



## PETITIONS SCHEME

### Introduction

This Petitions Scheme is divided into two parts. The first part deals with petitions submitted pursuant to the requirements of the Statutory Petitions Scheme under the Local Democracy, Economic Development and Construction Act 2009. The second part deals with the Council's Local Scheme set out in the Council's Procedure Rules contained within the Council's Constitution.

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 either 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:-

Lynn Aisbett  
Chief Executive  
Melton Borough Council  
Phoenix House, Nottingham Road  
Melton Mowbray, Leicestershire. LE13 0UL

Alternatively you can create, sign and submit petitions online : **link to be added by 15 December 2010.**

Petitions can also be presented to a meeting of the Council. There are 7 scheduled meetings per year, dates and times can be found here : <http://www.melton.gov.uk/pdf/Calendar%20of%20Meetings%20201011.pdf>.

If you would like to present your petition to the Council or would like your Councillor or someone else to present it on your behalf, please contact the Senior Democracy Officer on 01664 502441 at least 10 working days before the meeting and they will talk you through the process.

If your petition has received 1,500 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 later meeting of the Council.

### **PART ONE: PETITIONS DEALT WITH UNDER THE STATUTORY PETITIONS SCHEME**

#### **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 telephone number and email address if possible 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 receiving the petition. We will let them know what we plan to do with the petition and when they can expect to hear from us again.

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 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.

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 on the Council's website at [www.melton.gov.uk](http://www.melton.gov.uk) or by contacting Customer Services on 01664 502502.

We will not take action on a petition that relates to substantially the same issue/subject as a petition which has been received by the Council in the last 12 months and will explain the reasons for this in our acknowledgement of the petition.

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 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 a petition (all personal details will be removed).

## **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 Council's \*Overview, Scrutiny and Audit Committee
  - calling a referendum
  - writing to the petition organiser setting out our views about the request in the petition
- *The Overview, Scrutiny and Audit Committee is a committee of councillors who are responsible for scrutinising the work of the Council – in other words, the Overview, Scrutiny and Audit 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 (eg. the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The Council works with a number of 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 (eg. 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 [www.melton.gov.uk](http://www.melton.gov.uk).

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 1,500 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 or the person acting on their behalf 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, 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.

The petition organiser will receive written confirmation of the Council's 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 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.

If your petition contains at least 750 signatures, the relevant senior officer will give evidence at a public meeting of the Council's Overview, Scrutiny and Audit Committee. The Council has designated those Officers who can be called to give evidence as the Chief Executive, Corporate Directors and Heads of Service.

You should be aware that the Overview, Scrutiny and Audit 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 a 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 Senior Democracy Officer up to 3 working days before the meeting.

## **E-petitions**

The Council welcomes E-petitions which are created and submitted through the E-petitions section of our website **add link**. E-petitions must follow the same guidelines as paper petitions. As the petition organiser you will need to provide us with your 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 6 months, but you can choose timeframes of 1, 3, 6 or 12 months.

When you create an e-petition, it may take 7 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 then have an opportunity to change and resubmit your petition if you wish. If you do not do this within 14 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 Democratic Services. In the same way as a paper petition, you will receive an acknowledgement within 10 days of submission.

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

You can see all the e-petitions currently available for signature in the e-petitions section of our website.

When you sign an e-petition you will be asked to provide your name, a valid email address and your postcode if you live in the Borough or the name of your employer or college if you work or study in the Borough. 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.

## **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, Scrutiny and Audit 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 relevant Committee 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.

## **PART TWO: PETITIONS DEALT WITH UNDER THE COUNCIL'S LOCAL PETITION SCHEME**

If your petition does not meet the criteria set out under the Statutory Petitions Scheme it may be dealt with under the Council's Local Petition Scheme.

The Council's Local Petition Scheme is set out below and in the Council's Procedure Rules within the Constitution:-

### **24. PETITIONS**

**24.1 If any petition is submitted to the Chief Executive, either directly or indirectly, relating to the exercise or non-exercise of duties or powers of the Council, and signed by at least 20 residents of the Borough, it should be referred to the next meeting of the committee responsible for the administration of the powers in connection with the subject matter of the petition. In addition, the Chief Executive shall report the receipt of such a petition to the next meeting of the Council where there shall be no debate or comment thereon.**