

Governance and Ethics Committee

22 October 2021

Report title	Revised Petitions Scheme	
Cabinet member with lead responsibility	Councillor Paula Brookfield, Governance and Equalities	
Accountable director	David Pattison, Chief Operating Officer	
Originating service	Governance	
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Report to considered by	Council	3 November 2021

Recommendation for decision:

The Governance and Ethics Committee recommends that Council:

1. Approve the revised Petitions Scheme, as detailed in Appendix 1.

1.0 Purpose

- 1.1 This report recommends revised petitions arrangements following a review of the Petitions Scheme. The Councils' Petition Scheme has been reviewed to ensure the scheme is legal, fair, transparent and efficient.

2.0 Background

- 2.1 The Councils' Petitions Scheme was previously reviewed in November 2016.
- 2.2 Section 46 of the Localism Act 2011 repealed all of Chapter 2 of the Local Democracy, Economic Development & Construction Act 2009, which in essence removed the requirement for local authorities to have a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.
- 2.3 However, it is still considered good practice for a Council to retain a petition scheme as it sends a clear message to the public that the Council takes their views seriously and encourages their engagement in the democratic process.

3.0 Revised Petitions Scheme

- 3.1 The proposed Petition Scheme is attached as Appendix 1 of this report with track changes.
- 3.2 There are no changes being proposed to the thresholds of how petitions are dealt with. The Petitions Schemes for neighbouring authorities were reviewed and the Council's scheme is akin to comparable neighbouring authorities.
- 3.3 The minor revisions proposed can be summarised as follows:

Proposed Change	Rationale
Remove reference to the Local Democracy, Economic Development and Construction Act 2009	This legislation is no longer applicable.
Strengthen what the Council cannot be asked to determine and what petitions should not include.	To provide further support to lead petitioners on what is acceptable.
Provide a recommended official form for paper petitions instead of paper petitions should be submitted to the council using the official form.	To provide flexibility in the way in which petitions are submitted.
Create a process if petitions are submitted via an alternate method.	To provide clarity on how petitions will be handled if they are submitted via an alternate method.
Create a process for withdrawing/amending a petition.	To provide clarity on whether a petition can be withdrawn or amended and the correct process to follow.

Provide further guidance on the process to be followed if a lead petitioner appeals.	To provide clarity on the process if a lead petitioner feels a petition has not been dealt with correctly.
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4.0 Financial implications

- 4.1 There are no financial implications associated with the proposed revised petition scheme.
[GE/06102021/G]

5.0 Legal implications

- 5.1 The duty for local authorities to operate a statutory petition scheme was abolished by the Localism Act 2011. [SZ/12102021/P]

6.0 Equalities implications

- 6.1 There are no direct equalities implications arising from this report.

7.0 Any Other Implications

- 7.1 There are no other implications arising from this report.

8.0 Background papers

- 8.1 None

9.0 Appendices

- 9.1 Appendix 1 – Revised Petitions Scheme