

Chichester District Council

Petition Scheme

May 2013

1. Petitions

- 1.1 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, and it has at least 250 signatures. Where the number of signatures has not reached this level, an equality impact assessment will be undertaken to consider the feasibility of the threshold.
- 1.2 Paper petitions can be sent to:
- Corporate Information Team
Chichester District Council
East Pallant House
1 East Pallant
Chichester
West Sussex
PO19 1TY
- 1.3 Petitions can also be presented to a meeting of the council. These meetings take place six times per year. Dates and times can be found on our website www.chichester.gov.uk.
- 1.4 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 Member Services Manager on 01243 534655 at least 10 working days before the meeting and they will talk you through the process. If your petition has received 1,000 signatures or more it will also be scheduled for a council debate (please visit our website for further information) 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.
- 1.5 We are also able to accept e-petitions; a number of websites can provide this resource. Petition organisers should consider our guidelines below (Section 2 and 7) when choosing a provider.

2. What are the guidelines for submitting a petition?

2.1 Should you wish to submit a petition or e-petition, please inform the Corporate Information team with the details of the petition and your contact details as petition organiser. This will enable the Council to highlight to the petition organiser any of the issues highlighted below that could affect how and when their petition is responded to.

2.2 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.
- Any e-petition should use the corporate information team as their primary contact for the council. The email address: corporateinfo@chichester.gov.uk must be used instead of specific council officers or council members.
- In lieu of a signature, an e-petition must provide some other form of unique identification – this could be through a registration on the particular website, an email address or a social media profile.

2.3 Petitions should be accompanied by contact details, including a postal address or email address for the petition organiser. This is the person we will contact to explain how we will respond to the petition.

2.4 The minimum number of signatures on a petition should be 250 for it to be considered under this Scheme. If a petition with less than 250 signatures relating to a small area is received, it will be open to the ward Councillor(s) to represent the interests of the community. There may be cases where 250 signatures is an unrealistic target (where the issue relates to a specific or minority group) and in those circumstances the Council will undertake an Equalities Impact Assessment before determining our response.

2.5 A petition will not be accepted where:

- It is considered to be vexatious, abusive or otherwise inappropriate.
- It refers to a planning or licensing application;
- It refers to a decision for which there is an existing right of appeal,
- It is a statutory petition (for example requesting a referendum on having an elected mayor)

2.6 The information in the petition must be submitted in good faith. In order for the petition to be admissible, it must not include:

- Potentially libelous, false or defamatory statements
- Information which may be protected by an injunction or court order
- Material which is potentially confidential, commercially sensitive, or which may cause personal distress or loss to an individual, or individuals
- Any commercial endorsement, promotion of any product, service or publication
- The names of individual officials of public bodies, unless they are part of the senior management of those organisations
- The names of family members of elected representatives or officials of public bodies
- The names of individuals, or information where they may be identified, in relation to criminal accusations
- Language which is offensive, intemperate, or provocative. This not only includes obvious swear words and insults, but any language to which people reading it could reasonably take offence.

2.7 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.

To ensure the Council understands the level of local support for a petition, it reserves the right to seek to verify each signature appended to a petition. This can be significant when establishing whether a petition has obtained the requisite number of signatures to trigger specific processes.

3. What will the council do when it receives my petition?

3.1 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know [if the petition is valid] what we plan to do with the petition and when they can expect to hear from us again.

3.2 If we can do what the petition asks for, our 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 it is not possible for us to do what is requested within the petition, we will provide reasons for this.

3.3 The Council reserves the right to reject:

- Petitions that are similar to, and / or overlap with, and existing petition that has been considered in the past 12 months
- Petitions that ask for things outside the remit or powers of the Council
- Statements that amount to advertisements
- Issues for which petitions are not the appropriate channel (for example correspondence about a personal issue).

3.4 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 correspondence relating to the petition (all personal details will be removed).

4. How will the council respond to petitions?

4.1 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 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 and Scrutiny Committee*
- Calling a referendum
- Writing to the petition organiser setting out our views about the request in the petition

*The Overview and Scrutiny Committee is a committee 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.

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

4.3 If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will make 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 www.chichester.gov.uk

- 4.4 If your petition is about something that a different authority or agency is responsible for we will give consideration to what the best method is for responding to it. It 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.

5. Full council debates

- 5.1 If a petition contains more than 1000 signatures it will be debated by the full council (unless it is a petition asking for other specific action, such as calling a senior council officer to give evidence at a public meeting – see below). 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. If you would like to present your petition to the Council, or would like your councillor to present it on your behalf, please contact the Member Services Manager at least 13 working days before the meeting and an officer will talk you through the process.

The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors. The debate of a petition at a Council meeting should, subject to the discretion of the Chairman, not last more than 30 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. 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.

6. Officer evidence

- 6.1 A 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 provided it was not privileged legal advice. 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.

6.2 If a 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 the senior staff that can be called to give evidence is detailed below:

- Chief Executive – Diane Shepherd
- Executive Director of Home and Community – Amanda Jobling
- Executive Director of Support Services and the Economy – Paul Over
- Executive Director of Environment – Steve Carvell

Senior staff may call upon a substitute or other senior officer depending upon the circumstances of the case.

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 the Member Services Manager on 01243 534655 up to three working days before the meeting.

7. E-petitions

7.1 The Council will consider e-petitions that have been facilitated on-line and conform to the guidance set out in this scheme. Please refer to Section 2.

7.2 The petition organiser will need to decide how long to keep the petition open for signatures. They can choose and publicise a timeframe with the relevant deadline; some websites may use a certain number of signatures as a target. We would recommend that an e-petition should remain live for no longer than three months to demonstrate the current level of local opinion. However, where a petition organiser sets a longer timeframe (or a target number of signatures that takes the petition over a three month period), we will complete an equality impact assessment to determine whether the petition is valid.

7.3 When an e-petition has closed for signature, it should be submitted to the Corporate Information team. In the same way as a paper petition, you will receive an acknowledgement within 10 working days. A petitions acknowledgement and response will be emailed to the petitions organiser.

How do I 'sign' an e-petition?

7.4 When you 'sign' an e-petition you will in some instances need to register with the relevant provider / on their website. This usually involves registering your name, postal address or email address. You must ensure that by signing an e-petition your name is clearly identifiable; this will ensure your validity as a signatory.

8. What can I do if I feel my petition has not been dealt with properly?

- 8.1 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. 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.
- 8.2 The committee will normally 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 and arranging for the matter to be considered at a meeting of the full council.
- 8.3 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. There is no further right of appeal through the District Council.