

Section 28 – Petitions Policy

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The Council welcomes the opportunity to hear from the public and recognise that petitions are one of the ways in which people can let us know their concerns.

28.1 What is a Petition?

We will accept as a petition any communication sent to the Council if it identifies itself as a petition or it seems to us that it is intended to be a petition. A petition by its very nature, of course, will be signed by a number of people.

28.2 What should a petition contain?

A petition should include:

- a clear statement setting out what the petition is about and stating what action the petitioners want the Council to take
- the name, address and signature of any person supporting the petition. These can be people who live, work or study in the Borough of Gedling
- the name, address, and any other contact details of the person who is organising the petition

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- the issue to which it relates if it is submitted in response to a consultation on a specific matter so that we can ensure that it is considered along with that original matter.

28.3 Different types of petition

How we deal with your petition depends on the type of petition you submit.

Consultation Petitions

These are petitions in response to an invitation from the Council for representations on a particular proposal or application, for example, on planning or licensing applications. These petitions will be dealt with in accordance with the particular process laid down for that consultation.

Statutory Petitions

Some Acts of Parliament require the Council to consider petitions for example a petition for a review of Parish Councils. Where you submit a petition under a particular Act we will deal with it as laid down by those provisions.

Petitions for Debate

If you want your petition to be reported to and debated at a meeting of the Council, it must have at least 3,000 signatures. This is reduced to 140 signatures where the petition relates to a local issue affecting no more than two wards within the Council's area.

Petitions to "Hold an Officer to Account"

If you want your petition to be considered by the Overview and Scrutiny Committee where an officer of the Council will be required to answer questions on the conduct of a particular matter your petition should contain 1500 signatures. This is reduced to 70 signatures where the petition relates to a local issue affecting no more than two wards within the Council's area.

Ordinary Petitions

These are petitions that do not come within any of the above categories. These petitions will be dealt with by reference to the Committee or Councillor with responsibility for the matter which is raised by the petition.

28.4 Who should the petition be sent to?

When you submit a petition in response to a specific consultation carried out by the Council please address it to the return address set out in the consultation invitation. This will ensure that it is considered at the same time as the other replies to that consultation.

All other petitions should be addressed to:

Gedling Borough Council, Civic Centre, Arnot Hill Park, Arnold, Nottingham, NG5 6LU

28.5 What will the council do when a petition is received?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. We will let the organiser know what we plan to do with the petition and when they can expect to hear from us again.

If we can do what the petition asks for immediately 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 a request for a referendum on an Elected Mayor) or on a matter where there is already an existing right of appeal, such as Council Tax banding, other procedures apply. The petition will not be dealt with under this policy but rather by reference to those alternative processes.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate. We will explain the reasons for this in our acknowledgement of the petition.

Where 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 separately but only the petition organiser of the first petition to be received will be invited to address the relevant meeting.

A petition will not normally be considered where it is received within 6 months of another petition considered by the Council or the Overview and Scrutiny Committee on the same matter.

28.6 How will the council respond to a petition?

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

- Take the action requested in the petition
- Consider the petition at a Council meeting
- Hold an enquiry into the matter
- Hold a public meeting
- Carry out a consultation
- Hold a meeting with petitioners
- Refer the petition to the Council's Overview and Scrutiny Committee with the panel to hold decision takers to account.
- Explain to the organiser why the Council will not take any further action.

If your petition is about something over which the Council has no direct control (for example local transport or health services) we will consider making representations on your behalf to the relevant organisations. The Council works with a large number

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of local partners and where possible we will work with these partners to respond to your petition.

If your petition is about something that a different council is responsible for we will consult with the petition organiser and forward the petition to the other Council if that is appropriate.

28.7 Full Council Debates

If a petition contains more than 3,000 signatures or 140 signatures for a matter affecting no more than 2 wards, 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 or their nominated representative will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors.

The Council will decide how to respond to the petition at this meeting. The Council 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 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.

28.8 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 manager to explain progress on an issue.

If your petition contains at least 1500 signatures, or 70 signatures for a matter affecting no more than 2 wards, the relevant senior officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee. A list of the senior managers that can be called to give evidence can be found in Section 30 of this Constitution. 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. 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 Democratic Services.

28.9 E-petitions

We also welcome e-petitions which are created and submitted through our website. E-petitions must follow the same guidelines as paper petitions once this has been enabled. The petition organiser will need to provide us with their name, postal address and email address. An e-petition will run for three months.

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When you create an e-petition, it may take five 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 be submitted the Council. In the same way as a paper petition, you will receive an acknowledgement within 10 working days.

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

How do I “sign” an e-petition?

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.

28.10 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 that 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 Overview and Scrutiny 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 Executive 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 result of the review will also be published on our website.