

P-06-1248 Change Standing Orders and admissibility criteria for petitions – Correspondence from the Petitioner to the Committee, 7 June 2022

Taking first the comments in the letter submitted by the Presiding Officer dated 24th May

Local Authorities are democratic bodies, with elected representatives

Yes they are but unfortunately they are not always acting democratically and some have been found to be acting illegally

There are specific processes in place relating to planning matters

Yes there are but once again these processes are often not being followed and with determined efforts in some cases resulting in illegality, the public should have the right to petition the higher level of government to ensure that Welsh Government diktat and regulation is followed and particularly Declarations such as Climate Emergency and Nature Emergency declarations are taken in and regarded as 'material matters' when considering planning applications. It has already been accepted by the Welsh Government that Planning reform is needed and a commitment made but in the meantime, there is an urgent need for the public to be able to easily bring to the fore with the Welsh Government, matters that require their 'reserve powers'.

The Local Government And Elections (Wales) Act 2021 sets out requirements to promote access to local government including establishment of petitions processes

Yes it does but it will be some time before these processes are in place, many local authorities choosing instead to concentrate on the recent local elections and establishing the plans for the forthcoming period. However, self regulation of a council will hardly help in those cases where the council itself is determined to either break or bend the law. Governance is on a hierarchical basis, just like the judicial system, it's folly to suggest that the rules and regulations be made by the Welsh Government, only to be disregarded by Local Government without any policing / overrule by the Senedd. The public vote for the Senedd as they do for Local Councils but do not understand a 'hands off' approach, they expect errant councils to be taken to task by the Senedd when required, it must be made easier for them to do that

Changing the criteria could have a significant and disproportionate resource implications for the Committee

This from a government that has just approved taking forward the expansion of the Senedd by another 30 members and attributed costs of £13m per year without consulting the public ? It's disingenuous of the presiding officer to put forward such an argument when money is easily being found elsewhere for less valuable matters. One either believes in the process or not ? The Petitions process is there as an avenue for the public to raise with the Senedd important matters of concern, this should be regarded by the Presiding Officer as an important channel of communication, not an appeasement to be kept as cheap as possible !

Now moving on to the petition itself and re-iterating, the respondents to the February 2016 public consultation, confirmed under item 17, that they favoured allowing petitions about local authority operational decisions. 57% of the public and 50% of local petitioners favoured allowing such petitions. So comments such as ***'Despite the responses to the online survey, there does not appear to be a consensus for change in this area and good reasons to not interfere in local democratic decision making'*** from the committee and ***'I am of the opinion that it is not appropriate for the Senedd or the Committee to intervene in operational decisions or actions of local authorities' by the Presiding Officer'*** are an affront to democracy and the public. You undertook a public consultation exercise, you got the feedback which on a majority basis favoured changing the

'hands off' approach, yet you didn't like the result so decided to just brush it aside ? That appears to be totally wrong in a responsible and open government, consulting it's public. Why have a public consultation if you aren't going to listen ? That's virtual signalling at it's worst.

The actions of the Vale Of Glamorgan Council in respect of Model Farm, demonstrates there is a need for the Senedd to intervene in Local Government. The VOG Council withheld, illegally, the viability report, they also agreed to let Legal & General off over £3m of Section 106 money behind the scenes and concealed this, they also omitted important documents in this respect from the freedom of information pack that protesters obtained and paid for costing over £200. They also withheld the report from their own environment officer who recommended rejection of the planning application. Additionally the VOG Council total disregarded the Climate Emergency and Nature Emergency and the declarations made by the Senedd in this respect as not 'Material Matters'. So far, no one at the VOG Council has been sanctioned for this approach and neither has the application been called in yet by the Senedd, although I believe Julie James is considering doing so albeit she refused to answer questions in front of the House of Commons Welsh Affairs Committee in respect of Model Farm, why would that be? So current processes aren't working !!

Councils all over Wales are bending the rules, particularly in respect of the green agenda, there is a need for the Welsh Government to govern, not abrogate it's responsibilities. A normal 'hands off' approach is fine in day to day operations but there must be an appeals process available to the public. The public understand the legal system, they understand that appeals have to go to a higher authority and continue up the ladder as necessary. Why should it not be the same in respect of local government's acting ultra vires ? The Petitions process to the Senedd is the right and just process available to the public. Change the Standing Orders and Admissibility criteria, show that the Senedd is prepared to protect it's public and do the right thing !!