

# **CEREDIGION COUNTY COUNCIL**

<b>Report to:</b>	<b>Democratic Services Committee</b>
<b>Date:</b>	<b>20.09.2023</b>
<b>Title:</b>	<b>Ceredigion County Council Petition Scheme to include e-petitions</b>
<b>Purpose of report:</b>	<b>To consider amendments to Ceredigion County Council Petition Scheme to include e-petitions</b>

## **Background**

Section 42, Chapter 4 of The Local Government and Elections (Wales) Act 2021 places a duty on local authorities to set out a petition scheme, including electronic petitions. The Welsh Government Statutory and Non-Statutory Guidance for Principal Councils in Wales, supporting provisions within the Local Government Act 2000, the Local Government (Wales) Measure 2011 and the Local Government and Elections (Wales) Act 2021 was finalised in June 2023. A draft revision of the current guidance relation to the Ceredigion County Council Petition Scheme is attached for consideration by the Democratic Services Committee.

The Council's current Petition Protocol is outlined in Document O of the Council's Constitution. This document has been reviewed to reflect the requirements of the legislation in relation to electronic petitions as well as the draft statutory guidance which includes:

- A clear explanation of the matters about which the council will accept petitions, including the criteria for making a decision to accept or reject a petition;
- How and where advice will be given to petitioners to enable them to engage productively with the process, including measures in place for disabled people and individuals with long term health conditions and neurodiversity;
- A clear understanding of the different stages in the petitions scheme, with an explanation of what thresholds will be used to determine the transition from one stage to another;
- How petitions fit in with other opportunities for the public to be involved – and signposting to other opportunities, either as complementary to a petition or instead of it, including connecting the potential petitioner with their ward councillor;
- The correct body to consider a given petition. It is right for petitions to be heard by a variety of different bodies, although the default is likely to be full Council unless it is seen as especially useful for the petition to be heard by a committee that focuses specifically on the subject matter of the petition itself;
- Petition schemes will need to consider where petitions are considered in scrutiny committees. These committees have no power to act on petitions but could (for example) adopt petitioners' arguments as formal recommendations;

- The rights of petitioners to speak in meetings, and how this engages with wider public speaking rights, and rights to make deputations;
- How and within what timeframe the council will provide feedback to the petitioner on the success or otherwise of their petition.

## **CEREDIGION'S PROPOSED PETITION SCHEME**

In addition to the above requirements, consideration has been given to the following:

- a) Petitions will not be acceptable from other in-line petition systems**  
The Guidance document does not stipulate the requirements in relation to this however, the recommendation within the petition scheme is reflective of the Wales Senedd practice
- b) Electronic Petitions may collect signature for a maximum period of 3 months**  
The Guidance document does not stipulate the requirements in relation to this. The Wales Senedd (Standing Order 23) stipulates a maximum period of 6 months, however it is proposed that Ceredigion stipulate a maximum period of 3 months, in order to reflect a quicker response to local matters
- c) Petitions that are the same or substantially similar to a petition which closed less than a year earlier are inadmissible**  
The Guidance document does not stipulate the requirements in relation to this however, the recommendation within the petition scheme is reflective of the Wales Senedd practice
- d) The correct body to consider a given petition.**  
The guidance states that *'it is right for petitions to be heard by a variety of different bodies, although the default is likely to be full Council unless it is seen as especially useful for the petition to be heard by a committee that focuses specifically on the subject matter of the petition itself'*. The Council's Constitution recommends that petitions are heard by Cabinet. The scheme does however provide for an opportunity for Members to refer matters to the relevant Overview and Scrutiny Committee for consideration.
- e) Opportunities of petitioners to speak at the Committee**  
Currently, the Constitution does not stipulate a right for the petitioner to speak at Committee, however there is already a mechanism for members of the public to request permission to speak during Scrutiny meetings.

The above recommended amendments can be viewed in the draft revised Petition Protocol available in Appendix A.

### **Next Steps**

For Members of the Democratic Services Committee to consider the draft amendments to the Petition Protocol, and to make recommendations to the Constitution Working Group, for consideration prior to being presented to Council.

**Recommendations:** To consider the draft revised Petition Protocol, and to make recommendations to the Constitution

Working Group in relation to the proposed amendments.

**Appendices:**

Draft revised Petition Protocol

**Background documents:**

Welsh Government Statutory and Non Statutory Guidance for Principal Councils in Wales;  
The Local Government Act 2000;  
The Local Government (Wales) Measure 2011;  
The Local Government and Elections (Wales) Act 2021.

**Name:**

Lowri Edwards

**Job Title:**

Corporate Lead Officer: Democratic Services

**Date:**

03.08.2023