

West Surrey Shadow Authority		
Report title: Petition Scheme		
Report to: Constitution Working Group Standards Committee Shadow Authority		
Date: 22 October 2026		
Executive Portfolio Holder: Cllr. Victoria Kiehl Contact Email: Victoria.Kiehl@westsurrey.gov.uk		
Report of Susan Sale, Monitoring Officer (interim), susan.sale@westsurrey.gov.uk		
Report author(s): Vicky Hibbert; Deputy Monitoring Officer (interim)		
Wards affected: ALL Ward councillors informed: No		
Exempt from publication: No		
Key Decision: No	If a Key Decision, date registered on Forward Plan: n/a	
Report cleared for publication by:		
People Workstream	N/A	N/A
Equalities Impact Assessment complete	N/A	N/A
Senior Responsible Officer (or their delegate)	N/A	N/A
S151 Officer	Susan Sale on behalf of Vicky Radford	29 September 2026
Monitoring Officer	Susan Sale	29 September 2026
Executive Portfolio Holder consultation	Cllr Victoria Kiehl	29 September 2026
Committee Chair consultation	Cllr Jo Shaw	29 September 2026
Head of Paid Service	Susan Sale on behalf of Andy Brown	29 September 2026

1. Executive Summary

- 1.1 This report sets out a proposed petition scheme to be included in the West Surrey Council's Constitution, to be effective from Vesting Day.

2. Recommendations:

2.1. It is recommended that the Standards Committee:

Approves the proposed petition scheme, effective from Vesting Day, and recommends it to the West Surrey Shadow Authority for approval and inclusion in the post-vesting day West Surrey Council Constitution.

- 2.2. **Subject to approval, authorises the Monitoring Officer to make any additional required changes to other parts of the Constitution as a result of the petition scheme being approved.**

3. Reason(s) for recommendation:

- 3.1 West Surrey Council is required to have a petition scheme in place setting out how petitions will be managed and for this to be clearly documented in the West Surrey Council Constitution.
- 3.2 The proposed petition scheme sets out a proposed approach to managing petitions received by West Surrey Council and will help ensure that, from vesting day, petitions received are dealt with appropriately.

4. Next steps

- 4.1. Comments and feedback received from the Constitution Working Group on 8 October 2026 will go to the Standards Committee on 22 October 2026.
- 4.2. If approved by the Standards Committee, the petition scheme will be presented to the West Surrey Shadow Authority for approval and adoption into the post-vesting day Constitution.

5. Exemption from publication

- 5.1. None of this report is exempt from publication.

6. Background and Proposal

- 6.1 The Local Democracy, Economic Construction and Development Act 2009 and Local Authorities (Petitions) (England) Order 2010 sets out that local

authorities must have a formal petition scheme detailing how they acknowledge, handle, and debate public petitions.

- 6.5 The proposed petition scheme for West Surrey Council can be found at Appendix 1 and sets out how petitions could be managed from 1 April 2027. The scheme details how a petition can be submitted, guidelines on what will be accepted and what is excluded, how the council will respond to petitions and where petitions can be presented.
- 6.6 The proposed scheme has been prepared having regard to predecessor council petition schemes and recognising that the size and scale of services to be delivered by West Surrey Council from vesting day. The proposed thresholds for consideration of petitions received by the Executive or relevant committee or full Council are seen to be appropriate for West Surrey Council but can be reviewed post vesting day.

7. Consultation

- 7.1. Consultation has been undertaken with the relevant Portfolio Holder and their comments may be fed back verbally to the Constitution Working Group at its meeting.

8. Key Risks

- 8.1. If the Council does not have a petition scheme in place it will not comply with the relevant legislation. This could lead to challenge from residents and service users and leave the council open to legal challenge.

9. Options

- 9.1. Recommend the proposed petition scheme (with or without further amendments) to the Standards Committee. This is the **preferred option** to ensure a clear and robust constitution and allow progress through the next stages of the governance route.
- 9.2. Do not recommend the proposed petition scheme for onward progression to the Standards Committee. This is **not recommended**.

10. Issues for Consideration

10.1. Financial Implications

- 10.1.1. There are no direct financial implications arising from the proposed action set out in this report.

10.2. Legal Implications

10.2.1 The legal implications are set out through this report.

10.3. Monitoring Officer Commentary

10.3.1. The petition scheme forms an important part of a council constitution and is part of the Council's arrangements for discharging its responsibilities in relation to petitions. The proposed scheme will help ensure compliance with legislation and will support a robust governance framework.

10.4. People/Human Resources Implications

10.4.1 There are no direct People or Human Resources implications arising from this report.

10.5. Equality and Diversity Implications

10.5.1 The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

10.5.2 The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, sex, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

10.5.3 This duty has been considered in the context of this report and it has been concluded that there are no equality and diversity implications arising directly from this report. Equality and Diversity implications will be considered separately in respect of the exercise of the functions which are allocated by this report.

10.6. Climate Change and Sustainability Implications

10.6.1 There are no climate change and sustainability impacts arising directly from this report.

10.7. Stakeholder Implications

10.7.1 None anticipated.

11. Overview & Scrutiny Comments

11.1 Not applicable

12. List of Appendices

Appendix 1: Proposed Petition Scheme for West Surrey Council

13. List of Background papers

13.1 None