1. SECTION 3 – PETITION SCHEME

1. Introduction and Background

1.1. The Council has an extensive programme to engage its local communities and it recognises that petitions are another method of local people raising an issue which requires a Council response.

1.2. This Scheme sets out how we will respond to your correspondence. All petitions sent or presented to the Council will receive acknowledgement from the Council within 5 working days of receipt.

1.3. We will aim to provide you with details about what the Council plans to do with your petition or action which the Council will take within 10 working days of receipt of your petition. The Council will treat something as a petition if it is identified as being a petition, or if it appears that it is intended to be a petition.

1.4. Paper petitions should be sent to:

Democratic Services
Oadby and Wigston Borough Council
Council Offices
Station Road, Wigston
Leicestershire
LE18 2DR

or by e-mail to democratic.services@oadby-wigston.gov.uk.

or be created, signed and submitted on-line by following this link

http://moderngov.oadby-wigston.gov.uk/mgepetitionlistdisplay.aspx?bcr=1

1.5. If a petition is delivered to the Council Offices it should be handed directly to the Receptionist,

1.6. In order to ensure the neutrality of Officers, no petition should be handed directly to an Officer, other than the Receptionist, and no photographic or video recording of the delivery of the petition is permitted within the Council Offices.

1.7. If you would like advice on this Scheme, please contact Democratic Services on (0116) 257 2775 or at democratic.services@oadby-wigston.gov.uk.

2. What are the Guidelines for Submitting a Petition?

1.1. Petitions submitted must:

(a) include a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take; and
(b) relate to an issue which affects the Borough and/or over which the Borough has some influence;
(c) include the name, address and signature of every person supporting the petition. The address should be that at which you live, work or study in the Borough;
(d) include the contact details, including an address and telephone number, for the petition organiser. This is the person the Council will contact to explain how it will respond to the petition. If the petition does not identify a petition organiser, the Council will contact the first signatory to the petition;
(e) the Council will not accept petitions where there are no contact details for the petition organiser or the first signatory.

3. Who can Sign a Petition?

1.1. In order to sign a petition you must be living, working or studying in the Borough.

1.2. A blank petitioning form is available for your use from the Council's website or by contacting Democratic Services.

4. How will the Council Respond to Petitions?

1.1. The Council will always adopt a pragmatic approach to dealing with petitions and will endeavour to resolve issues raised by a petition directly, where appropriate. How the Council responds 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:

(a) the relevant Director dealing with the issue directly;
(b) taking the action requested in the petition;
(c) considering the petition at a Council meeting;
(d) holding an inquiry into the matter;
(e) holding a public meeting;
(f) holding a consultation;
(g) holding a meeting with petitioners;
(h) calling a referendum; and
(i) writing to the petition organiser setting out the Council's views about the request in the petition, which may include taking no action.

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

5. Types of Petition

5.1. There are a number of types of petition. They are set out below. How the Council

will deal with them is explained later in this document.

Type of Petition	Number of Signatories Required	Brief Description of the Different Types
Ordinary petitions	10 signatories	• Relates to things for which Council has responsibility for or affect the area or over which the Council has influence.
Type of Petition	**Number of Signatories Required**	**Brief Description of the Different Types**
Petitions for debate at a Council meeting	100 signatories	• If you want the petition to be reported and debated at a Council meeting by Councillors.

6. Exemptions

6.1. The Head of Law and Democracy may reject petitions which are, in his/her opinion:

- not concerned with an issue which affects the Borough or do not raise matters over which the Authority has responsibility or has some influence;
- defamatory, illegal, scurrilous, frivolous, offensive, out of order or relates to a specific licensing or planning application;
- relates to substantially the same issue / subject as a petition which has been received by the Authority in the last 12 months;
- requests the Council to do something which conflicts with Council policy.

6.2. If you wish to raise issues of possible Borough Councillor misconduct under the Members' Code of Conduct and the Local Government Act 2000 then you should do this via the formal member complaint process. Details of how you can do this, the process and a complaint form are available on the Council's website. You can telephone the Monitoring Officer for advice on this process on (0116) 2572626.

6.3. Duplicate petitions - if 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 as an independent petition organiser but only the petition organiser of the first petition will be invited to address the meeting.

6.4. If the petition applies to a planning or licensing application, is a statutory requirement (for example, requesting a referendum on having an elected mayor), or is on a matter where there is already an existing right of appeal, such as Council Tax banding and non-domestic rates, other procedures apply.

6.5. Further information on all these procedures and how you can express your views is available from the following contacts:

(a) Planning – (0116) 288 8961
(b) Licensing – (0116) 257 2642
(c) Council Tax – (0116) 288 8961
(d) Referendum (Elections Office) – (0116) 257 2722

6.6. If your petition is about something that a different Council or other organisation is responsible for, the Council 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, the Council will always notify you of what action has been taken.

6.7. If Democratic Services rejects a petition for any of these reasons, then he/she will notify you of the rejection and tell you the reasons why. Democratic Services will also notify the Chief Executive and relevant Director if appropriate.

7. What Happens When a Petition is Received?

When a petition is received, of whatever sort	• It will be acknowledged to the petition organiser within 5 working days of receipt. • We will aim to provide you with details about what the Council plans to do with your petition or action which the Council will take within 10 working days of receipt of your petition. • In some cases Democratic Services may be able to resolve the petitions request directly, by asking the relevant Committee Chair or Director to take some action. For example, if the petition relates to fly tipping the Director can arrange for it to be cleared up directly. Where this is done, Democratic Services will ask the petition organiser whether he/she considers that the matter is resolved. Democratic Services will inform the petition organiser at the time of acknowledgement that they intend to try to resolve the matter in this way.

	• If the petition organiser is satisfied with the proposed direct action he/she will be asked to confirm this to Democratic Services. If the petition organiser does not confirm that they are satisfied with the proposed direct action within 10 working days from the date of the detailed response then Democratic Services will assume that the petition organiser is satisfied and that no further action is required. • If the petition organiser is not satisfied with the proposed direct action then he/she should notify Democratic Services within 10 working days from the date of the detailed response. Democratic Services will, as soon as practicable, respond to the organiser setting out: - who the petition will be reported to for consideration; - if the matter is to go to a meeting, when and where that meeting will take place; - inviting the organiser to attend that meeting and address the meeting in accordance with the Petition Scheme; - any invitation to address the meeting is in addition, but will be dealt with separately, to any other public speaking rights at the meeting. • At the same time, Democratic Services will notify the relevant ward Councillors of receipt of the petition. • Within 10 days of receipt of the petition Democratic Services will enter details of the petition on the Council's website - including the: - subject matter of the petition; - the date of receipt; - what will happen with it; - the petition organiser's contact details (unless they request that they are not made public). • The petitions website will be updated through the process of consideration of the petition to ensure that petitioners can track progress on their petition.

Ordinary petition	• Democratic Services will arrange for the petition to be reported to the next convenient meeting of the relevant Committee or Full Council. • The Chair will invite the petition organiser to address the meeting for up to 5 minutes on the subject of the petition. If the petition organiser is not present at the meeting the petition will fail and will not be considered. • Members may question the petition organiser and make initial comments for 5 minutes. • The relevant Committee Chair may then address the meeting for up to 5 minutes. • There shall be no vote taken on an ordinary petition. A member may propose that the subject matter be placed on the next convenient ordinary meeting of the relevant Committee. The motion shall be moved and seconded and put to the vote without discussion or debate. • If no such motion is moved or carried then Council takes no further action with the petition. The petition will be referred to the relevant Director or Head of Service who will respond to the petition organiser in writing within 28 days to explain what happened at Council.

Petitions for debate at a Council meeting	• Democratic Services will arrange for the petition to be reported to the next convenient meeting of the relevant Committee or Full Council. • The Chair will invite the petition organiser to address the meeting for up to 5 minutes on the subject of the petition. If the petition organiser is not present at the meeting, the petition will fail and will not be considered. • The Mayor will invite the relevant Committee Chair to address the meeting for up to 5 minutes. • The Mayor will invite any relevant ward members to

	address the meeting. A maximum of 5 minutes in total will be allowed to hear from ward members. • The matter will then be open for a general debate in line with the usual rules of debate. • Council will, where possible, decide by resolution how to respond to the petition at the meeting. Council could: - take the action requested by the petition (if it has the power to do so); - not take the action requested for reasons put forward in the debate; - commission further investigation into the matter by a Committee / officers; The petition organiser will receive written confirmation of the decision following the meeting.

General rules on how petitions will be dealt with at Council or Committee	• A maximum of two petitions only will be permitted at any meeting. Only one petition will be permitted if the Head of Law and Democracy receives notice of a deputation under Council Procedure Rule 19. • Petitions that do not relate to an item of business already on the agenda will be considered before the normal business of the meeting. • Petitions will be considered in the order they were received by Democratic Services. • A maximum of 45 minutes in total will be allowed for considering petitions at any meeting. Any petitions not dealt with within the time allowed will be deferred to the next available meeting. • The Mayor may invite an Officer to set out the process which will be followed at the meeting before inviting the petition organiser to address the meeting as set out above.

7. E-petitions

7.1. The Council welcomes e-petitions which are created and submitted through its website http://moderngov.oadby-wigston.gov.uk/mgepetitionlistdisplay.aspx?bcr=1

7.2. E-petitions must follow the same guidelines as paper petitions. The petition organiser will need to provide the Council with their name, postal address and e-mail address. You will also need to decide how long you would like your petition to be open for signatures. The maximum time that a petition may remain open is six months.

7.3. When you create an e-petition, it may take five clear working days before it is published on-line. This is because the Council has to check that the content of your petition is suitable before it is made available for signature. If the Council feels it cannot publish your petition for some reason, you will be contacted within this time to explain why not. You will be able to change and resubmit your petition if you wish. If you do not do this within ten clear working days, a summary of the petition and the reason why it has not been accepted will be published on the website.

7.4. 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 ten clear working days. If you would like to present your e-petition to a meeting of the Council, please contact Democratic Services on (0116) 257 2775 within ten clear working days of receipt of the acknowledgement.

7.5. A petition acknowledgement and response will be e-mailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgement and response will also be published on this website.

8. How do I "Sign" an E-petition

8.1. When you sign an e-petition you will be asked to provide your name, your postcode and a valid e-mail address. When you have submitted this information you will be sent an e-mail to the e-mail address you have provided. This e-mail will include a link which you must click on in order to confirm the e-mail 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.

9. What can I do if I feel my Petition has not be dealt with properly

9.1. If you feel that the Council has not dealt with your petition properly, the petition organiser has the right to request that the Council's Monitoring Officer 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 Monitoring Officer will endeavour to consider your request as soon as possible.

9.2. Should the Monitoring Officer determine the Council has not dealt with your petition adequately, he may use any of his powers to deal with the matter. These powers include instigating an investigation, making recommendations for consideration by a Committee or arranging for the matter to be considered at a meeting of the Full Council which will be the conclusion of the matter. The Monitoring Officer will give reasons for any decision made under this review process.

9.3. Once the review has been considered, the petition organiser will be informed of the results within five working days. The results of the review will also be published on the Council's website.