



**REPORT OF:** The Monitoring Officer

**TO:** Standards Committee

**DATE:** 27 October 2021

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**SUBJECT:** Petitions – advice for Councillors

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## 1. PURPOSE OF THE REPORT

To inform the Committee of the Council's Petitions Scheme and request it to consider any implications for Councillors who may be involved in supporting or leading on petitions to the Council.

## 2. RECOMMENDATIONS

The Committee is asked to note the report and consider any implications and guidance for Councillors.

## 3. BACKGROUND

The Council has had a petition scheme since 2010, which was revised in January 2021 following Council approval ([Constitution Update - Revised Petitions Scheme Council Forum.pdf \(blackburn.gov.uk\)](#)). The adopted petition scheme is contained in the Council Constitution (Part 7) detailing the procedure for submission and consideration of petitions. The petition Scheme states that anyone who lives, works or studies in Blackburn with Darwen can submit a petition and must include the name, address and signature of any person supporting the petition. Petitions must also be accompanied by contact details for the petition organiser who the Council will liaise with in dealing with the petition. Therefore, under the scheme Councillors are eligible to sign and submit petitions to the Council.

Under the Petition Scheme, "Ordinary" petitions signed by at least 50 people who live, work or study in Blackburn with Darwen are considered by the Executive Board, and petitions containing 4,200 signatures or more are debated by full Council. The Council may also respond to petitions by referring them to an Overview & Scrutiny Committee.

All Members (and co-opted Members) are required to comply with the adopted Members Code of Conduct, which includes the general principles of conduct, the general obligations in Part 1, and the registration/declaration of interests in Part 2 of the Code. Members should also avoid any conflict of interests particularly when acting in their role as councillors.

Many councillors also hold additional responsibilities in the Council (such as Executive Member, Assistant Executive Member and Chair/Vice-chair of committees), and appointed to committees of the Council and outside/joint bodies.

#### **4. RATIONALE**

Under the Council's Petition Scheme, Councillors are eligible to sign and submit petitions to the Council. Councillors are also required to comply with the adopted Members Code of Conduct, and avoid any conflict of interests that may arise.

It would be helpful for Councillors to understand their position in relation to petitions to the Council, under the adopted petition scheme.

#### **5. LEGAL IMPLICATIONS**

The Localism Act 2011 places the Council under a duty to promote and maintain high standards of conduct for members (and co-opted members). This was delegated by the Council in August 2012 to the Standards Committee. Under the Constitution, the Standards Committee also has a role in assisting councillors (and co-opted members) to observe the Members Code of Conduct, and make appropriate recommendations to the Council with respect to:

- promoting and maintaining high standards of conduct and
- the provision of training, guidance and assistance for Members in relation to the Members' Code of Conduct

Whilst Councillors are eligible to sign and submit petitions to the Council under the Council's petition scheme, they must also comply with the Members Code of Conduct and avoid any potential conflict of interests, particularly when they are subsequently involved in dealing with the submitted petition or any issues relating to it.

#### **6. POLICY IMPLICATIONS**

A good governance framework in local authorities is necessary to promote and maintain high ethical standards, and to ensure public confidence. In this regard, Councillors need to be provided with the necessary training, advice and guidance to assist them in their public role.

#### **7. FINANCIAL IMPLICATIONS**

None

#### **8. CONSULTATIONS**

The Standards Committee is invited to discuss the role of Councillors in relation to petitions made to the Council, and make any recommendations that it considers appropriate.

#### **Chief Officer/Member**

Contact Officer: Asad Laher, Strategic Head of Service – Legal & Governance and Monitoring Officer.

Date: 15<sup>th</sup> October 2021

Background Papers: None