

## Petition Scheme

### 1. What are the guidelines for submitting a petition?

- (a) Petitions submitted to the County Council must include:
  - (i) a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the County Council to take.
  - (ii) the name and address of the petition organiser (this is the person we will contact to explain how we will respond to the petition), and
  - (iii) the name and address and signature of any person supporting the petition. (Petitions can be signed by people who live, work, study in or visit the County Council's area).
- (b) Petitions which are considered to be vexatious\*, abusive or otherwise inappropriate will not be accepted and you will be contacted to explain the reasons for this.
- (c) \* In deciding if a petition is vexatious the guidance used for the Freedom of Information act the starting point will be:

**“Deciding whether a request is vexatious is a flexible balancing exercise, taking into account all the circumstances of the case. There is no rigid test or definition, and it will often be easy to recognise. The key question is whether the request is likely to cause distress, disruption or irritation, without any proper or justified cause”**

- (d) In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.
- (e) Petitions for a County Council debate should be submitted to the Head of Democratic Services & Local Leadership at least 14 days before the next available meeting. The Chairman shall have discretion to accept petitions on urgent matters after that deadline following consultation with the political Group Leaders.
- (f) If a petition does not follow the guidelines set out above, the County Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

## **2. What will the County Council do when it receives my petition?**

- (a) An acknowledgement will be sent to the petition organiser within 5 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 already taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a County Council debate, or a senior officer giving evidence, 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) If the petition applies to a planning application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply.
- (d) 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. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

## **3. How will the County 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:
  - (i) taking the action requested in the petition
  - (ii) considering the petition at a Council meeting
  - (iii) holding an inquiry into the matter
  - (iv) undertaking research into the matter
  - (v) holding a public meeting
  - (vi) holding a consultation
  - (vii) holding a meeting with petitioners
  - (viii) referring the petition for consideration by one of the Council's overview and scrutiny committees\* or in the case of cross cutting issues the Head of Democratic Services and Local Leadership in consultation with the Chairman and Spokesmen of the Scrutiny Board will determine which overview and scrutiny committee will consider the petition
  - (ix) calling a referendum
  - (x) writing to the petition organiser setting out our views about the request in the petition

- (b) \* Overview and scrutiny committees are committees of Elected Members who are responsible for scrutinising the work of the County Council – in other words, the overview and scrutiny committee has the power to hold the County Council’s decision makers to account.
- (c) The County Council will tell you what it intends to do with the petition within 20 days of receipt of the paper petition or the close of an e-petition.
- (d) If your petition is about something over which the County 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. The County 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 County Council policy), then we will set out the reasons for this to you. You can find more information on the services for which the County Council is responsible here.
- (e) If your petition is about something that a different Council is responsible for, or for which we have joint responsibility, 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 for them to respond to or comment on, but could involve other steps. In any event we will always notify you of the action we have taken.

#### **4 Full County Council debates**

- (a) If your petition relates to a county-wide matter and contains at least 12,000 signatures it will be debated by the County Council (unless it is a petition asking for a senior council officer to give evidence at a public meeting (see below)). If your petition covers a County Council matter that relates to a specific District Council area it will require at least 1,000 signatures for it to be debated by the County Council. If this matter relates to more than one District Council area then at least a 1,000 signatures per District Council area will be required for the matter to be debated by the County Council.
- (b) The County 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.
- (c) The lead petitioner, or their named representative will be invited to attend the meeting and to submit a written statement of no more than 500 words, which should be sent to the Democratic Services Unit (preferably by e-mail) to arrive by 5:00pm on the Monday of the week before the County Council meeting. The relevant Directorate should also submit a brief position statement/briefing note by the same deadline;
- (d) At the meeting of the County Council the petition organiser, or their named representative, will be given five minutes to present the petition at

the meeting and the petition will then be discussed by Elected Members. The total time for a petition debate will be 45 minutes. If the lead petitioner, or their named representative, does not attend the County Council meeting then the petition will be considered in their absence.

- (e) The County Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by the relevant Cabinet Member or committee.
- (f) Where the issue is one on which the County Council's Executive is required to make the final decision, the County Council will decide whether to make recommendations to inform that decision.
- (g) The petition organiser will receive written confirmation of the Council's decision, which will also be published on our website.
- (h) The County Council will not debate a petition on the same decision/issue as one debated by the County Council within the previous six months.

## **5 Calling an Officer to give evidence at an Overview and Scrutiny Committee**

- (a) 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.
- (b) If your petition contains at least 6,000 signatures for a countywide matter and 500 signatures (or multiples) for a County Council matter relating to a District area(s), the relevant senior officer, accompanied by the relevant Cabinet Member, will give evidence at a public meeting of one of the Council's overview and scrutiny committees. A list of the senior staff that can be called to give evidence can be found [here](#).
- (c) You should be aware that the overview and 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.
- (d) The lead petitioners or their named representative:
  - (i) will be invited to attend the meeting and to submit a written statement of no more than 500 words, which should be sent to the Democratic Services Unit (preferably by e-mail) to arrive by 5:00pm on the Monday of the week before the Overview & Scrutiny meeting;
  - (ii) will be allowed to address the Committee for up to 5 minutes to summarise their reviews and to amplify, but not repeat, any points in their written statement;

- (iii) will then be allowed up to 5 minutes to ask questions of the officer (the 5 minutes does not include the time for answers to be given). These questions should be used to seek genuinely new information. Questions must not be asked to which the member of the public already knows the answer;
- (iv) will receive written confirmation of the Overview & Scrutiny Committee's decision, which will also be published on our website

## **6 E-petitions**

- (a) The Council welcomes e-petitions which are created and submitted through our website. E-petitions must follow the same guidelines as paper petitions (as set out above). The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions remain open for a maximum of 3 months, but a shorter or longer timescale can be agreed with the petition organiser if appropriate.
- (b) When you create an e-petition, it may take up to 10 working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature. If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website. When an e-petition has closed for signature, it will automatically follow the same process as a paper petition (as set out above)
- (c) In the same way as a paper petition, you will receive an acknowledgement within 5 working days of the close of the e-petition. A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

## **7 How do I 'sign' an e-petition?**

You can see all the e-petitions currently available for signature here [insert link]. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

## **8 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 steps that the County Council

has taken in response to your petition are reviewed. All reviews will be considered the Scrutiny Board.

- (b) 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 County Council's response is not considered to be adequate.
- (c) The Board will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting.
- (d) Should the Board determine that the County Council has not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the County Council's Executive and arranging for the matter to be considered at a meeting of the full County Council.
- (e) 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

Approved by the County Council on 22 July 2010  
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