

COUNCIL

9TH FEBRUARY 2022

CARMARTHENSHIRE PETITIONS SCHEME

RECOMMENDATIONS / KEY DECISIONS REQUIRED:

To recommend to Council the adoption of a petition scheme for the Authority.

REASONS:

It is a requirement of the Local Government and Elections (Wales) Act 2021 for each local authority to make a petition scheme, and for the scheme to be in place by May 2022.

CRWG considered a draft petition scheme and recommends the petition scheme to Council.

Scrutiny Committee consulted	Not applicable
Cabinet Decision Required	NO
Council Decision Required	YES

Cabinet Member Portfolio Holder(s): Cllr Emlyn Dole - Leader

Directorate

Name of Head of Service:
Linda Rees Jones

Report Author:
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Chief Executive's

Designations:
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EXECUTIVE SUMMARY
COUNCIL
9TH FEBRUARY 2022

CARMARTHENSHIRE PETITIONS SCHEME

Part 3 of The Local Government and Elections (Wales) Act 2021 places a duty on principal councils to promote public participation in their decision making.

To that end, amongst other things, requires each principal council to make and publish a petition scheme (a “petition scheme”) setting out how the council intends to handle and respond to petitions (including electronic petitions).

A petition scheme must, in particular, set out—

- (a) how a petition may be submitted to the council;
- (b) how and by when the council will acknowledge receipt of a petition;
- (c) the steps the council may take in response to a petition received by it;
- (d) the circumstances (if any) in which the council may take no further action in response to a petition;
- (e) how and by when the council will make available its response to a petition to the person who submitted the petition and to the public.

This Council’s Council Procedure Rules (Standing Orders) have long since provided a right for any member of the Council or any local government elector of the County to submit a petition, although to date this has been a paper petition in that no electronic petition facility has been available. The threshold is currently 50 signatures or more. Eligible petitions may be referred to Council for debate, although petitions on executive functions will ultimately be decided by the Cabinet or Cabinet Member. This provision in Standing Orders will now need to be drafted as a Scheme, to include an electronic petition facility.

This gives the Authority an opportunity to revisit its arrangements. No Guidance is currently available on the development of a Petition Scheme under the 2021 Act. Guidance in England to English Authorities some years ago suggested that the threshold be no more than 5% of the County’s population, but encouraged the threshold to be set at less. Senedd Cymru’s threshold is 250 for a petition to be discussed by its Petitions Committee (Carmarthenshire County Council does not have a Petitions Committee) and 10,000 for it to be debated in the Senedd.

A principal council must review its petition scheme from time to time and, if the council considers it appropriate, revise the scheme.

If a principal council revises or replaces a petition scheme, it must publish the revised or new scheme.

This report includes a draft petition scheme considered by CRWG for recommendation to

Council. As part of the scheme CRWG

- Considered a number for triggering a petition to council (currently 50 registered Carmarthenshire electors)
- a time period for electronic petitions to be open; and
- a time period during which similar petitions will not be considered.

**DETAILED REPORT
ATTACHED?**

**YES – Draft Petition Scheme
CPR10 Part B - Petitions**

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Linda Rees Jones, Head of Administration & Law

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NONE	YES	NONE	NONE	NONE	NONE	NONE

Legal

It is a legal requirement for a principal council to establish a petition scheme in accordance with the Local Government and Elections (Wales) Act 2021.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below
 Signed: Linda Rees Jones, Head of Administration & Law

- 1.Scrutiny Committee** Not applicable
- 2.Local Member(s)** Not applicable
- 3.Community / Town Council** Not applicable
- 4.Relevant Partners** Not applicable
- 5.Staff Side Representatives and other Organisations** Not applicable

Section 100D Local Government Act, 1972 – Access to Information
List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW:

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Council Constitution – Part 4.1		http://www.carmarthenshire.gov.wales/media/2027081/part4-1.pdf
Local Government & Elections (Wales) Act 2021		https://www.legislation.gov.uk/asc/2021/1/content/s/enacted