

St Edmundsbury Borough Council Petition Scheme

1. Introduction

- 1.1 This Scheme sets out the details of how St Edmundsbury Borough Council will deal with and respond to petitions.

2. Petitions

- 2.1 The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns.

- 2.2 Petitions that meet the requirements about the number of signatories set out below can be presented at a meeting of full Council, Cabinet or a Committee, trigger a Council Debate, prompt the review of a Traffic Regulation Order (TRO) or require specified officers of the Council to give evidence to a meeting of the Overview and Scrutiny Committee. The Overview and Scrutiny Committee is a committee of Councillors who are responsible for scrutinising the work of the Council.

- 2.3 Petitions can be received by the Council in a number of ways:-

- (a) Petitions can be sent in writing to:

Service Manager (Democratic Services and Elections)

St Edmundsbury Borough Council
West Suffolk House
Western Way
Bury St Edmunds
Suffolk
IP33 3YU

- (b) Electronic petitions can be created, signed and submitted by using free software that is available online. A number of websites provide this service which can be easily found by using an internet search engine.

- (c) Petitions can also be presented to a meeting of full Council, Cabinet, or an appropriate Committee. Details of the meetings timetable can be found here [link].

- 2.4 If you would like to present your petition at a meeting of the Council, Cabinet or Committee or would like your councillor to present it on your behalf, please contact:-

Service Manager (Democratic Services and Elections)

Telephone: (01284) 757105 or

e mail: democratic.services@stedsbc.gov.uk

at least 7 working days before the meeting and help you to arrange this.

3. What are the guidelines for submitting a petition?

3.1 Petitions submitted to the Council must be about:

- (a) a service that the Council provides and include a clear and concise statement covering the subject of the petition; or
- (b) a TRO within the St Edmundsbury boundary.

3.2 It should state:-

- (a) the 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 petitioner will not be placed on the Council's website;
- (b) what action the petitioners wish the Council to take.
- (c) (for petitions relating to TROs), the name of the TRO in effect (e.g. car park or road name) and which aspects the petitioners wish to see reviewed;
- (d) the name and address and signature of any person supporting the petition. The contact details of the petition organiser will not be placed on the website;
- (e) the petition must contain the signatures of people who live, work or study in the Council's area.

3.3 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. We will not consider petitions which are considered by the Head of Human Resources, Legal and Democratic Services to be vexatious, abusive or otherwise inappropriate and these will not be accepted. In that case, we will write to you to explain the reasons.

3.4 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 (unless your petition fails to meet that requirements for those procedures or, is about the failure to deliver service in those areas, rather than a specific case).

3.5 In the period leading up to an election or referendum we may need to deal differently with your petition. If this applies we will explain the way that we will deal with the petition.

3.6 The council can reject a parking petition in the following circumstances. If the petition:

- (a) requests a review of many traffic regulations over too wide an area;
- (b) is a series of petitions from a small or non-resident group addressing a particular aspect of the parking policies over a number of areas;
- (c) relates to a TRO where a review has taken place in the last 12 months and where there has been no significant external change.

3.7 We will inform the petition organiser at the earliest opportunity of the grounds for rejecting a petition and will advise on how the petition could be validly submitted.

4. What will the Council do when it receives my petition?

4.1 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. It will also be published on our website.

4.2 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. Depending on the number of signatures, whether it can be presented to full Council, Cabinet or an appropriate Committee, then the acknowledgment will confirm this and tell you when and where the next meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

4.3 When a petition is seeking the review of a parking policy, the council will confirm the aspects of parking policy concerned, whether the review is valid and has been accepted and advise the petition organiser of the next steps.

4.5 We will not take action on any petition which the Monitoring Officer considers to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

4.6 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 the petition (all personal details will be removed).

5. How will the Council respond to petitions?

5.1 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:-

- (a) taking the action requested in the petition;
- (b) considering the petition at a council meeting;
- (c) holding an inquiry into the matter;
- (d) undertaking research into the matter;
- (e) holding a public meeting;

- (f) holding a consultation;
- (g) holding a meeting with petitioners;
- (h) referring the petition for consideration by the Council's Overview and Scrutiny Committee;
- (i) calling a referendum; or
- (j) writing to the petition organiser setting out our views about the request in the petition.

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

6. Petitions requesting the review of a Traffic Regulation Order

6.1 The council's wider petition scheme will only accept petitions with at least 20 signatures. Taking this into account, and considering the size of the council's car parks, the minimum number of signatures that can prompt the review of a TRO is 20. Any petition received with the number of signatures below that number will be rejected as invalid.

6.2 TROs are reviewed annually by the Overview and Scrutiny Committee. When a petition contains 20 or more signatures, the review requested will be included as part of the review for consideration.

6.3 Once the petition has been accepted as valid, the petition organiser will be advised of the following:

- (a) what the review will involve;
- (b) whether any public consultation is required;
- (c) the likely timescale and dates of meetings when the review will be considered;
- (d) that they will receive regular updates;
- (e) a copy of the report to be considered by the Overview and Scrutiny Committee will be sent to the petition organiser to consider and respond to before a final decision is made.

7. Petition requiring Council debate

7.1 If a petition contains more than 2500 signatures it will be debated by full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting.

7.2 The issue raised in the petition will be discussed at a Council meeting which all councillors can attend. The petition organiser will be given not more than five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 20 minutes. The Council will decide how to respond to the petition at this meeting, it may decide to:-

- (a) take the action the petition requests;
- (b) not to take the action requested for reasons put forward in the debate; or

- (c) to commission further investigation into the matter, for example by referring it to a relevant committee.

7.3 The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

8. Petition requiring an officer to give evidence

8.1 If it contains at least 1250 signatures 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. A list of the officers that can be called to give evidence is as follows:-

- Chief Executive
- Directors
- Heads of Service

8.2 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.

8.3 The evidence will be given at a meeting of the Council's Overview and Scrutiny Committee and you will be given due notice to enable you to attend. These meetings are normally held in public but the Committee has the option to exclude the Press and Public from any part of the meeting that discusses confidential information. 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. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the Chairman of the Committee by contacting the **Service Manager (Democratic Services and Elections)** on (01284) 757105 or e mail: democratic.services@stedsbc.gov.uk up to three working days before the meeting.

8.4 Petitions containing not less than 100 signatories can be presented at a meeting of full Council during public question time, provided seven working days notice has been given to the Proper Officer before the meeting. The Council will, without debate, refer any petition to the appropriate forum for consideration.

8.5 If petitioners so wish, a petition containing not less than 20 signatures may, instead, be presented to the Leader of the Council or to the Chairman of the appropriate Committee or the relevant Chief Officer, for consideration by the Cabinet or the appropriate Committee(s), provided seven working days' notice in writing has been given to the Proper Officer before the relevant meeting. When a petition is considered by the Cabinet or the appropriate Committee, a representative of the petitioners may speak at the meeting for not more than three minutes.

9. E-petitions

- 9.1 The council welcomes petitions in electronic format. A number of websites are available that allow electronic petitions to be created and for the final petitions to be emailed to the council. These should be sent to: democratic.services@stedsbc.gov.uk
- 9.2 Please note that the council is not responsible for the content of any external websites used to create e-petitions. The council shall not be liable for how your personal data may be used by the website providers or the petition host.
- 9.3 The e-petition organiser will need to:-
- (a) provide us with their name, postal address and email address; and
 - (b) state how long you would like your petition to be open for signatures (most petitions run for three months, but you can choose a shorter period).
- 9.4 When an e-petition has closed for signature, the petition organiser should submit it to democratic.services@stedsbc.gov.uk for further consideration as appropriate. In the same way as a paper petition, you will receive an acknowledgement within 10 working days. If you would like to present your petition to the Council, or would like your councillor to present it on your behalf, please contact:

Service Manager (Democratic Services and Elections)
Telephone: (01284) 757105 or
Email: democratic.services@stedsbc.gov.uk

within five days of the petition closing.

- 9.5 The acknowledgment and response to the e-petition will also be published on the council's website.

10. How do I 'sign' an e-petition?

- 10.1 The free online software used will enable people wishing to 'sign' the petition free of charge by submitting their name and email address. The signer will usually receive an automatic email from the provider, asking them to confirm that they want to sign the petition.

11. What if my petition has not been dealt with properly?

- 11.1 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.
- 11.2 The Committee will consider your request at the next available meeting receiving it. Should the Committee determine that the Council has 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 and arranging for the matter to be considered at a meeting of full Council.

- 11.3 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.