

# Public Document Pack

To: Members of the Democratic  
Services Committee

Date: 12 September 2024

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e-mail: democratic@denbighshire.gov.uk

Dear Councillor

You are invited to attend a meeting of the **DEMOCRATIC SERVICES COMMITTEE** to be held at **10.00 am** on **FRIDAY, 20 SEPTEMBER 2024** in **COUNCIL CHAMBER, COUNTY HALL, RUTHIN AND VIDEO CONFERENCE**.

Yours sincerely

G Williams  
Monitoring Officer

## **AGENDA**

### **1 APOLOGIES**

### **2 ELECTION OF VICE-CHAIR**

To elect a Vice-Chair of the committee for 2024 – 2025.

### **3 DECLARATION OF INTEREST (Pages 3 - 4)**

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

### **4 URGENT MATTERS**

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B (4) of the Local Government Act 1972.

### **5 MINUTES (Pages 5 - 12)**

To receive the minutes of the Democratic Services Committee meeting held on 22 March 2024 (copy attached).

**6 PETITION SCHEME** (Pages 13 - 32)

To consider a report by the Head of Corporate Support Services – People (copy attached) to discuss the draft Petition Scheme.

**7 A BRIEFING ON LOCAL DEMOCRATIC GOVERNANCE AND ELECTORAL LEGISLATIVE DEVELOPMENTS** (Pages 33 - 38)

To consider a report by the Democratic Services Manager (copy attached) to brief the Committee on the contents of recent and proposed legislative changes.

**8 ARCHIVE FOR WEBCASTS**

To consider a verbal report regarding archiving and access arrangements for the Council's expired webcasts.

**9 FORWARD WORK PROGRAMME** (Pages 39 - 40)

To consider the Democratic Services Committee's forward work programme (copy attached).

**MEMBERSHIP**

**Councillors**

Michelle Blakeley-Walker  
Ellie Chard  
Karen Edwards  
Hugh Evans  
Justine Evans

Martyn Hogg  
Brian Jones  
Delyth Jones  
Cheryl Williams  
Elfed Williams

**COPIES TO:**

All Councillors for information  
Press and Libraries  
Town and Community Councils

## LOCAL GOVERNMENT ACT 2000

### Code of Conduct for Members

### DISCLOSURE AND REGISTRATION OF INTERESTS

I, *(name)*

a \*member/co-opted member of

*(\*please delete as appropriate)*

**Denbighshire County Council**

**CONFIRM** that I have declared a **\*personal / personal and prejudicial** interest not previously declared in accordance with the provisions of Part III of the Council's Code of Conduct for Members, in respect of the following:-

*(\*please delete as appropriate)*

Date of Disclosure:

Committee *(please specify)*:

Agenda Item No.

Subject Matter:

Nature of Interest:

*(See the note below)\**

Signed

Date

\*Note: Please provide sufficient detail e.g. 'I am the owner of land adjacent to the application for planning permission made by Mr Jones', or 'My husband / wife is an employee of the company which has made an application for financial assistance'.

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## DEMOCRATIC SERVICES COMMITTEE

Minutes of a meeting of the Democratic Services Committee held in the Council Chamber, County Hall, Ruthin and video conference on Friday, 22 March 2024 at 10.00 am.

### PRESENT

Councillors Ellie Chard, Karen Edwards, Justine Evans, Martyn Hogg (Chair) and Cheryl Williams.

### ALSO PRESENT

Corporate Director: Governance and Business (GW), Democratic Services Manager (SP), Senior Committee Administrator (KJ) and Committee Administrator (NH).  
Lead Member for Corporate Strategy, Policy and Equalities, Councillor Julie Matthews.

### 1 APOLOGIES

Apologies for absence were received from councillors Michelle Blakeley-Walker, Brian Jones, Delyth Jones and Elfed Williams.

### 2 DECLARATION OF INTEREST

None.

### 3 URGENT MATTERS

No items of an urgent nature had been raised with the Chair prior to the commencement of the meeting.

### 4 MINUTES

The minutes of the Democratic Services Committee meeting held on the 27 November 2023 were submitted.

#### **Accuracy –**

No issues relating the accuracy of the minutes were raised.

#### **Matters arising –**

**Page 10 – (minutes) Item 8 – Draft Annual Report Of The Independent Remuneration Panel For Wales For 2024-2025.**

The Democratic Services Manager stated that the final annual report had been received in February which confirmed the proposals made in the draft report.

It was:

***RESOLVED:*** that, subject to the above, the minutes of the meeting held on the 27 November 2023 be received and approved as a true and correct record of the proceedings.

## **5 WORKING GROUP RECOMMENDATIONS 'HOW MEETINGS ARE HELD'**

The Lead Member for Corporate Strategy, Policy and Equalities introduced the report to Members (previously circulated).

The report was regarding the Council's arrangements for holding its member-level meetings. The report included recommendations from the Working Group. The Lead Member thanked officers and the Working Group for their hard work on the report.

The Democratic Services Manager guided Members through the report.

Shortly before the last Council elections the previous Council administration took decisions on how Council meetings would be held. This was in response to changes during 2020 and 2021, a period of pandemic lockdowns which temporarily halted traditional face-to-face meetings, changes in the law governing certain Council and Committee meetings, and the technical advancements made during that period that has allowed business to be conducted using virtual or hybrid meetings.

In December 2021 full Council considered a report on "Proposals for Members to adopt New Ways of Working". That report outlined the recommendations agreed at a member's task and finish group and by the Democratic Services Committee that looked at the New Ways of Working agenda, primarily focusing on how members' meetings should be conducted, and the ICT equipment required for members. The report and discussion at Council considered points in favour of virtual meetings, and points in favour of face-to-face meetings.

In favour of virtual meetings

- Council had declared a Climate Change and Ecological Emergency. Virtual meetings did not have the carbon emissions generated from member and officer journeys to meeting venues.
- Reduction in travel expenses.
- Reduction in time spent travelling to meetings.
- Virtual meetings could be more accessible (participants could attend from wherever they happen to be, and the time commitment was limited to the meeting time itself) and likely to promote participation in local democracy.

In favour of face-to-face meetings

- Some members felt that face-to-face meetings enabled them to engage better in debate and to be able to interpret the atmosphere of a meeting, or the body language of participants.
- Some members missed the social benefits of interacting directly with their peers in the same location.

- Technical problems could affect the business being undertaken or the participation of those experiencing a technical problem.

Council acknowledged that it could not hold public meetings of its statutory Committees as face-to-face meetings. Recent changes in the law in Wales required local authorities to offer remote attendance for those meetings, thereby leaving the virtual or hybrid meeting options.

In addition to the main public Council and Committee meetings, Councillors participate in a range of internal meetings, for panels and groups established by the Council to consult and engage with members on specific topics. These meetings were not under the statutory requirements of the public committee and therefore the Council could choose whether they were held as face-to-face, virtual or hybrid meetings.

In 2023 the Council's Group Leaders called for a new member working group to be formed to review the 2021 decisions by considering the legal framework and options available in order to present any recommendations to the Democratic Services Committee and full Council. The working group, chaired by Councillor Julie Matthews, decided to issue a survey (attached in appendix 1 and previously circulated) to councillors, lay members and the senior leadership team. The working group also considered good practice for hybrid and virtual meetings. In 2021 the Council adopted a hybrid committee meetings protocol designed to guide participants and clarify expectations. The protocol (attached in appendix 2) contained the amendments recommended by the working group.

The Democratic Services Manager guided members through the survey questions, results and analysis that were considered by the working group in February 2024. The survey responses indicated that extending the range of meetings held as hybrid meetings would be popular with many members. However, hybrid meetings would include at least some of the carbon travel expenses and time costs that the Council in 2021 were keen to reduce. The costs of hybrid meeting would also include the on-site attendance of support officers. The range and availability of suitable hybrid meeting rooms was also a relevant consideration.

The working group were keen to promote high standards of meeting behaviour and professionalism for the Council's public hybrid meetings. The working group were satisfied the existing arrangements for holding internal member-level meetings virtually was largely appropriate. However, the survey results and the working group's views supported allowing the individual Member Area Groups (MAGs) to decide how their meetings would be held.

There were four recommendations presented to the Democratic Services Committee.

The Chair thanked the Lead Member and the Democratic Services Manager for the report and comments were welcomed from Members. Members commented on the benefits of hybrid meetings, they gave members more flexibility to attend meetings.

Members referred to recommendation 3 from the Working Group, which related to allowing MAGs to decide whether their meetings were held virtually or face to face. Members felt that the individual MAGs should be able to decide but they should have due regard to the increased costs of travel (both in time and carbon emissions) and of officer time that holding a face-to-face or hybrid meeting entails. For example, some MAGs might want all their meetings held virtually and others may agree to have a face-to-face meeting once a year.

The Monitoring Officer highlighted an incident involving a councillor from another local authority who found themselves in trouble for voting during a meeting whilst they were driving. The Monitoring Officer suggested that the hybrid meetings protocol be amended to include the requirement for remote participants to attend meetings safely and to be safely parked up if attending from a vehicle.

The committee agreed that where a meeting room was required to facilitate either a hybrid or face-to-face MAG meeting the clear expectation would be for the meeting room to be a free-to-use Council meeting room. The use of an external meeting room had to be justifiable in terms of the added benefits gained from using an external meeting room clearly outweighing any financial and administrative costs incurred.

Following a discussion it was –

**RESOLVED:** that the Democratic Services Committee endorses the recommendations of the Working Group as follows –

- (a) That the Hybrid Meetings Protocol be amended as indicated in appendix 2 to the committee's report to promote high standards of meeting behaviour and practices for both hybrid and virtual member-level meetings. In addition, the protocol be amended to include the requirement for remote participants to attend meetings safely and to be safely parked up if attending from a vehicle.
- (b) That internal member-level meetings (excluding the Member Area Groups) be held as virtual meetings unless there is an over-riding benefit to the Council from holding a meeting as a hybrid or face-to-face meeting.
- (c) That the individual Member Area Groups be allowed to decide whether their meetings be held as face-to-face, hybrid or virtual. In determining this the MAGs should have due regard to the added costs of carbon dioxide emissions, travel expenses and officer time associated with attending and supporting hybrid and face-to-face meetings.
- (d) That where a meeting room was required to facilitate either a hybrid or face-to-face MAG meeting the clear expectation would be for the meeting room to be a free-to-use Council meeting room. The use of an external meeting room had to be justifiable in terms of the added benefits gained from using an external meeting room clearly outweighing any financial and administrative costs incurred.

## **6 COUNCIL POLICY ON MEMBER TRAINING**



The Lead Member for Corporate Strategy, Policy and Equalities introduced the report to Members. The report was welcomed, and Member training should be seen as a positive attribute of being a Councillor.

The Democratic Services Manager guided members through the report (previously circulated).

A programme of member inductions, training and development commenced immediately after Council elections in May 2022. The sessions delivered as part of the initial induction for new and returning members included training in the Council's Code of Conduct, members' ICT provision, familiarisation with services, equality and diversity, safeguarding and an introduction to Scrutiny.

### **Mandatory and Discretionary Training**

The Council could decide to designate certain training as being mandatory for all members, or for members undertaking certain roles. Attending at least one training session on the Members' Code of Conduct during each full term of office was mandatory because the requirement was included in the Council's Code of Conduct. The Council has continued to operate mandatory training for members of the Planning Committee, because of the quasi-judicial role being undertaken. Mandatory training which was decided by the previous Council was outlined to members.

In June 2023 the Democratic Services Committee recommended the setting of reasonable mandatory training requirements for appropriate subjects and roles. The committee thought the use of 'once a term' as a timescale for mandatory training to be completed as being unsuitable. The committee supported a role for the political groups and group leaders in encouraging compliance with any mandatory training requirements and supported the use of appropriate sanctions for non-compliance.

In July 2023 full Council considered member training issues however, it was unable to agree a Council Policy on mandatory training and referred member training for consideration by group leaders who subsequently requested that a survey be issued to clarify the views of members.

The results of the survey, which was opened in February 2024 and closed on the 8 March and was open to Councillors, Senior Officers and Lay Members were outlined to Members (appendix 1, previously circulated).

The Chair thanked the Democratic Services Manager for the report.

The Chair suggested that the results of the survey should be used to inform the Committees decision. It was agreed that each topic of training would be voted on individually.

The results of the Committee votes were as follows –

- Chairing of Meetings – Mandatory for Certain Members
- Climate Change/ Ecological Emergency – Mandatory for all
- Code of Conduct -Mandatory for all
- Corporate Governance – Mandatory for certain Members
- Corporate Parenting – Mandatory for all
- Data Protection – Mandatory for all
- Equality/ Diversity – Mandatory for all
- Gypsy and Traveller – Mandatory for all
- Health and Safety – Mandatory for all
- Local Government Finance and Budget Setting – Mandatory for all
- Licensing – Mandatory for Certain Members
- Mental Health and Well-being – Mandatory for all
- Performance data – Not Mandatory
- Planning Committee – Mandatory for Certain Members
- Questioning Skills – Not Mandatory
- Safeguarding – Mandatory
- Schools and Education – Not Mandatory
- Scrutiny- Mandatory for all
- Well-being of Future Generations Act – Mandatory for all
- Welsh Language Standards – Not Mandatory

Members discussed the importance of the Welsh Language Standards training and the Monitoring Officer explained that this training related to the incorporation of the Welsh language within everyday Council workings for example correspondence in Welsh, which the Council needed to legally adhere to, not the wider Welsh Language and Culture.

The Democratic Service Manager continued to explain the sanctions element of the report. Members needed to agree on the sanctions they wished to put forward to Council.

Members discussed the need for sanctions to be positively enforced and discussed the proposed sanctions within the report.

Members felt that it would be inappropriate to publish individual Members training records on the Denbighshire County Council public website and felt that group leaders receiving this information to discuss with their Members would be a more suitable sanction.

Following an in-depth discussion, it was –

***RESOLVED:*** *that the Democratic Services Committee seeks Council approval to the mandatory requirements for each topic as outlined in the bullet-points above and to the provision of member training records to the group leaders for the groups to encourage and enforce compliance with the Council's policy on member training.*

## 7 REGIONAL SCRUTINY ARRANGEMENTS

The Democratic Services Manager, Steve Price, introduced the report (previously circulated).

The report provided an overview of the various scrutiny arrangements currently in place, or being proposed, for the regional/sub-regional public service bodies that were directly associated with local authorities across the North Wales Region.

With local authorities for the foreseeable future attempting to balance increased demand for services against reducing resources regional management of public service delivery may well come to the fore. In addition, Welsh Government (WG) had directed that specific areas of service delivery should be guided by regional plans, hence its decision to establish Corporate joint Committees (CJCs). These factors reinforce the need for local authorities to have robust scrutiny arrangements in place to safeguard the delivery of high -quality regionally coordinated services in their local area.

The Democratic Services Manager outlined the Boards and Services that operated on a regional or sub-regional footprint. Similar to other authorities, Denbighshire contributed to the work of these bodies.

Local authority Scrutiny Committees had an important role in engaging members and the public in regional service delivery and in providing challenge and accountability measures where necessary.

The Democratic Services Manager highlighted within the report the explanations of Denbighshire's current arrangements with each Board with details of the purposes for each.

The Chair thanked the Democratic Services Manager for the report and the Committee expressed its gratitude for the information provided within the report.

Members highlighted the potential for confusion about the purpose of each Board and their level of engagement with regards to working with Denbighshire. Members thought a Council Workshop being provided to all Members would be useful.

The Monitoring Officer further explained the differences between the regional and sub-regional service delivery boards and stated that due to the current financial climate, partnership work would be essential in the future.

The Chair welcomed the report and stated that a workshop for all Members would be beneficial to aide further understanding of the scope of scrutiny arrangements in place and the impact this can have within ward areas.

***RESOLVED:*** that the Democratic Services Committee recommends that an all-member workshop be held on how the regional delivery of services is organised and scrutinised and how regional arrangements impact on Denbighshire.

## 8 FORWARD WORK PROGRAMME

The Democratic Services Manager presented the Forward Work Programme for consideration.

Three business items were listed for the Committees September meeting –

- An Archive for Webcasts
- The Local Government and Elections (Wales) Act
- Petition Scheme

Members were encouraged to contact the Democratic Services Manger if there were any items they wished to be considered for the Forward Work Programme.

**RESOLVED:** *that the Democratic Services Committee's forward work programme be approved.*

Meeting concluded at 12.03PM

<b>Report to</b>	Democratic Services Committee
<b>Date of meeting</b>	20 <sup>th</sup> September 2024
<b>Lead Member / Officer</b>	Julie Mathews Deputy Leader and Lead Member for Corporate Strategy, Policy and Equalities
<b>Report author</b>	Catrin Roberts, Head of Corporate Support Services - People
<b>Title</b>	Petition Scheme

## 1. What is the report about?

1.1. The report relates to a proposed Petition Scheme for Denbighshire County Council.

## 2. What is the reason for making this report?

2.1. To discuss the draft Petition Scheme attached in appendix A.

## 3. What are the Recommendations?

3.1. That the Committee provides comments and suggestions on the draft Petition Scheme

3.2. That the draft Petition Scheme is recommended for adoption for Denbighshire County Council.

## 4. Report details

4.1. Section 42 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act) requires councils to make and publish a petition scheme setting out how the council intends to handle and respond to petitions including electronic petitions. A copy of the statutory guidance is attached in Appendix B.

4.2. Petitions are one way for individuals, community groups and organisations to participate in the democratic process, by raising matters that are of concern to the

public with the Council and allowing Elected Members to consider the need for change.

4.3. The petition scheme must as a minimum 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 by it
- 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 to the public

4.4. A draft Petition Scheme is attached in Appendix A and outlines who can raise a Petition with the Council, the process to be followed and how and when the council will respond. Once agreed this scheme will be set up on the Council's website.

## **5. How does the decision contribute to the Corporate Priorities?**

5.1. The scheme does not directly contribute to the Corporate Priorities; however, it does provide the Community with an avenue for quickly highlight the issues which are of the most concern to them to the council, they can add weight to representations made by ward councillors on their behalf and provide a focus for community discussion. In turn, the council can gain valuable insight into the concerns of their communities and can then support communities in addressing these issues.

## **6. What will it cost and how will it affect other services?**

6.1. There will be minimal costs associated with the setting up and maintaining the scheme which will be absorbed by the service budget

## **7. What are the main conclusions of the Well-being Impact Assessment?**

7.1. A Well-being Impact Assessment has not been completed.

## **8. What consultations have been carried out with Scrutiny and others?**

8.1. The draft Petition Scheme has been discussed by SLT on the 19<sup>th</sup> September 2024.

## **9. Chief Finance Officer Statement**

9.1. Not applicable.

## **10. What risks are there and is there anything we can do to reduce them?**

10.1. There are no risk associated with this Scheme.

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**PETITION TEMPLATE (ELECTRONIC OR PAPER) – DENBIGHSHIRE COUNTY COUNCIL**

<b>LEAD PETITIONER:</b>	
Name:	
Full postal address:	
e-mail address:	
If you do not live in Denbighshire, note how you are eligible to present a petition (eg work, business owner, landowner, taxpayer, study in Denbighshire)	
Phone number (optional)	
Age (please tick box on the right to confirm that you are 16 years old or above)	I am 16 years old or above <input type="checkbox"/>

<b>PETITION DETAILS:</b>	
A clear, concise statement dealing with the subject of the petition. The petition may be returned if it is ambiguous.	
Call on Denbighshire County Council to take specific steps, for example: "We call on Denbighshire to ..."	<i>We call on ...</i>
*Note, the sentence will need to be included at the top of each page of the petition (electronic and paper versions). *	

## **PETITION SIGNATORIES**

<b>We call on .....(copied from the petition)</b>					
<b>Number</b>	<b>Name</b>	<b>Full Postal address</b>	<b>Post Code</b>	<b>If you do not live in Denbighshire please note your eligabilty to sign (eg landowner etc)</b>	<b>Signature</b>
1.					
2.					
3.					
4.					
5.					
6.					
7.					
8.					
9.					
10.					
11.					
12.					
13.					
14.					
15.					
16.					
17.					
18.					
19.					
20.					

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\*\*An individual can only sign a petition once. People must not sign the same on-line and paper petition , and duplication can be removed if it is fund that a petitioner has signed twice – the main petitioner must take responsibility.\*\*

\*\* the Main Petitioner must note how they will comply with data protection requirements\*\*

## **2.0 Statutory Guidance on Petitions**

### **Status of this Guidance**

2.1 This is statutory guidance made under section 44 of the Local Government and Elections (Wales) Act 2021 (the 2021 Act).

### **Purpose of this Guidance**

2.2 This guidance is to support councils in the preparation and maintenance of petition schemes aimed at enabling communities to explore support for specific issues to inform council deliberations.

### **What the Act requires**

2.3 Section 42 of the 2021 Act requires principal councils to make and publish a petition scheme setting out how the council intends to handle and respond to petitions including electronic petitions.

2.4 The petition scheme must as a minimum 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.

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

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

### **Designing a petition scheme**

2.7 A petition scheme should not be considered as the sole method of receiving public views on matters. Its design and parameters should be set in the context of the council's public participation strategy and informed by the other participation pathways available to members of the public. Therefore, as part of a suite of pathways used as part of the council's wider public participation strategy, it can be a powerful tool in gauging support for specific courses of

action.

- 2.8 Well designed and resourced petition systems, working in conjunction and harmony with other participation pathways can have a range of benefits for the public and councils. For example, petitions enable communities to quickly highlight the issues which are of the most concern to them to the council, they can add weight to representations made by ward councillors on their behalf and provide a focus for community discussion. In turn, councils gain valuable insight into the concerns of their communities and can then support communities in addressing these issues.
- 2.9 Petitions should not be considered as a nuisance or threat and should be considered as a good opportunity to hear the views of the public, whether in support or not of something the council may be considering or intending to do.
- 2.10 Councils should, when designing petition schemes, think about the process from the point of view of petitioners, including understanding what petitioners might think “success” will look like at different stages in the process, and how the process can be made as transparent and streamlined as possible.
- 2.11 Councils should have regard to their statutory duties in respect of equalities, Welsh language and the Well-being of Future Generations (Wales) Act 2015 when preparing their petition scheme.
- 2.12 Petition schemes should be developed not just to ensure a fair and robust process but also to provide a helpful and positive experience for those people who take the time to submit and promote petitions. This is likely to involve consideration of the following issues:
- A clear explanation of the matters about which the council will accept petitions, including the criteria for making a decision to accept or reject a petition;
  - How and where advice will be given to petitioners to enable them to engage productively with the process, including measures in place for disabled people and individuals with long term health conditions and neurodiversity;
  - A clear understanding of the different stages in the petitions scheme, with an explanation of what thresholds will be used to determine the transition from one stage to another;
  - How petitions fit in with other opportunities for the public to be involved – and signposting to other opportunities, either as complementary to a petition or instead of it, including connecting the potential petitioner with their ward councillor;
  - The correct body to consider a given petition. It is right for petitions to be heard by a variety of different bodies, although the default is likely to be full Council

unless it is seen as especially useful for the petition to be heard by a committee that focuses specifically on the subject matter of the petition itself;

- Petition schemes will need to consider where petitions are considered in scrutiny committees. These committees have no power to act on petitions but could (for example) adopt petitioners' arguments as formal recommendations;
- The rights of petitioners to speak in meetings, and how this engages with wider public speaking rights, and rights to make deputations;
- How and within what timeframe the council will provide feedback to the petitioner on the success or otherwise of their petition.

2.13 Councils are encouraged to explore what would constitute good practice around the framework for petition schemes set out in this guidance. For example, what might be an appropriate signature threshold for the consideration of a petition and how and when this threshold would be kept under review. This would support a balance between local discretion based on the size of the council, the nature of the scheme and its relationship to other participation pathways in the council and consistency for the members of the public who may be engaged with multiple councils or move from one council area to another.

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# Denbighshire County Council Petitions Scheme 2024-2027

<b>Approved by</b>	TBC
<b>Date approved</b>	TBC
<b>Date implemented</b>	TBC
<b>Owner</b>	TBC
<b>Review date</b>	TBC

# Denbighshire County Council Petitions Scheme 2024-2027 (DRAFT)

## Changes to this document

This document is reviewed regularly to keep up with changes in policy or legislation. The latest versions of our publications can be found on our website. Before contacting us about the content of this document, we recommend that you refer to the most recent version on the website and any relevant guidance.

Version	Date approved	Approved by	Notes / changes
1.0	TBC	TBC	N/A



# Denbighshire County Council Petitions Scheme 2024-2027 (DRAFT)

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# **Denbighshire County Council Petitions Scheme 2024-2027 (DRAFT)**

## **Petitions Scheme 2024-2027 (DRAFT)**

### **Introduction**

This document sets out the Petitions Scheme for Denbighshire County Council.

We are required as part of the Local Government and Elections (Wales) Act 2021 to make and publish a scheme that sets out how we will handle petitions and e-petitions, with consideration given to the following:

- 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 by it
- 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 to the public

We are required to review the Petitions Scheme on a regular basis, and it is our intention to review this scheme at least once after every ordinary local (county council) election.

### **What is a petition?**

A petition is a way of communicating with a person or organisation. Usually, the person or organisation receiving the petition will have decision-making powers.

A petition is usually set up by one person or organisation, and this person or organisation will collect signatures from other people or organisations who support for their proposal or campaign.

Petitions can be a good way of communicating the strength of feeling on a particular topic or encouraging people or organisations to make changes.

# Denbighshire County Council Petitions Scheme 2024-2027 (DRAFT)

## Who can set up a petition?

Anybody can set up a petition, and it can be sent to anybody.

Every petition requires a lead petitioner to be noted, who will act as a contact point for the petition. Here are the requirements that are necessary for the main petitioner:

1. The name of the main petitioner could be an individual who lives, works or studies within Denbighshire, a landowner / taxpayer or organisation located in Denbighshire.
2. The main petitioner must note the home / work / organisation address in full, and an e-mail address (if you have one) or contact information where any correspondence relating to the petition can be sent.

For petitions targeted towards Denbighshire County Council, we have set up the following contact details to receive petitions:

Email: [petitions@denbighshire.gov.uk](mailto:petitions@denbighshire.gov.uk)

Post: Democratic Services, Denbighshire County Council, PO Box 162, Ruthin, LL15 1YN

## What can a petition be about?

Petitions can be about anything, but they should generally:

1. Be about an issue that affects people who live in, work in or visit Denbighshire
2. Be about an issue for which the Council has decision-making powers, or which affects the County of Denbighshire, or communities within Denbighshire
3. Should be about a new topic (i.e. petitions should not be repeated continuously)

## What can't be included in a petition?

We won't accept the following types of petitions:

# Denbighshire County Council Petitions Scheme 2024-2027 (DRAFT)

1. Petitions which the Council has no ability to respond to, or for which the Council is not the correct decision-making authority for the subject of the petition.
2. Petitions which ask the Council to take an action against a specific person. For complaints about Councillors or Council employees we already have a specific complaints procedure to deal with grievance issues, more detail can be found on our website: <https://www.denbighshire.gov.uk/en/contact-us/complaints-compliments-and-feedback.aspx>
3. Petitions which, if the decision or reason for the campaign was upheld, would force the Council to break international, UK or Welsh law. This could include petitions which could cause harm, discrimination or harassment to others.
4. Petitions which are in any other way defamatory, offensive, frivolous or improper
5. Petitions relating to Planning Committee decisions. There is already a process in place to search and respond to planning applications. Please visit the Council's website:  
[Search and comment on Planning applications | Denbighshire County Council](#)
6. Petitions for which any other Council processes already exist to deal with the matter concerned, for example:
  - a. You can report missed bin collections to the Council here:  
[Report a Missed Bin | Denbighshire County Council](#)
  - b. You can report a pothole in the road to the Council here:  
[Report a pothole, damaged road or pavement | Denbighshire County Council](#)

## How do I start a petition?

To start a petition, you will need to do one of the following:

1. Download a petition cover sheet and signature sheets from our website
2. You can use a third-party petitions website if you wish, however please make sure that anyone you are asking to sign your petition provides the following details:
  - a. Name of anyone signing the petition

# Denbighshire County Council Petitions Scheme 2024-2027 (DRAFT)

- b. Address of anyone signing the petition. At a minimum, this should be their town/city/village, and their postcode.

**Please note:** if you are using a third-party website to create and manage your petition, you **must** close the petition and submit it to the Council before we can acknowledge or respond to it. **Open petitions which have not been submitted to the Council cannot be discussed, nor responded to.**

# Denbighshire County Council Petitions Scheme 2024-2027 (DRAFT)

## What needs to go in my petition?

All petitions, whether you are using the template document provided by Denbighshire County Council or a third party should contain:

1. The name and contact details of the petition organiser.
2. A clear and concise statement about the reason for making the petition.
3. A clear and concise statement explaining the actions that you wish the Council to take, or discuss

## Petition Signatories

1. An appropriate signatory is an individual who lives, works, owns a business or studies in Denbighshire; a landowner / taxpayer or who lives in an area of a nearby county and where it can be reasonably expected for them to be affected by the subject of the petition.
2. An individual can only sign a petition once. People must not sign the same on-line and paper petition, and duplication can be removed if it is found that a petitioner has signed twice.

## How do I submit a petition?

When you are happy with your petition, **you must close it**. This means you must stop accepting new signatures. You must submit a complete and finalised record of everyone who has signed your petition so that the Council can count and verify the data. This is because the number of signatories can affect the response a petition receives.

Once you have closed your petition, you can submit it in one of the following ways:

- **Online:** Petitions can be submitted via email to [petitions@denbighshire.gov.uk](mailto:petitions@denbighshire.gov.uk)
- **By post:** Petitions can be posted to Democratic Services, Denbighshire County Council, PO Box 62, LL15 1YN

# Denbighshire County Council Petitions Scheme 2024-2027 (DRAFT)

- **In person:** Petitions can be handed in to reception at County Hall, Wynnstay Road, Ruthin, LL15 1YN during usual opening hours

If you are using a third-party website to start an electronic petition, please make sure it is capable of allowing you to download your final set of responses/signatories to a PDF, CSV or similar file as you will need to send these in to us.

Open links (i.e. petitions which are still capable of collecting additional signatures) will be disregarded.

## How will the Council respond to petitions?

The Council will consider every petition with more than 100 signatories that falls within the scope of this Scheme. The Council can use its discretion where fewer than 100 signatories are received in cases where there is clear local support for action (e.g., where the residents of a small community have petitioned for traffic calming measures).

All petitions that the Council receives will be acknowledged within **10 working days**.

The Council will then aim to respond further to the petition within **21 working days**.

How the Council responds will depend on what the petition is about, and who might be affected by it. When we respond we will do one of the following:

1. If the petition is not a matter the Council is responsible for, we will inform you. Where possible, we will try to signpost you to the responsible authority (e.g. Welsh Government, UK Government, North Wales Police, Natural Resources Wales etc). **We will not forward the petition on to another authority, this will be your responsibility as the petition organiser.**
2. If the petition is a matter the Council is responsible for, we will aim to take the action requested in the petition if we are in a position to do so. If we are unable to do this, we may consider the matter further, and you will get one of the following responses:

# Denbighshire County Council Petitions Scheme 2024-2027 (DRAFT)

- a. An officer responsible for dealing with the subject matter of your petition may respond
  - b. A Head of Service or a Lead Member (Councillor responsible) responsible for dealing with the subject matter of your petition may respond
  - c. A relevant Council committee meeting (e.g. Scrutiny) may discuss your petition
  - d. Cabinet or Full Council may discuss your petition
3. If you want to submit a petition to a specific meeting of the Council or Cabinet or Cabinet Board or Committee then you need to ensure that we receive a completed petition with details of the petition subject matter, number of signatures and your contact details by no later than 17.00 at least 10 working days before that meeting to enable it to be submitted.
4. The Monitoring Officer and the Democratic Services Manager will consider the petitions submitted, decide whether the petition is acceptable based on the following criteria for a valid petition, and will advise on which appropriate body will consider it.
5. Confirmation will be needed regarding the validity of the petition before it is registered in the Council's Petition Scheme Register and published on the Council's website.

## **Response threshold guidelines for petitions affecting specific groups of people**

If the petition is about something affecting a specific group of people, especially anything affecting people with protected characteristics, we will not set specific response thresholds for petitions.

Instead, we will discuss the impact of your request on the group or groups of people who might be affected by any actions taken by the Council, before deciding on an appropriate response.



<b>Report to</b>	Democratic Services Committee
<b>Date of meeting</b>	13 September 2024
<b>Lead Member</b>	Councillor Julie Matthews, Deputy Leader and Lead Member for Corporate Strategy, Policy and Equalities
<b>Head of Service</b>	Catrin Roberts, Head of Corporate Support Services: People
<b>Report author</b>	Steve Price, Democratic Services Manager
<b>Title</b>	A Briefing on Local Democratic Governance and Electoral Legislative Developments

## 1. What is the report about?

- 1.1. The committee included in its forward work plan a report about the provisions of the Local Government and Elections (Wales) Act 2021. An overview of the 2021 Act has been included but this report also contains information on other current Welsh and UK legislation affecting the council's democratic governance arrangements.

## 2. What is the reason for making this report?

- 2.1. To brief the committee on the contents of recent and proposed legislative changes.

## 3. What are the Recommendations?

- 3.1. That the committee considers the legislative changes and proposals summarised in this report.

## 4. Report details

### **The Local Government and Elections (Wales) Act 2021**

- 4.1. The 2021 Act received Royal Assent on the 20 January 2021. Amongst a wide ranging set of provisions for county and community councils, the first parts of the Act dealt with voter registration, electoral cycles confirming local government elections

would be held every 5 years and the voting systems a principal council like Denbighshire can use i.e. a simple majority system or a single transferrable vote system. The 2021 Act promotes public participation in decision-making by local councils, including through the use of a public participation strategy and a petition scheme. It also confirmed the temporary Covid changes that brought in remote attendance requirements at meetings.

- 4.2. The Act places a duty on the leaders of political groups to take reasonable steps to promote and maintain high standards of conduct by members of their groups and to co-operate with the Standards Committee in the exercise of the Standards committee's functions. The Act requires the Standards Committee to make an annual report to the authority. The Act renamed the audit committee and required the committee to undertake additional functions relating to the handling of complaints.

### **The Elections Act 2022**

- 4.3. The 2022 Act is UK legislation for 'reserved' elections in Wales; namely those for the UK Parliament and to elect a police and crime commissioner both which were held earlier this year. The Act introduced the requirement for voters to show photographic ID when voting in a polling station, restricted the handling of postal votes, enabled online postal vote applications and required postal voters to reapply every 3 years, scrapped the 'fifteen-year rule' for voting in Parliamentary elections for British citizens living overseas and changed voting and candidacy arrangements for EU voters.

### **2023 UK Parliamentary Boundary Review**

- 4.4. The Parliamentary Constituencies Act 1986 fixes the number of parliamentary constituencies at 650 for the whole of the UK. The Act also provides a mathematical formula to determine how many constituencies should be allocated to each of the four nations. In accordance with that formula, the number of constituencies allocated to Wales reduced from 40 to 32 for July's General Election. The new constituencies for Denbighshire were Clwyd North, Clwyd East, Bangor Aberconwy and Dwyfor Meirionnydd.

### **The Senedd Cymru (Members and Elections) Act 2024**

- 4.5. This Welsh legislation is part of the Senedd's programme of electoral reform aimed at supporting more inclusive elections and a more representative Senedd. The Act

gained Royal Assent on the 24 June 2024. Key changes to be implemented in time for the 2026 Senedd elections include:

- 96 Members of the Senedd will be returned in May 2026, elected using a fully proportional, closed list system, with all candidates named on ballot papers.
- All candidates to, and Members of, the Senedd will need to be resident in Wales.
- Senedd elections will be held every four years from 2026 onwards.
- The Local Democracy and Boundary Commission for Wales has been renamed and repurposed as the Democracy and Boundary Commission Cymru with the functions necessary to undertake reviews of Senedd constituency boundaries.
- The 32 UK Parliament constituencies in Wales will be paired to create 16 Senedd constituencies for the 2026 Senedd election, with a full boundary review after that election.
- Each of the 16 new constituencies will elect six Members of the Senedd using the d'Hondt formula.
- The maximum number of Welsh Ministers will rise from 12 to 17 (plus the First Minister and the Counsel General), with an option to increase this to 18 or 19 subject to a Senedd vote requiring a two-thirds majority. The maximum number of Deputy Presiding Officers will be increased from one to two.

## **Elections and Elected Bodies (Wales) Act 2024**

4.6. The Elections and Elected Bodies (Wales) Bill is due to receive Royal Assent this month. The Bill makes provision about:

- Electoral registration, to enable voter registration without application (automatic voter registration).
- The establishment of a statutory Electoral Management Board, hosted by the Democracy and Boundary Commission Cymru.
- The process for piloting of changes to the electoral system – with no further pilots planned other than voter registration without application.
- Accessibility and diversity, placing a duty on Welsh Ministers to put schemes in place to support people from underrepresented groups to stand for election, including financial assistance for disabled voters.

- Campaign finance, to reflect changes made in the Elections Act 2022 for notional expenditure, third party campaigning and Electoral Commission Codes of practice.
- The system for monitoring and reviewing local government electoral arrangements.
- The disqualification of community councillors from membership of the Senedd.
- The application of the corrupt practice of undue influence to Senedd elections and local government elections.
- The transfer of functions of the Independent Remuneration Panel for Wales to the Democracy and Boundary Commission Cymru.

4.9 The Elections and Elected Bodies (Wales) Bill introduces a new duty for the Welsh Ministers to issue guidance for political parties to encourage them to publish diversity information on Senedd candidates and diversity and inclusion strategies for all Welsh elections. The draft guidance is currently under development and will be subject to public consultation later this year.

### **The Senedd Cymru (Electoral Candidate Lists) Bill**

4.7. The Bill was introduced to the Senedd on the 11 March 2024 which accepted the General Principles of the Bill on 16 July and it is now progressing through Senedd scrutiny. The changes being introduced by the Bill are intended to be implemented for the 2030 Senedd elections, including:

- Political parties putting forward more than one candidate in a constituency at a Senedd election would need to ensure women make up at least half of their candidate list.
- Political parties would also need to place women at the top of at least half of their constituency candidate lists.

4.10 The Senedd reports that Women are currently an under-represented majority in the Senedd. While they make up 51% of the population of Wales, in the 2021 Senedd election less than a third (31%) of the 470 candidates put forward by political parties in Wales were women, and 26 (43%) of the 60 seats in the Senedd are held by women.

## **Consultation on Proposals for 16 new Senedd Constituencies**

4.11 The Democracy and Boundary Commission Cymru (DBCC) has opened a four-week consultation on its initial proposals for the 16 new Senedd constituencies, closing on the 30 September. To be paired, the constituencies must be contiguous, and the following factors may also be considered:

- local government boundaries;
- special geographical considerations; and
- local ties (including those connected to the use of the Welsh language).

4.12 Following consideration of initial consultation responses, the DBCC is expected to publish a second report detailing any revised proposals in December, which will be subject to another four-week consultation. Once it has made its final decisions, the DBCC will publish a final report in March 2025 detailing the boundaries of the 16 new Senedd constituencies. Neither the Welsh Government or the Senedd can make any changes to these decisions and Welsh Ministers must implement them, in law, within 14 weeks.

### **5. How does the decision contribute to the Corporate Priorities?**

5.1. There is no decision required but the legislative changes outlined in this report are notable as they affect the council's political and democratic governance structures.

### **6. What will it cost and how will it affect other services?**

6.1. The ongoing UK and Welsh electoral reform programmes in particular necessitate regular monitoring in respect of the resources the Council has available to implement them.

### **7. What are the main conclusions of the Well-being Impact Assessment?**

7.1. This report relates to national legislative changes which do not require a Denbighshire Well-being Impact Assessment.

## **8. What consultations have been carried out with Scrutiny and others?**

8.1. The Democratic Services Committee is the appropriate forum for this briefing report.

## **9. Chief Finance Officer Statement**

9.1. A Statement is not required for this report.

## **10. What risks are there and is there anything we can do to reduce them?**

10.1. All local authorities are required to ensure that they are able to support the implementation of these statutory provisions. The Council has recently restructured its Electoral Services to adapt to the legislative changes.

## **11. Power to make the decision**

11.1. No decision is required by the relevant legislation is cited throughout this report.

Democratic Services Committee Forward Work Plan

Meeting	Item (description / title)	Purpose of report	Author	Date Entered / Updated By
14 March 2025				
19 September 2025				

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