

Central Bedfordshire Council

General Purposes Committee

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REVIEW OF PETITIONS SCHEME

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Purpose of this report

1. This report enables a review of the Council's Petitions Scheme, which is set out in the Council's constitution.

RECOMMENDATIONS

General Purposes Committee is asked to consider whether:

- a) Petitions to the Council should be acceptable even if signatories cannot be verified as living, working or studying in the area; or
- b) The current provisions of the Council's Petitions Scheme should remain in place providing that signatories to e-petitions must be verifiable as living, working or studying in the area

Overview and Scrutiny Comments/Recommendations

This matter falls within the remit of General Purposes Committee as it relates to the Council's constitution.

Introduction

2. The Council's Petition Scheme was last amended in 2011 when there was a Government requirement that every local authority should have a scheme providing for electronic petitions.

3. The requirement for an electronic petitions scheme was subsequently revoked but the Council's Scheme nonetheless remained in place. Since that time, smartphones and tablets have become widely used, including for setting up and signing petitions. Awareness of petitions is often spread through social media.
4. Petitions have been submitted to the Council on a regular basis, both as paper-based and as e-petitions. It remains appropriate for a scheme to be in place to enable people who live, work or study in the area to bring matters of concern to the Council's attention.
5. This report enables the Committee to consider how petitions are currently used and whether the Petition Scheme should be updated.

What is the role of a petition?

6. Petitions are used by residents and organisations as a means of bringing issues to the attention of decision makers and demonstrating the strength of feeling a group may have. Some petitions may either challenge or support a general statement of principle, whilst others, and particularly those created about a local issue, may be more detailed and specific.
7. Petitions offer a means through which signatories can express a view, although levels of knowledge, understanding and commitment to the issue by signatories may vary. When considering a petition, decision-makers should always consider the facts on their own merits as well as acknowledging the scale of interest shown by petition-signatories.

CBC's Current Petition Scheme

8. The Council's Petition Scheme sets out certain requirements:
 - a. Petitions must contain a clear and concise statement covering the subject of the petition and the action the petitioner wishes the Council to take, and should relate to a function of the authority.
 - b. Paper-based petitions must be validly signed by a minimum of 10 persons – this requires a signature plus provision of the signatory's name, address and date of signature.
 - c. E-petitions must be validly signed by at least 100 persons – this requires assurance that the signatory lives, works or studies in the authority's area.
9. There are no age requirements in the Petitions Scheme for signing a petition.

10. An individual's email address provides the unique signature which they can use to sign a petition on the Council's website. Although some families share an email address the system will only accept the email address once.
11. To create or sign an e-petition on the Council's website, it is necessary to provide a person's name, postcode and valid email address. On submission of this information an email will automatically be sent to the email address to confirm that it is valid. On completion of this step, the signature will be added.

Concerns with the Council's Current Petition Scheme

12. The petition scheme has not previously been particularly easy to find on the Council's website. Steps have been taken to improve this, so that residents are not deterred from using the Council's petitions facility. These include:
 - a. replacing the previous title of the page "e-petitions" with the title "petitions". More people are likely to search for the term "petitions" rather than "e-petitions"
 - b. including the term "petitions" in the titles offered in the website search facility
 - c. setting out some clear guidance on the Petitions page of the website to assist people to set up or sign petitions. The guidance is set out so that people using smartphones or tablets can see all the content.
13. There is a requirement that petitioners should live, work or study in the area (Constitution Part A4 Annex 2 paragraph 1.2.3) for their signature to be valid. A postal address is required when submitting a petition enabling an electronic check that the lead-petitioner is a local resident or that the address from which they study or work is within the area.

Schemes used by other local authorities and organisations

14. The **UK Government and Parliament** enables British citizens and UK residents to create and sign petitions. The email address is sufficient to show residency. 5 signatures are required for a valid petition. Reasonable requirements are stated for petitions, for example it must be clear what the petition is asking for, the petition may not be about a purely personal issue, etc.
15. **Edinburgh City Council** enables petitions to be created by people aged at least 16 who live in Edinburgh or who own a business that is on the valuation roll. They are required to give their name, address and email address and also verify their age and if the petition is on behalf of of a business, whether their business is on the valuation roll. Edinburgh City Council has a scale for the valid number of signatures, as shown below:

Type of petitions	Number of required signatures
Submitted by an individual	200
Petition involves a local issue	50
Petition submitted by a community of interest eg a local pressure group, parents of children at a particular school etc	50
Submitted on behalf of a business	20 (local businesses on the Valuation Roll)

16. **Cambridgeshire County Council** uses the same committee management system to host petitions on its website as used by this Council. E-petitioners are required to provide their name, address, postcode and email address, as for this Council.
17. **Epping Forest District Council** also uses the same committee management system to host petitions on its website as Cambridgeshire County Council and this Council. All its features are similar, although in its guidance Epping Forest District Council states “We do not accept emailed petitions as email systems are not secure. You must use either our paper or our e-petitions system.”

Hosting of e-petitions by a commercial site

18. A number of public bodies provide opportunities to create and sign up to petitions on their website, such as local authorities and the Government. Additionally, there are commercial organisations which offer a platform for creating petitions.
19. A particular commercial site called Change.org has been used by petitioners on several occasions to create petitions which have been signed and on completion, have been submitted to this Council’s Monitoring Officer for acceptance as a valid petition. Concerns were initially felt that it was possible for the petition-creator to amend the wording at the top of the petition whilst it was live. On investigation, assurance has been given that any change to the wording is the subject of an email to all the previous signatories advising them of the change of wording and giving them the opportunity to withdraw their signature. However, it is not possible to verify whether signatories to such a hosted petition live, work or study in the Central Bedfordshire area and in view of this, a petition to Council about the closure of the railway bridge in Biggleswade was recently rejected and the lead petitioner made a statement instead.
20. Residents who turn to the use of commercial petition hosting sites without first investigating the opportunities for using a Council website-hosted petition might feel disappointed if their petition were rejected as invalid by the Monitoring Officer. They might hold the view that quantities of people supported their petition and the Council was overly bureaucratic in rejecting it.

21. Nonetheless, if the Committee continues to hold the view that there must be an assurance that e-petitions are submitted and signed only by people who live, work or study in the area, the only means of ensuring this at the moment is by using the Council's e-petitions facility through its website.

Taking forward the Council's Petitions Scheme

22. Consideration is invited on whether petitions hosted by sites which do not enable verification of the signatories' home, work or study address should continue to be ruled as invalid by the Monitoring Officer under the terms of the Council's Petitions Scheme.

Council Priorities

23. This report supports the Council's 5 Year Plan priority to be an efficient and responsive Council, through facilitating its engagement with people who want to submit or sign petitions about matters which are of concern to them.

Corporate Implications

Legal Implications

24. While it is appropriate to facilitate the submission of petitions it is important to be assured that signatures are valid and petitioners know what they signed up for. It is reasonable for the Council to expect some basic criteria to be met if the petitioners do not use the Council's portal. Provided that criteria is clear and reasonable, the provisions will be lawful.

Financial Implications

25. There are no financial implications.

Equalities Implications

26. Public Authorities must ensure that decisions are made in such a way which minimises unfairness, and without a disproportionately negative effect on people in respect of nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, race, religion or belief, sex and sexual orientation.
27. It is important that Councillors are aware of this duty before they take a decision.
28. Enabling petitions to be submitted both as paper documents and electronically through the Council's website enables people from all

groups and backgrounds to petition the Council about matters which concern them.

Conclusion and next Steps

29. Unless the Committee seeks changes to the Petitions Scheme the Scheme will continue to be administered as currently. If the Committee wishes to see any changes it will be necessary to recommend them to a meeting of full Council, as this will involve changes to the Constitution.

Appendices

None

Background Papers

30. The following background papers, not previously available to the public, were taken into account and are available on the Council's website:

None