

Petitions

The Localism Act has repealed the rules on petitions, and therefore the requirement to have a petition scheme no longer applies. The Localism Act makes petitions a local issue and the Council is no longer required to:

- Make a scheme for the handling of petitions (except where other rules say so, for example, asking for a referendum on an elected mayor)
- Publish a petition scheme
- Accept petitions electronically
- Follow the current prescribed steps when it receives a petition
- Set thresholds (for example, different rules for petitions with a specific number of signatories)
- Have a right of appeal, for example, to O&S if the petitioner is not happy with the way petition has been dealt with (concerns can be instead progressed through the Council's usual complaints policy)
- Tell people what we intend to do with their petitions or place petitions on the website
- Cite the specified reason for rejecting

The Council can decide whether it wants provisions for petition and if it does what rules it wants to reasonably apply. It is recommended that in the interests of transparency that the public interests does warrant some sort of petition scheme but without any of the prescribed complications.

Suggested amended wording for CPR 21(2)

Petitions

A petition may be made to the Council provided that the petition includes:

- A clear and concise statement on the subject of the petition
- The statement should include the action that the petitioners wish the Council to take.
- Name, address and signature of any person supporting the petition (who must be persons living, working or studying in the Borough of West Devon)
- Contact details and address of the petition organiser
- A clear statement as to whether the petition organiser wishes to present the petition to a Council meeting and/or whether the petition organiser requests a Councillor to present the petition

The Council will refuse to accept a petition where the petition:

- Relates to:
 - A planning or licensing application
 - A statutory petition (for example, requesting a referendum)
 - A matter where there is an existing right of appeal
- Is considered vexatious, abusive, or otherwise inappropriate (as determined by the Monitoring Officer)
- Is substantially the same as a petition submitted in the previous 12 months

The Council may respond to the petition in one of more of the following ways:

- Taking the action requested in the petition
- Considering the petition at a Council meeting
- Undertaking research into the matter
- Holding a public meeting
- Holding a consultation
- Holding a meeting with the petitioners
- Refer the matter for consideration by the Overview & Scrutiny Committee
- Not taking any action
- The Head of Paid Service has a discretion to deal with petitions differently in the period immediately before an election or referendum (the 'purdah' period)

Further guidance on Petitions is set out on the Council's website.