

CHAPTER 4 – 1 - PETITIONS SCHEME

The Authority welcomes petitions and recognises that petitions are one way in which people can let it know their concerns.

A petition is a formal written request, typically one signed by many people, appealing to an organisation, such as the Authority or public service, in respect of a particular cause, concern, or issue.

It might be helpful if you contact the Authority to discuss your petition before starting to collect signatories.

1.0 **Who can create and submit a petition**

1.1 Anyone who lives, works or studies in the Borough can create or sign a petition about a local issue and submit it to the Authority. Petition signatories should be over 18, though there may be exceptional circumstances, where a separate, supplementary petition from those under 18 will be accepted in support of the substantive petition

2.0 **What are the guidelines for the format and submission of a petition**

2.1 Petitions submitted to the Authority must include

- A clear and concise statement covering the subject of the petition. It should state what action the petitioner wishes the Authority to take and include any request that the petition be considered at Scrutiny Committee or the Council Meeting.
- This statement should be printed on each page so it is clear that every signatory has assented to their inclusion and is fully aware of what they are supporting. The name, postal code and signature of each person supporting the petition.
- A minimum of 50 signatures of people who live, work or study in the Borough
- The contact details address and name of the lead petitioner, who must live, work or study in the Borough. This is the person we will contact to explain how we handle the petition. In the absence of a clear contact point, we will contact signatories to the petition to agree who should act as the petition organiser

3.0 **Issues specifically excluded from the Petition Scheme**

3.1 The following matters are specifically excluded under the Petitions Scheme and will not be considered under the Scheme:

- Any matter relating to a planning application or decision or in relation to consultation carried out in respect of any Development Plan Document. In these circumstances petitions will be considered as responses to consultation/publicity.

- Any matter relating to a licensing decision, including licensing applications under the Licensing Act 2003 and the Gambling Act 2005.
- Any matter which is currently or imminently subject to a consultation exercise
- Any matter which has been subject to a statutory consultation exercise, and the consultation exercise has now closed, such as the Local Plan or other local development plan documents.
- Any matters relating to complaints against Councillors under the Code of Conduct.
- Any matter where there is an existing right of appeal.
- Statutory petitions such as requesting a referendum on having an elected mayor.
- Any matter which is substantially the same as a petition submitted in the previous 12 months.
- Any matter which is considered to be vexatious, discriminatory, abusive or otherwise inappropriate.
- Any matter which is considered to be “exempt” under the Local Government Act 1972, Access to Information Act 1985, the Data Protection Act 1998, the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

We will notify you of the reasons for your petition not being dealt if it is excluded under one or more of the above grounds

4.0 Where should I send my Petition?

4.1 Paper petitions can be sent to the Monitoring Officer at the Council Offices or electronically on democracy@melton.gov.uk.

5.0 What will happen to my Petition?

5.1 If you would like to present your petition to a Scrutiny Committee meeting or the Council Meeting, or would like your Councillor or someone else to present it on your behalf, please contact the Democratic Services Team (Contact details above) at least 10 working days before the meeting and they will talk you through the process.

5.2 If you want to submit a petition to a specific meeting of the Council, or any Scrutiny or Committee meeting you must give notice in writing to the Democratic Services Team providing details of the subject matter and number of signatures by no later than ten clear days before the meeting.

5.3 The person submitting the petition must also indicate who will present the petition to the meeting.

5.4 If your petition has received 1000 signatures or more it will be scheduled for a Council debate and if this is the case we will let you know when this will happen.

5.5 If you would like your petition to be presented to a Council meeting then you can view dates and times at www.melton.gov.uk If you would like to present your petition to the Authority or would like your Councillor or someone else to present it on your behalf, please contact the Monitoring Officer at the Council offices or email democracy@melton.gov.uk 10 clear days before the meeting and they will talk you through the process.

6.0 Merging petitions

6.1 Where the Authority receives petitions relating to the same issue we will consider amalgamating the signatories only with the approval of the petition organisers.

7.0 What will the Authority do when it receives my petition?

7.1 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.

7.2 The petition will also 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).

7.3 The Authority may seek to verify persons who are included on the petition.

7.4 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.

8.0 How will the Authority respond to petitions?

8.1 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 an Authority meeting
- Holding an inquiry into the matter
- Undertaking research into the matter
- Holding a public meeting
- Holding a consultation
- Holding a meeting with petitioners
- Calling a referendum
- Writing to the petition organiser setting out our views about the request in the petition. If your petition is about something over which the Authority has no direct control (for example the local railway or hospital) the Authority may, with the consent of the lead petitioner, forward it to the most relevant body

9.0 **Authority Debates**

- 9.1 If a petition contains more than 1000 signatures it will be debated by the Council Meeting. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend.
- 9.2 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.
- 9.3 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 up to 30 minutes.
- 9.4 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.
- 9.5 Where the issue is one on which the Authority's 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. Where the Authority has received several different petitions it may be necessary to limit the number to be heard at a particular meeting of the Council but we will inform you if this is the case.

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

- 10.1 If you feel that we have not dealt with your petition properly, the petition organiser should follow the Complaints Procedure. This guidance should be read in conjunction with Procedure Rules for the relevant Authority meeting.