adoption. The proposed scheme does address issues within the current procedures.
- 3.2 The current local scheme enables local Ward members to present petitions to the full Council where these do not have enough signatures to trigger a debate. The Commission considered that it was still appropriate for local Ward Members to be able to present such petitions, as invariably these were local issues which did still require reporting and logging by the full Council.
- 3.3 The Councillors' Commission considered the deadline for receipt of valid petitions ahead of Council meetings. Within the proposed scheme, petitions are required to be submitted at least 10 working days prior to a specific Council meeting in order for it to be presented and or debated at that meeting. This deadline would enable the wording of any valid petition to be included on the agenda for the meeting.

- 3.4 The proposed scheme also strengthens the requirements around who can sign petitions which is of particular relevance when petitions are hosted on an online platform. Signatures on petitions will only be valid for people who live, work or study in the District and a valid post code must be supplied. In the case of e-petitions each signatory must also supply a valid email address.
- 3.5 The Commission also reviewed the current threshold of 500 for the number of signatures required on a petition which would trigger a debate at full Council. Following review and comparison with other local authority petition schemes the Commission considered that 1,000 signatures would be a more appropriate threshold and this is included within the proposed scheme.
- 3.6 The proposed scheme also refines the process for when petitions are presented to the Council for debate and now enables the Council to proceed to debate a petition if the lead petitioner was not able to attend the Council meeting for any reason.
- 3.7 The Commission are also proposing that the reference in the current statutory scheme to petitions (requiring a 1,000 signature threshold) which call for an officer to give evidence at a Council meeting, be removed as this is more relevant where an authority operates a cabinet style of governance.
- 3.8 The proposed scheme also includes a provision that the Council may consider there to be a more expedient way in which to deal with a petition which did meet the threshold for requiring a debate at full Council, if this was appropriate.
- 3.9 The proposed Petition Scheme is attached as **Appendix A**.
- 3.10 There is also a need to clarify the wording within Council Procedure Rule No. 10 – Presentation of Petitions. Proposed wording for this is set out in **Appendix B**. As re-written, this Rule now encompasses both the presentation of petitions from Members and the presentation of petitions by the lead petitioner to the Council for debate.

4.0 RECOMMENDATIONS that:

- (a) the proposed Petitions Scheme, as set out in Appendix A to the report, be approved;**
- (b) the revised wording for Council Procedure Rule No. 10, as set out in Appendix B to the report, be approved; and**
- (c) the Council's Constitution be amended accordingly.**

Background Papers

Report and appendices to the Councillors' Commission meetings held on 2 and 30 September 2019.

For further information please contact Nigel Hill on Ext 5243.

Karen White

Director - Governance & Organisational Development