

South Cambridgeshire District Council

Petitions Scheme

Introduction

The Council welcomes petitions as one way in which residents can let us know their concerns. We set out below how the authority will respond to petitions it receives.

We have appointed a Petitions Officer, who is responsible for receiving, managing and reporting all valid petitions sent to the authority. Please address hard copies of petitions to –

Democratic Services Team Leader
South Cambridgeshire District Council
South Cambridgeshire Hall
Cambourne Business Park
Cambourne
Cambridge CB23 6EA
democratic.services@scambs.gov.uk

You can also submit petitions electronically via the our e-petitions system at www.scambs.gov.uk/petitions

The Petitions Officer can also provide you with advice about how to petition the authority or the progress of your petition, at either of the above addresses or by telephone at 01954 713030.

What is a petition?

We treat as a petition any communication which is signed by or sent to us on behalf of a number of people. The type of petition will determine the number of signatures required for it to be valid and how it will be processed. There are five different types of petition, as set out below:

1. Consultation Petitions

These are petitions in response to an invitation from the authority for representations on a particular proposal or application, for example on planning or licensing applications. Consultation petitions do not require a minimum number of signatures and will be reported to a public meeting of the person or body which will be taking the decision on the application or proposal.

2. Statutory Petitions

Particular Acts of Parliament require the Council to consider petitions, for example a petition for a directly-elected Mayor. The number of signatures required will depend on the relevant statute. A petition submitted under such a specific statute will be reported to the next available meeting of the Council in accordance with the statutory requirements.

3. Petitions for Debate

If you want your petition to be reported to and debated at a meeting of the Council it must contain at least 100¹ signatories or 50% of the electorate of a particular parish to which the petition may relate, whichever is the lowest. These petitions will be taken to the next meeting of Council, excluding annual council or an extraordinary council meeting. The following process will be followed:

¹ The number of signatories or petitioners required for Petitions for Debate, and for Petitions to Hold and Officer to Account have been set by the authority to try to ensure that matters of genuine concern can be brought to the authority's attention. These requirements will be reviewed periodically in the light of the number of petitions received, to ensure that the requirements are not excessive.

- a) Petition organiser (or a representative) to present the petition for up to 3 minutes
- b) Relevant Portfolio Holder invited to respond to the petition for up to 3 minutes
- c) Local Councillors (if necessary) invited to respond to the petition for up to 3 minutes
- d) Council to debate the petition and make a decision to either:
 - vote in support of the petition;
 - vote against the petition;
 - note the petition;
 - refer the petition to another body, Portfolio Holder or officer for consideration;
 - agree any other appropriate action.

A maximum of 30 minutes will normally be allowed at the meeting to consider the petition. The Chairman may use his or her discretion to extend this timescale if necessary. Any petition relevant to a particular item of business will be discussed under that item whilst petitions that do not relate to an ordinary item of business will be considered at the start of the meeting.

If any clarification of what the petitioner has said is required, the Chairman will have the discretion to allow Councillors to ask questions.

4. Petitions to Hold an Officer to Account

If you want your petition to be considered at a meeting of the Partnerships Review Committee or Scrutiny and Overview Committee, where an officer will be required to answer questions on the conduct of a particular matter, your petition should contain at least 500 signatories. The authority has determined that such petitions must relate to the Chief Executive or Director or a Head of Service of the authority. Please note that where the petition raises issues of competence or misconduct, the petition will be referred to the Chief Executive (or to the Human Resources Manager in respect of the Chief Executive) and will be considered under the authority's Disciplinary Procedures, and not under this Petitions Procedure². The following process will be followed:

- a) Petition organiser (or a representative) to present the petition for up to 3 minutes and set out any questions they would like to be addressed
- b) Relevant officer invited to respond to the petition and address any questions raised
- c) Local Councillors (if necessary) invited to respond to the petition for up to 3 minutes
- d) Committee to debate the petition and make a decision to either:
 - vote in support of the petition;
 - vote against the petition;
 - note the petition;
 - refer the petition to another body, Portfolio Holder or officer for consideration;
 - agree any other appropriate action.

If any clarification of what the petitioner has said is required, the Chairman will have the discretion to allow Councillors to ask questions.

5. Ordinary Petitions

These are petitions which do not come within any of the above specific types of petition and will require 50 signatures to be valid.

² Note that the Local Democracy, Economic Development and Construction Act 2009 makes no provision for handling petitions which raise issues of officer or member misconduct or officer competence, but in practice such petitions cannot be handled under the Petitions Procedure and must be handled under the procedures appropriate to such matters.

The Petitions Officer will arrange for each Ordinary petition to be reported to the next convenient meeting of the most relevant Portfolio Holder, Cabinet or a Committee or Sub-Committee of Council, which has the power to take a decision on the matter in question.

The Chairman of the meeting will invite the petition organiser (or a representative) to present their petition for up to three minutes. Any local Councillors present will also have the opportunity to address the meeting for up to three minutes. If any clarification of what the petitioner has said is required, the Chairman will have the discretion to allow councillors to ask questions.

Any petition relevant to a particular item of business will be discussed under that item whilst petitions that do not relate to an ordinary item of business will be considered at the start of the meeting.

What information does a petition have to include?

A petition should include:

A clear statement of your concerns and what you want the authority to do

This must relate to something which is the responsibility of South Cambridgeshire District Council, or over which the Council has some influence. Where a petition relates to a matter over which the Council has no responsibility or influence, we will return the petition to the petition organiser with an explanation and recommendation as to where it could be submitted.

The name and contact details of the “petition-organiser”

Contact details may be either the postal address or an email address of the petition organiser or someone to whom you would like any correspondence about the petition to be sent.

You may also include the addresses of petitioners, which may be useful to the authority, for example, in assessing the degree of local support or opposition to a planning application, but this is not essential.

If you are submitting the petition in response to our consultation on a specific matter, please identify the matter which it relates to, so that we can ensure that your petition is considered along with the original matter.

Is my petition guaranteed to be reported to a meeting of the Council?

If your petition includes all of the information outlined above, depending on the type of petition, it will normally be reported to a Portfolio Holder, a meeting of Cabinet, Council or a Committee or Sub-Committee of Council, whichever is the most relevant. There are certain exemptions, however, that may change the way in which your petition is presented or prevent the submission or reporting of your petition altogether. These are set out below:

Duplicate Petitions

Where more than one petition is received in time for a particular meeting, each supporting the same outcome on one matter, or which are broadly similar in intent, each petition organiser will be treated as an independent petition organiser but only the petition organiser of the first petition to be received will be invited to address the relevant meeting.

Repeat Petitions

A petition will not be considered where it is received within 6 months of another petition or public question being considered by the authority on the same matter.

Rejected Petitions

Petitions will not be reported if in the opinion of the Chief Executive, in consultation with the Monitoring Officer, they are abusive or libellous; frivolous, vague or ambiguous; rude, offensive, defamatory, scurrilous or time-wasting; require the disclosure of confidential or exempt information or are otherwise considered to abuse the Council's powers, duties or obligations; or which do not relate to something which is the responsibility of the authority, or over which the authority has some influence.

Petitions relating to applications for a permission, consent or licence yet to be determined or in response to a consultation

Petitions relating to applications for a permission, consent or licence yet to be determined or in response to a consultation will be reported to the relevant regulatory committee or referred to the relevant Portfolio Holder or decision-making body along with other responses to the consultation.

The interpretation of this criteria will be made by the Chief Executive and/or Monitoring Officer, with the Chairman of the Council and the Chairman of the Scrutiny and Overview Committee.

What happens when a petition is received?

Whenever a petition is received:

- Within two working days of the petition being received, the Petitions Officer will acknowledge receipt to the petition organiser.
- In some cases, the Petitions Officer may be able to resolve the petitioners' request directly, by getting the relevant Portfolio Holder or officer to take appropriate action. For example where the petition relates to fly-tipping and the authority can arrange for it to be cleared up directly. Where this is done, the Petitions Officer will ask the petition organiser whether he or she considers that the matter is resolved.
- Unless the matter has been resolved to the satisfaction of the petition organiser, the Petitions Officer will within five working days of receipt of the petition provide a substantive response to the petition organiser setting out who the petition will be reported to for consideration, providing it has the requisite number of signatures and meets the exemption criteria. Details of when and where any meeting will take place will also be confirmed and the petition organiser will be invited to attend the relevant meeting and address it for up to 3 minutes on the issue covered by the petition.
- Whilst we are committed to dealing with petitions promptly, a petition will normally need to be received at least 10 working days before a relevant meeting if it is to be reported to that meeting. Where it is necessary to undertake a significant amount of work to collect information and advice to enable the matter to be properly considered, it may be necessary for the Petitions Officer to decide that the petition will be considered at the following meeting of the relevant body.
- At the same time as responding to the petition organiser, the Petitions Officer will notify political group leaders / convenors and relevant local Councillors and officers of receipt of the petition.
- Within 5 working days of receipt of a valid petition, the Petitions Officer will activate the petition on the authority's website: www.scambs.gov.uk/petitions and this applies to both petitions that are submitted electronically via the above webpage and to the more traditional paper petitions. The petition organiser's name and contact details will only be included on the website if he or she so requests.

- At each stage of the consideration of the petition, within 5 working days of any decision, the Petitions Officer will ensure that the petitions website is updated to ensure that petitioners can track progress of their petition.

What can I do if I am dissatisfied with how my petition has been dealt with?

You have the right of appeal if you are dissatisfied with the Council's decision relating to your petition or the way in which your petition was been dealt with.

The Council's Scrutiny and Overview Committee will consider these appeals, following the below process:

- The petition organiser to submit an appeal by contacting the Petitions Officer.
- Within 5 working days of receipt of intention to appeal, the Petitions Officer will notify the petition organiser of the time, date and place of the next convenient meeting of the Scrutiny and Overview Committee.
- The petition organiser will be invited to address the Committee for up to 3 minutes on why the Council's decision or the handling of the petition was inadequate. Any local Councillors, if relevant, will also be invited to this meeting.
- The Scrutiny and Overview Committee cannot make decisions, but can make recommendations to the relevant decision making body.