

APPENDIX 27

PETITION SCHEME

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 10 working days of receipt. 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 such or if it seems to us that it is intended to be a petition.

Paper petitions should be sent to:

The Democratic Services Manager,
The Borough Council of Newcastle-under-Lyme,
Civic Offices,
Merrial Street,
Newcastle,
Staffs, ST5 2AG.

Petitions also may be created, signed and submitted on-line.

Petitions may also be presented to a meeting of the Council. Meeting dates and times are available on the Council and Democracy section of the website. If you would like to present your petition to the Council, or would like your local ward councillor or someone else to present it on your behalf, please contact the Democratic Services Manager on 01782 742227 or julia.cleary@newcastle-staffs.gov.uk at least 10 working days before the date of a meeting and she will talk you through the process. If your petition has received 1500 signatures or more, it will also be scheduled for a Council debate and if this is the case we will let you know whether this will happen at the same meeting or at a future meeting of the Council.

WHAT ARE THE GUIDELINES FOR SUBMITTING A PETITION?

Petitions submitted to the Council must include:

- (a) a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take
- (b) the name, address and signature of any person supporting the petition.

Petitions should also 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 website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. 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. 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.

WHAT WILL THE COUNCIL DO WHEN IT RECEIVES MY PETITION?

An acknowledgement will be sent to the petition organiser within 10 working days of receipt. The acknowledgment will advise what we plan to do with the petition and when the petition organiser can expect to hear from us again. It will also be published on the Council's website.

If the Council can do what the petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will then be closed. If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence, then the acknowledgement will confirm this and advise when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

If the petition applies to a planning or licensing 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 or non-domestic rates, other procedures apply.

The Council will not take action on any petition which is considered to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what the Council is doing in response to the petitions it receives, details of such petitions will be published on the website, except in cases where this would be inappropriate. Whenever possible, all correspondence relating to the petition will be published (personal information will not be disclosed). 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.

HOW WILL THE COUNCIL RESPOND TO PETITIONS?

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

- Taking the action requested in the petition
- Considering the petition at a Council meeting
- Holding an enquiry 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 relevant scrutiny committee*
- Calling a referendum
- Writing to the petition organiser setting out the Council's views about a request contained in the petition

*Scrutiny committees are committees of councillors who are responsible for scrutinising the work of the Council. In other words, the relevant scrutiny committee has the power to hold the Council's decision makers to account.

In addition to the above steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

If a petition is about something over which the Council has no direct control (for example a local railway or hospital), the Council will consider making representations on behalf of the community to the relevant body. The Council works with a number of partner organisations and if possible will work with them in order to be able to respond. If the Council is not able to do this for any reason (for example, if what the petition calls for conflicts with Council policy), then we will explain the reasons for this. You can find more information on the services for which the Council is responsible on the website.

If your petition is something that a different council is responsible for, we will give consideration as to what is the best method 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.

FULL COUNCIL DEBATES

If a petition contains more than 1500 signatures, it will be debated by the Full Council. This is reduced to 200 signatories or petitioners where the petition relates to a local issue affecting no more than two electoral wards within the Council's area, unless it is a petition asking for a senior 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 next 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 15 minutes. The Council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, or not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter – for example by a relevant committee. Where the issue is one on which the Council Executive (Cabinet) are required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on the website.

OFFICER EVIDENCE

Your petition may ask for a senior 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 officer to explain progress on an issue, or to explain the advice given to elected Members to enable them to make a particular decision.

If your petition contains at least 750 signatures, the relevant senior officer will give evidence at a public meeting of the relevant scrutiny committee. This is reduced to 100 signatories or petitioners where the petition relates to a local issue affecting no more than two electoral wards within the Council's area. Executive Directors and Heads of Service can be called to give evidence. Details are available from the Democratic Services Manager. You should be aware that the scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of

an officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the Chair of the committee by contacting the Democratic Services Manager up to three working days before the meeting.

E-PETITIONS

The Council welcomes petitions which are created and submitted through its website. E-petitions must follow the same guidelines as paper petitions. 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 run for six months, but you can choose a shorter or longer timeframe up to a maximum of 12 months.

When you create an e-petition, it may take five working days before it is published on-line. This is because we have to check that the content of your petition is suitable before it is made available for signature.

If the Council feels it 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 petitions and the reasons 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 be submitted to the Democratic Services Manager. In the same way as a paper petition, you will receive an acknowledgment within 10 working days. If you would like to present your e-petition to a meeting of the Council, please contact the Democratic Services Manager within 10 working days of receipt of the acknowledgement.

A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgement and response will also be published on the website.

HOW DO I SIGN AN E-PETITION?

You can see all the e-petitions currently available for signature by clicking on the active and completed e-petitions page.

When you sign an e-petition, you will be asked to provide your name, postcode and a valid email address. When you have submitted this information, you will be sent an email to the address you have provided. The email will include a link which you will need to 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.

WHAT CAN I DO IF I FEEL MY PETITION HAS NOT BEEN DEALT WITH PROPERLY?

If you feel that your petition has not been dealt with properly, the petition organiser has the right to request the Council's relevant scrutiny committee to 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.

The scrutiny committee will endeavour to hear your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the next meeting. Should the scrutiny committee determine that the petition has not been dealt with adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council Executive (Cabinet) and arranging for the matter to be considered at a meeting of the Full Council.

On 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 the website.

Updated June 2015
(job title changes, contact details changes)