

Chapter 15 PETITION SCHEME

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15.1 The Councils petition scheme

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. The originator of any petition will be sent an acknowledgement within 10 working days of the petition being received by the Council. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper copies of petitions can be sent to:

Democratic Services
Charnwood Borough Council
Council Offices
Southfield Road
Loughborough
LE11 2TR

Alternatively, you can ask your local ward councillor to submit the petition at a meeting of the full Council.

15.2 What are the guidelines for submitting a petition?

(a) Petitions submitted to the Council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take
- the name and address and signature of any person supporting the petition. Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how

we will respond to the petition. The contact details of the petition organiser will not be placed on the Council's website

- an indication of whether it is intended to be

An ordinary petition – a minimum of 100 signatures required (unless the petition is considered to be very local in nature – then a minimum of 20 signatures are required).

A petition holding an officer to account (you must specify the name of the officer) – a minimum of 2000 signatures

A petition forcing debate at a full Council meeting – a minimum of 3000 signatures required

People signing the petition must either live, work or study in the Borough and may not sign a petition more than once. Petition signatories should be of voting age (currently 18 years old) in English Local Authority elections, although there may be exceptional circumstances, where a separate, supplementary petition from those below voting age in English Local Authority elections will be accepted in support of the substantive petition.

- (b) If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

15.3 Exemptions

- (a) The Council reserves the right to reject petitions which:

- are not concerned with an issue which affects the Borough or do not raise matters over which the Authority has responsibility or has some influence;
- are defamatory, illegal, scurrilous, frivolous, offensive, out of order or relate to a specific licensing or planning application;
- relate to substantially the same issue / subject as a petition which has been received by the Authority in the last 12 months;
- apply to a planning or licensing application, is a statutory requirement (for example, requesting a referendum on having an elected mayor), or is on a matter where there is already an existing right of appeal, such as Council Tax banding and non-domestic rates, other procedures apply.

- (b) If you wish to raise issues of possible Borough or Parish councillor misconduct under the Members' Code of Conduct then you should do

this via the formal member complaint process. Details of how you can do this, the process and a complaint form are available on the Council's website at:

<http://www.charnwood.gov.uk/pages/makingacomplaintaboutacouncillor>.

You can telephone the Monitoring Officer for advice on this process on 01509 634573.

- (c) Duplicate petitions - if more than one petition is received in time for a particular meeting, each supporting the same outcome on one matter, each petition organiser will be treated as an independent petition organiser but only the petition organiser of the first petition will be invited to address the meeting.
- (d) If your petition is about something that a different council or other organisation is responsible for, the Council will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other Council, but could involve other steps. In any event, the Council will always notify you of what action has been taken.
- (e) If the Council rejects a petition for any of these reasons, then we will notify you of the rejection and tell you the reasons why.

15.4 What will the Council do when it receives my petition?

- (a) An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.
- (b) If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council debate, or a senior officer being held to account, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.
- (c) To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate.

15.5 How will the Council respond to petitions?

(a) Our response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a Council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the Council's Cabinet or appropriate scrutiny committee
- writing to the petition organiser setting out our views about the request in the petition

(b) If your petition is about something over which the Council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. If this is the case, we will let you know. The Council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to you.

(c) If your petition is about something that a different Council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other Council, but could involve other steps. In any event we will always notify you of the action we have taken.

(d) Full Council debates

If a petition contains more than 3000 signatures it will be debated by the full Council (unless it is a petition asking for a senior Council officer to give evidence at a public meeting). This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 30 minutes. The Cabinet lead member will lead the debate.

- (e) The Council will decide how to respond to the petition at this meeting. An officer report will accompany the petition and will outline the options open to the Council. If the Council has the power to take the action the petition requests it may choose to do so. If not, it may refer the matter to the Cabinet or appropriate committee for decision. Before it goes to the Cabinet/committee, the petition may be looked at by a scrutiny committee and the petition organiser may be invited to give evidence. The scrutiny committee's views will then be forwarded to the Cabinet/Committee for consideration along with the petition.
- (f) The petition organiser will receive written confirmation of the eventual decision. This confirmation will also be published on our website.

(g) Officer evidence

Your petition may ask for a senior Council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior Council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

- (h) If your petition is of this nature and contains at least 2000 signatures, the relevant senior officer will give evidence at a public meeting of the Council's relevant scrutiny committee. If you are unsure which senior officer is responsible for a particular service, please contact Democratic Services (telephone 01509 634781 or e-mail democracy@charnwood.gov.uk).
- (i) You should be aware that the scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call the relevant Cabinet lead member or committee chair to attend the meeting.

15.6 What can I do if I feel my petition has not been dealt with properly?

- (a) If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Scrutiny Commission review the steps that the Council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate. Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.