

## Regulatory and Audit Committee

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**Title:** Draft Petitions Protocol

**Date:** 28 January 2014

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**Local members affected:** All

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### Summary

At the April 2013 meeting of the County Council changes were made to the Constitution relating to petitions. These changes were made as the Government had withdrawn guidance to allow more discretion on how petitions are approached locally and to minimise bureaucracy (Local Democracy, Economic Development and Construction Act 2009). Members are asked to consider a draft revised protocol to replace the Government guidance.

### Recommendation

#### That the Regulatory and Audit Committee

- (i) approve the draft protocol attached to the report.
- (ii) discuss and agree the threshold for petitions

#### Supporting information to include the following if a decision is being requested:

At the last Meeting of the Regulatory and Audit Committee a draft protocol was presented to the Committee and Members had asked for the following changes:-

- For Local Members to be involved at the earliest stage
- To simplify the route into the Council and the process so that it was clear to the petitioner how to submit the petition
- To review the threshold for signatures to make a petition valid



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## Local Members

Contacting the Local Member at an early stage has been included earlier on in the petitions scheme to persuade the petitioner to contact them in the first instance to discuss the best forms of engagement with the Council. If the petitioner still wishes to proceed or does not discuss the petition initially with the Local Member, the Local Member will be advised of the petition before any acknowledgement to the petitioner is made and their views taken into account about how the petition should be handled.

**One area that Members may wish to include in the petitions scheme is whether the support of the Local Member is necessary to make a petition valid.**

## Simplifying the route and process

Whilst petitions may come into the Council through a number of ways eg through Council meetings, Local Area Forums, Local Members and through officers the petitioners only route through the Council is by officially logging the Petition with the Petitions Officer to ensure its validity.

In terms of the process it has been simplified by splitting the process into three areas; Consultation; Corporate and Local Petitions and there is a simple flowchart to show the different routes.

The process for petitions also links to threshold numbers for petitions.

## Threshold Numbers

Currently the minimum requirement for the validity of petitions is 20 signatures. Having looked at other Council's Petition Schemes some Councils have chosen to give a minimum requirement not for validity of petitions but for discussion in particular forums:-

Name	Council	Cabinet/Cab Member	Local Forum
Surrey	20,000	100	Each set own minimum
Hampshire	32,000		2.5% of population
Kent	10,000	2,500	1000
Herts	1000	100	
Warwickshire	1000		
West Sussex	3000	50	

Some Councils have chosen a minimum requirement without reference to a threshold for debate at certain Council meetings:-

- Oxfordshire – 10 signatures
- Somerset – 25 signatures
- Croydon Council – 100 signatures
- London Borough of Hounslow – 10 signatures

At the Council Meeting in April 2013 Members agreed that the Petitions Scheme which followed Government guidelines needed to be simplified and made less bureaucratic and setting thresholds for a number of different meetings was one of the concerns. It is also important to bear in mind in setting threshold numbers that in the last Committee meeting Members supported a 28 day limit being put forward on e-petitions to avoid decisions being delayed, which has been experienced in the past. However the Petitions Officer has the authority to extend the deadline in exceptional circumstances.

**Members may wish to raise the threshold for a minimum number of signatures for a valid petition to 1000 for a corporate issue and 20 for a local issue.**

## **Resource implications**

The proposal can be “contained within existing resources”.

However, in terms of the Future Shape Programme and officers time it is important to get a balance between a fair democratic process and not creating high workloads for officers for petitions with a low number of signatures.

## **Legal implications**

The Service Director, Legal and Democratic Services is the author of the report and has considered legal implications.

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## **Background Papers**

Council Report – April 2013

Regulatory and Audit Report – November 2013

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