

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**REPORT OF THE EXECUTIVE MANAGEMENT TEAM TO COUNCIL**

**19 May 2010**

**1. DATES OF COUNCIL MEETINGS FOR 2010/11 MUNICIPAL YEAR**

**Submitted by:** Member Services Manager – James McLaughlin

**Portfolio:** Customer Service and Transformation

**Ward(s) affected:** Non-specific

**Purpose of the Report**

To approve the dates of meetings of the full Council for the 2010/11 municipal year

**Recommendations**

**That the proposed dates for meetings of the full Council during the 2010/11 municipal year be agreed.**

**Reasons**

The Constitution states that it is the responsibility of the full Council to agree the dates and times of the meetings of the Council for the municipal year. This report outlines the dates and requests Member approval to those dates.

**1. Background**

- 1.1 Members are asked to agree the following dates for meetings of the full Council for the 2010/11 municipal year:

Wednesday 19 May 2010 at 6.30pm (Annual Meeting)  
Wednesday 30 June 2010 at 7.00pm  
Wednesday 28 July 2010 at 7.00pm  
Wednesday 15 September 2010 at 7.00pm  
Wednesday 27 October 2010 at 7.00pm  
Wednesday 15 December 2010 at 7.00pm  
Wednesday 23 February 2010 at 7.00pm  
Wednesday 6 April 2010 at 7.00pm  
Wednesday 18 May 2010 at 7.00pm (Annual Meeting)

All meetings will take place in the Council Chamber of the Civic Offices.

2. **ADOPTION OF THE CONSTITUTION, STANDING ORDERS, FINANCIAL REGULATIONS,  
TERMS OF REFERENCE OF COMMITTEES AND SCHEME OF DELEGATION AND DUTIES  
FOR THE 2010/11 MUNICIPAL YEAR**

**Submitted by:** Head of Central Services – Paul Clisby

**Portfolio:** Customer Service and Transformation

**Ward(s) affected:** Non-specific

A report on this matter will be circulated prior to your meeting.

## **SUPPLEMENTARY REPORT OF THE EXECUTIVE MANAGEMENT TEAM TO COUNCIL**

**19 May 2010**

### **3. DUTY TO RESPOND TO PETITIONS – DEVELOPMENT OF A PETITION SCHEME**

**Submitted by:** Member Services Manager – James McLaughlin

**Portfolio:** Customer Service and Transformation

**Ward(s) affected:** Non-specific

#### **Purpose of the Report**

To adopt a Petitions Scheme, in accordance with the requirement of the Local Democracy, Economic Development and Construction Act 2009.

#### **Recommendation**

**That the Petitions Scheme, appended to this report, be agreed and incorporated within the Council's Constitution.**

#### **Reasons**

The Local Democracy, Economic Development and Construction Act 2009 Commencement Order No. 3 was issued on 19 March 2010, bringing into force the requirement for the Council to have a petitions scheme in place by 16 June 2010 and a facility for making petitions in electronic form to the council by 15 December 2010.

#### **1. Background**

- 1.1 Following the Governance of Britain Green Paper 2007 and the Local Democracy, Economic Development and Construction Act 2009, the Government has set out guidance to assist local authorities in the development of a formal petitioning system across England.
- 1.2 The statutory guidance has been published following the 12-week consultation that closed on 24 February 2010. It sets out the requirements of the petitions duty, namely that all local authorities must establish a scheme for responding to the petitions they receive, and that councils will be required to tell people what action is going to be taken to address their concerns.
- 1.3 The scheme:
  - must be approved by a meeting of the full council before it comes into force;
  - must be published on the council's website
  - can be revised at anytime, but the revised scheme must be approved and publicised as detailed above; and
  - the authority must comply with its petition scheme
- 1.4 The 2009 Act requires petition schemes to meet some minimum standards in order to ensure minimum entitlements which all citizens can expect. Beyond this, councils have a

high level of flexibility about how they approach the duty. The minimum requirements of the Act are:

- anyone who lives, works or studies in the local authority areas, including under 18's, can sign or organise a petition and trigger a response;
- a facility for making electronic petitions is provided by the local authority;
- petitions must be acknowledged within a time period specified by the local authority;
- among the possible steps that the council may choose to take in response to a petition, the following steps must be included:
  - taking the action requested in the petition
  - considering the petition at a meeting of the authority
  - holding an inquiry
  - holding a public meeting
  - commissioning research
  - a written response to the petition organiser setting out the authority's views on the request in the petition
  - referring the petition to an overview and scrutiny committee
- petitions with a significant level of support trigger a debate of the full council – councils will determine this threshold locally but it must be no higher than 5% of the local population;
- petitions with a requisite level of support, set by the council, trigger a senior officer to give evidence at a meeting of the authority's overview and scrutiny committee;
- petition organisers can prompt a review of the council's response if the response is felt to be inadequate.

1.5 The statutory guidance states that, when designing a petition scheme, councils are expected to:

- take into account local circumstances to ensure that the scheme is locally appropriate;
- ensure the scheme is accessible to all, for example, the e-petitions facility is compliant with web accessibility standards;
- ensure that the process is easy for citizens to use, for example, that no previous knowledge of council procedure is needed in order to submit a petition and people know what they have to do in order to receive a response.

## 2. **Issues**

2.1 At a meeting held on 23 February 2010, the Overview and Scrutiny Co-ordinating Committee resolved:

- That the draft response prepared by officers be approved for submission to the Department for Communities and Local Government.
- That the officers prepare a report for a future meeting of this Committee to enable the development of a petitions scheme for the Borough Council.

This report has been submitted to fulfil the second resolution from that meeting.

2.2 Following the end of the consultation, the Department for Communities and Local Government has quickly published the statutory guidance on the duty to respond to petitions, which includes a model petition scheme that is designed to assist local authorities in developing their own schemes. The council is legally required to have an agreed petitions

scheme in place by 15 June 2010. Therefore it will be necessary for the council to agree its petition scheme at this meeting.

2.3 The draft Petitions Scheme applies to petitions which:

- (i) request the council to take, or cease to take action described in the petition;
- (ii) are signed by a requisite number of people living, working or studying in the Borough;
- (iii) are not a requirement of other legislation, for example a petition for an Elected Mayor; and
- (iv) are submitted using the council's e-petition facility which must be available by 15 December 2010

2.4 The proposed Scheme sets no threshold on the number of signatures required to request the Council to take action, so making it responsive to local issues, as well as bigger issues affecting the whole Borough. The proposed Scheme provides for petitions with 1,000 or more signatures to trigger a debate by the council. 500 signatures are required to mandate a senior officer to give evidence at a public meeting of an overview and scrutiny committee.

2.5 Should the person submitting the petition not be satisfied with the response then they will have a right of appeal to the Overview and Scrutiny Co-ordinating Committee, which will be required to determine whether the action agreed by the council in response to the petition is adequate.

2.6 One of the potential responses to any petition received is for the council to refer it for consideration by the overview and scrutiny process. As the council will have a duty to respond to the concerns expressed by the petition, the Co-ordinating Committee will have little option but to refer it to a themed overview and scrutiny committee, which could have significant workload implications for those committees and be detrimental to their planned work programmes.

2.7 To facilitate the requirement to accept e-petitions, the council will need to acquire appropriate software. Your officers are currently investigating how to procure a Committee Management System, which will include an e-petitioning facility as part of the council's Transformation Programme.

3. **Proposal**

3.1 The Council is asked to adopt the proposed petition scheme.

3.2 The scheme must become effective before 15 June 2010 and thereby comply with legislative requirements. If full Council agrees to this recommendation, the petition scheme will be incorporated within the constitution and made publicly available through the council's website and on request.

3.3 It is recognised that Members may wish to comment and amend the proposed scheme, however your officers recommend that the scheme be adopted as presented to fulfil the legislative requirement to have a scheme in place by 15 June 2010. This document is a "living" one and can be amended at anytime by the council to better fit the needs of the people of the Borough.

4. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

4.1 Adoption of the petitions scheme links closely to the corporate priority of transforming our council to achieve excellence. Specifically, this report recommends action which is required

by legislation to strengthen the accountability of local authorities to the people that they serve and represent.

- 4.2 This report does not propose any outcomes linked to the Sustainable Community Strategy.

5. **Legal and Statutory Implications**

- 5.1 These are broadly set out in the body of the report. The legal requirement to have a petition scheme is embodied in statutory provisions and given effect from 15 June 2010 by way of a statutory instrument from the Secretary of State.

6. **Equality Impact Assessment**

- 6.1 The petitions scheme allows all residents of the Borough to submit a petition, requiring the council to consider and take appropriate action on the request, whether in paper or electronic form. As 'paper' petitions are acceptable persons without access to the internet are not precluded from organising, signing or submitting a petition.

7. **Financial and Resource Implications**

- 7.1 While there are no financial implications arising directly from this report, the statutory provisions require the Council to invest in software that will enable anyone who lives, works or studies in the Borough to set up a petition and allow anyone to "sign" the petition on-line. The costs of these proposals are unknown and no budget provision has been made. In its consultation paper, the Government indicated that while the duty will impose new costs "they may also deliver savings" and that "any net additional cost will be fully and properly funded by the Department for Communities and Local Government so that no additional pressure is placed on council tax bills."

8. **Major Risks**

- 8.1 Failure to implement a petitions scheme by 15 June 2010 will result in a breach of legislation, as will any failure to implement an e-petitions system.

9. **Earlier Cabinet/Committee Resolutions**

23 February 2010 – Overview and Scrutiny Co-ordinating Committee (779/10)  
2 December 2009 – Overview and Scrutiny Co-ordinating Committee (579/10)

10. **List of Appendices**

Appendix 'A' (gold paper) - Draft Petition Scheme for the Borough of Newcastle-under-Lyme

11. **Background Papers**

Local Democracy, Economic Development and Construction Act 2009  
Local Democracy, Economic Development and Construction Act 2009 Commencement Order No. 3  
Statutory Guidance on the Duty to Respond to the Petitions (Department for Communities and Local Government)

**NEWCASTLE-UNDER-LYME BOROUGH COUNCIL**

**SUPPLEMENTARY REPORT OF THE EXECUTIVE MANAGEMENT TEAM TO COUNCIL**

**19 May 2010**

**4. SCHEME OF DELEGATIONS**

**Submitted by:**            **Head of Central Services**

**Portfolio**                    **Resources and Efficiency**

**Ward(s) affected**        **All**

**Purpose of the Report**

For Council to approve the Constitution of the Council.

**Recommendation**

**That the Constitution be approved with the amendments proposed in this report.**

**Reasons**

To ensure that the Council acts in a lawful, effective and efficient manner.

**1. Background**

- 1.1 The Council adopted a formal Constitution in 2001 and this has been reviewed from time to time since that date. The last review was in 2008. The Constitution contains Articles which set out basic rules and principles and these are developed in more detailed rules and procedures which appear in the Appendices.
- 1.2 The law requires some of these processes, the Council has chosen others.
- 1.3 The Constitution therefore provides a framework for Council decision making through which the Council delivers its strategic objectives.

**2. Issues**

- 2.1 Revising the Scheme of Delegations is necessary to ensure that the Council is efficient and effective in making and implementing decisions and is properly accountable. Changes are necessary where the law has changed or where the Council decides to change the way it operates. For example where the management structure changes and services move from one directorate to another the Scheme of Officer Delegation must be changed to transfer the power to act from one Executive Director to the other to allow officers to continue to act lawfully.
- 2.2 Accordingly, the Head of Central Services has amended the Constitution to give effect to all such changes made by the Council and all legislative changes. There has also been an attempt to make the document more readable and reference the legislative material to aid understanding. There are also some proposals to improve the efficiency of Council working.

Copies of the Constitution as is and as amended have been left in the Members' Room and will be available on the Council's intranet.

3. **Options Considered**

- 3.1 Apart from the implementation of changes required by the law or consequential upon changes already made some other amendments are proposed.
- 3.2 It is clear that the Constitution has failed to keep up sufficiently quickly with changes in the law and decisions made under the Council's Scheme of Delegations which require consequential changes to the Constitution. Accordingly, in order to resolve this problem, it is proposed to amend the Constitution to authorise such changes to be made in future by the Head of Central Services as the Council's Monitoring Officer. These changes would of course be reported to Council. All other changes remain to be determined by Full Council.
- 3.3 The remit of the individual portfolios of Cabinet Members is set out in the Terms of Reference in Appendix 2 of the Constitution. The proposed remits for 2010 are set out at item 10 of the agenda. You are asked to agree those remits. Notwithstanding that, in a fast changing world these are required to change from time to time and it is considered that in order to enable the Council to respond to the changing environment the power to amend these remits should be delegated to Cabinet.
- 3.4 The Council currently has a Chief Officers' Appointments Committee to oversee the process of appointment to Chief Officer posts including the appointment of Executive Directors and an Appointments Committee to deal with the appointment of staff below the level of Executive Director and above Grade 12 (although only Full Council can appoint the Chief Executive). There is also an Appeals Committee which deals with employees' rights of appeal which are not delegated to the Executive Management Team. This includes for example appeals by members of the Executive Management Team. The JNC for Local Authority Chief Executives – National Salary Framework and Conditions of Service and the Local Government Employers organisations both recommend that councils should have a committee to review senior managers' pay.

In order to rationalise this situation it is recommended that there be one committee dealing with the processing of the appointment of members of Executive Management Team, including the Chief Executive the review of their terms and conditions of appointment and those employee appeals which are not dealt with by the members of Executive Management Team.

The Committee shall be called the Chief Officer Appointment, Review and Appeals Committee and shall consist of five members. As it is likely that the committee will meet infrequently these members shall be nominated when required by the Group Leaders in accordance with the requirements of political proportionality.

It is recommended that appointments of Heads of Service be made by the appropriate Executive Director having consulted with the appropriate portfolio holder.

- 3.5 The Constitution provides for an Information Communications and Technology (ICT) Advisory Group with the following role:
- To consider the Information Technology Strategy for the Council and make recommendations for action to the Cabinet
  - To consider and make proposals to the Cabinet in relation to the purchasing, maintenance, security and other new initiatives of a strategic nature.



The group was established some years ago to oversee the Council's implementation of the e-government agenda and this work has been complete for some time now.

The Council currently has seven Members appointed to sit on the ICT Advisory Group

There is no record of the ICT Advisory Group having met since November 2005. It seems appropriate to consider the future role of the group in this context.

It would seem from the terms of reference for the Advisory Group that its existence is dependent on being given work to do. Neither the Cabinet or the Council's ICT Service has generated work requiring consideration by the group. If there is a future role for non-Executive councillors in making recommendations on ICT matters, then it would be necessary to examine what activity it might be able to undertake.

It is recommended that Members agree to the disestablishment of the ICT Advisory Group, with the responsibility for oversight of ICT matters being passed to the Transformation and Resources Overview and Scrutiny Committee which has a role in challenging strategy including ICT strategy. This will clarify the current position by removing the ambiguous role of the ICT Advisory Group and better enfranchise the scrutiny committee to undertake work relating to ICT matters.

- 3.6 The Conservation Advisory Working Party has been set up as a committee of the Council. It is considered that it should properly be a sub-committee of Planning and it is proposed that the Planning Committee be requested to re-establish it as such.
- 3.7 The Employees' Consultative Committee previously reported to the Audit and General Purposes Committee. General Purpose decisions were delegated to the Head of the Paid Service in 2008 and accordingly this Committee now discusses these matters with the Chief Executive. The roles and responsibilities will be clarified in a review to be completed this year..

#### 4. **Proposal**

- 4.1 That the Constitution be approved as amended.

#### 5. **Reasons for Preferred Solution**

- 5.1 To ensure that the Council acts in a lawful, effective, efficient and accountable manner.

#### 6. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 6.1 The Constitution is the means whereby the Council's strategies and priorities are delivered.

#### 7. **Legal and Statutory Implications**

- 7.1 The Scheme of Delegation is part of the legal framework set by the Council governing the way it conducts its business. The powers of the Council to delegate the exercise of functions are set out in Section 101 of the Local Government Act 1972.

#### 8. **Equality Impact Assessment**

There are no specific implications contained in this report.

9. **Financial and Resource Implications**

9.1 An appropriate Constitution supports good governance and budgetary compliance.

10. **Major Risks**

10.1 If this amended Constitution is not approved it will expose the Council to legal risk, frustrate aspects of legal enforcement, and prevent the full implementation of recent Council decisions.

11. **Key Decision Information**

This is not an Executive decision.

12. **Earlier Cabinet/Committee Resolutions**

May 2009

**BOROUGH OF NEWCASTLE-UNDER-LYME**

**STATEMENT** of Returning Officer showing the results of the Borough Council  
Elections held on 6 May 2010.

<u>Ward</u>	<u>Name of Candidates</u>	<u>Votes Recorded</u>	<u>Name of Person Elected</u>
Audley and Bignall End	CORNES Dylis	1299	Dylis Cornes
	GLEN Anne Betty	755	
	HEATH Elizabeth Ann	284	
	MORGAN Philip Joseph	831	
Bradwell	DAVIES Andrew Peter	999	Trevor Hambleton
	DURBER Eric Geoffrey	626	
	HAMBLETON Trevor	1441	
Butt Lane	BEARDMORE Tracy	372	Kyle Robinson
	DAVIES Jenny	496	
	PARSONS John	697	
	ROBINSON Kyle	961	
Chesterton	BODEN Eddie	1083	Eddie Boden
	DOLMAN Mike	695	
	GILMORE Rita Margaret	764	
	MYERS Anthony	480	
Clayton	BROOKS Colin	650	Stephen John McLean Sweeney
	BROWN Mavis Christine	379	
	COLCLOUGH Trevor William	246	
	SWEENEY Stephen John McLean	887	
Cross Heath	DAVIES Nicola	460	Gillian Williams
	DUGDALE David Edwin	395	
	SWIFT Graham William	536	
	WILLIAMS Gillian	1169	
Holditch	CAMPBELL Margaret	264	Mick Clarke
	CLARKE Mick	780	
	OWEN Kenneth John	462	
	SHERRATT Mark John	261	
Keele	BONFIGILO Emma	49	Robin Studd
	PROCTOR Lauren Anne	281	
	STUDD Robin	801	
	WALLACE Rob	531	
Kidsgrove	LYCETT Scott Liam	686	Kyle-Noel Taylor
	RHODES Adrian	986	
	TAYLOR Kyle-Noel	1068	
	WHITEHURST Susan	443	
Knutton and Silverdale	FOY Maria Teresa	404	Gareth Craig Snell
	GASCOIGNE Hannah Charlotte	302	
	MADDOX Steven	273	
	SNELL Gareth Craig	717	

**BOROUGH OF NEWCASTLE-UNDER-LYME**

**STATEMENT** of Returning Officer showing the results of the Borough Council  
Elections held on 6 May 2010.

Loggerheads and Whitmore	BECKET Anne COLCLOUGH Joshua Trevor HOWELLS Ashley	1029 393 2662	Ashley Howells
Madeley	BONFIGLIO Joseph Vincenzo PEERS Tracey Anne SINNOTT Bill WELSH Billy	146 754 549 885	Billy Welsh
May Bank	BANNISTER James MacKenzie BRITTAIN Nathan HARRISON Steve JOHNSON Trevor George	1371 304 1016 752	James MacKenzie Bannister
Porthill	COLCLOUGH Julian Christian COOPER Julie Margaret OLSZEWSKI Sophie PAGE Dean	399 786 677 221	Julie Margaret Cooper
Seabridge	BEARDMORE David FEAR Andrew Thomas GREGORY Paul JONES Hilary Ann	912 1370 266 607	Andrew Thomas Fear
Silverdale and Parkside	CAIRNS George O'Kane GOZZARD Christine HOLLAND Mark Edward INWOOD Morgan-Ross	612 457 320 254	George O'Kane Cairns
Thistleberry	ARNOLD Dominic Joseph JELLYMAN Daniel Mark MATTHEWS Jim WALKLATE June	278 1053 656 1168	June Walklate
Town	HARVEY George RALPHS Nicola Marie SHENTON Elizabeth Alice Ruth WINFIELD Joan Mary	187 460 788 636	Elizabeth Alice Ruth Shenton
Westlands	FOY Donald James HAILSTONES Linda HEESOM Gillian O'ROURKE Philip REDDISH Carol Elaine ROBINSON Eileen SHENTON Michael Timothy	373 1586 1671 337 936 699 827	Linda Hailstones Gillian Heesom
Wolstanton	HENSHALL Malcolm KEELING Andrew OLSZEWSKI Mark Joseph PEDDER John Andrew	530 462 1012 801	Mark Joseph Olszewski

### Model Petition Scheme

#### Petitions

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 a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be sent to:

Member Services Manager  
Newcastle-under-Lyme Borough Council  
Civic Offices  
Merrial Street  
Newcastle  
Staffordshire  
ST5 2AG

Or be created, signed and submitted online by following this link (link to be inserted)

Petitions can also be presented to a meeting of the council. These meetings take place nine times a year, dates and times can be found here (link). If you would like to present your petition to council, or would like your councillor or someone else to present it on your behalf, please contact James McLaughlin on 01782 742220 or [james.mclaughlin@newcastle-staffs.gov.uk](mailto:james.mclaughlin@newcastle-staffs.gov.uk) at least 10 working days before the meeting and he will talk you through the process. If your petition has received 1000 signatures or more it will also be scheduled for a council debate (link to section on Full Council Debates) and if this is the case we will let you know whether this will happen at the same meeting or a later meeting of the council.

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

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 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 not decide 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 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.

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 giving evidence, then the acknowledgement 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.

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 and non-domestic rates, other procedures apply. Further information on all these procedures and how you can express your views is available here (insert links).

We will not take action on any petition which we consider 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 we are doing in response to the petitions we receive the details of 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.

## **How will the council respond to petitions?**

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 relevant overview and scrutiny committee\*
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

\*Overview and scrutiny committees are committees of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.

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

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. 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. You can find more information on the services for which the council is responsible [here](#) (link).

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.

## **Full Council debates**

If a petition contains more than 1000 signatures it will be debated by the full council 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 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 15 minutes. The council will decide how to respond to the petition at this meeting. The 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 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 our website.

### **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 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 500 signatures, the relevant senior officer will give evidence at a public meeting of the council's overview and scrutiny committee. A list of senior staff that can be called to give evidence can be found here ([insert link](#)). 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. 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 ([insert details](#)) up to three working days before the meeting.

### **E-petitions**

The council welcomes e-petitions which are created and submitted through our website ([link](#)). E-petitions must follow the same guidelines as paper petitions ([link to guidelines](#)). 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 online. This is because we have to check 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 be submitted to (insert details). In the same way as a paper petition, you will receive an acknowledgement within 10 working days. If you would like to present your e-petition to a meeting of the council, please contact (insert details) 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 acknowledgment and response will also be published on this website.

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

You can see all the e-petitions current 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. The 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.

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

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request the council's overview and scrutiny committee 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 committee 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. Should the committee determine we have 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 council executive (Cabinet) and arranging for the matter to be considered at a meeting of the full council.

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.