

BRIDGEND COUNTY BOROUGH COUNCIL

REPORT TO COUNCIL

9 MARCH 2022

REPORT OF THE MONITORING OFFICER

PETITION SCHEME

1. Purpose of report

- 1.1 To seek Council approval and adoption of the Petition Scheme attached as **Appendix 1**.

2. Connection to corporate well-being objectives/other corporate priorities

- 2.1 This report assists in the achievement of the following corporate well-being objective/objectives under the **Well-being of Future Generations (Wales) Act 2015**:

- **Supporting a successful sustainable economy** – taking steps to make the county borough a great place to do business, for people to live, work, study and visit, and to ensure that our schools are focussed on raising the skills, qualifications and ambitions for all people in the county borough.
- **Smarter use of resources** – ensure that all resources (financial, physical, ecological, human and technological) are used as effectively and efficiently as possible and support the creation of resources throughout the community that can help to deliver the Council's well-being objectives.

3. Background

- 3.1 The Local Government and Elections (Wales) Act 2021 received Royal Assent on 20 January 2021 and places specific duties on local authorities including, under Section 42, the duty to make a Petition Scheme including provision of a facility for electronic petitions (e-petitions). This provision comes into force in May 2022.

- 3.2 Under the 2021 Act the Council must publish a Scheme setting out how it intends to handle and respond to petitions. In particular, the Scheme must set out:

- How a petition may be submitted to the Council;
- How and by when the Council will acknowledge receipt of a petition;
- The steps the Council may take in response to a petition received;
- The circumstances (if any) in which the Council may take no further action in response to a petition;
- How and by when the Council will make available its response to a petition to the person who submitted the petition and the public.

4. Current situation/proposal

- 4.1 Petitioning is one way that individuals, community groups and organisations can participate in the democratic process, by raising issues of public concern with the Council and allowing Elected Members to consider the need for change within the County Borough. It is acknowledged that petitions can have positive outcomes that lead to change or inform debate. The Scheme attached as **Appendix 1** demonstrates this by setting out that petitions received from those who are resident, working or studying in the Borough, regardless of the number of signatures, will receive a response providing they follow the guidelines set out in the Scheme. The purpose of this Scheme is to establish a clear process for petitions submitted to the Council to be handled in accordance with the relevant legislation.
- 4.2 Members will note that the Scheme contains a significant amount of guidance for potential petitioners on the manner in which any petitions should be presented and the types of action the Council might take in response to petitions on key areas of concern. In practice, petitions received under the Scheme allow Council discretion in any response made to petitions.
- 4.3 The Scheme provides that if a petition has received more than 750 signatures the petition will be considered at a meeting of the full Council. The principle behind a petition debate is the increased transparency of the local decision making process. The petition organiser will be informed in writing about when the debate will be held and with sufficient notice to enable their attendance. The notification will also be published on the Council's website. The Scheme endeavours to consider such petitions at the next meeting of the full Council but recognises that a balance will need to be struck between the debate of petitions and other council business. The threshold for triggering a full council debate can be reviewed after a period of activity and amended if necessary to a lower threshold to ensure that is locally achievable.
- 4.4 The Council will host an e-petition facility on its website, provided by Mod.gov, which is the most widely used local authority committee management system. The Scheme stipulates that e-petitions must follow the same guidelines as paper petitions. An e-petition organiser must provide their name, address, a valid postcode and email address. The same information is required for any person supporting the petition. These measures are principally to provide an additional level of verifiability to limit the chance of petitions being submitted with false signatories.
- 4.5 In accordance with the 2021 Act, the Council must review the Scheme from time to time and, if it considers it appropriate, revise the Scheme. If the Council revises or replaces a Scheme, the revised or new Scheme will be published on the Council's website.

5. Effect upon policy framework and procedure rules

- 5.1 Petitions are a vital tool for engaging with residents and support other Council policies in this regard.
- 5.2 The Constitution will require amending to incorporate the acceptance of petitions.

6. Equality Act 2010 implications

6.1 The protected characteristics identified within the Equality Act, Socio-economic Duty and the impact on the use of the Welsh language have been considered in the preparation of this report. As a public body in Wales, the Council must consider the impact of strategic decisions, such as the development or the review of policies, strategies, services and functions. It is considered that there will be no significant or unacceptable equality impacts as a result of this report.

7. Well-being of Future Generations (Wales) Act 2015 implications

7.1 The well-being goals identified in the Act were considered in the preparation of this report. It is considered that there will be no significant or unacceptable impacts upon the achievement of well-being goals/objectives as a result of this report.

8. Financial implications

8.1 The cost of administering and processing petitions will be met from within existing budgets. There is currently no budget provision to meet any costs associated with development of the Council's own e-petition facility.

9. Recommendation

9.1 It is recommended that Council approve and adopt the Petition Scheme attached as **Appendix 1**.

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Background Documents: None