

Petitions Scheme

City of York Council is committed to involving local people in its decision making. For some years, it has been operating a public participation scheme enabling members of the public to attend meetings and speak on an issue. It has also responded to petitions from the public, received in an number of ways e.g. through a Ward Councillor submitting a petition on behalf of a constituent or by a resident submitting one direct to a council office by post/hand. As part of its approach to petitions, the Council has also introduced an ePetitions facility, providing another way in which a particular issue can be brought to the attention of Councillors.

Through this Petitions Scheme, the Council is making a commitment to:

- Enable anyone who lives, work or studies in the local authority area to organise and submit a petition either on paper or electronically
- Respond to the concerns raised within a petition
- Review its handling of a petition where a lead petitioner believes it has not been dealt with in accordance with this scheme.

To support the scheme, the Council has:

- Set a low threshold on the number of petitioners to enable as many valid local opinions to be heard as possible
- Provided an ePetitions facility to enable those who want to, to create their petition on line and allow others to sign it electronically

Petitions Not Covered By This Scheme

This scheme does not cover petitions which:

- a) Relate to a planning or licensing application – in this case a petition will be referred to the relevant decision maker
- b) Relate to matters where there is a legal right to seek a review or appeal
- c) Respond to a public consultation organised by the Council – in this case a petition will be referred to the decision maker
- d) Seek to criticise the performance or conduct of an identifiable individual or individuals – where appropriate the lead petitioner will be directed to the most appropriate route for raising such concerns with the Council.

- e) The Council's Monitoring Officer, acting in consultation with the Chief Executive, considers to be vexatious, abusive or otherwise inappropriate

In addition to these rules where a petition has resulted in a debate at a meeting of full Council, the Council will not hold a further debate in response to a petition which the Lord Mayor considers to be substantially similar within a period of two years.

During the period leading up to a local or national election the Council may temporarily suspend the hosting of e-petitions or delay holding debates.

Submitting a Petition

Paper Petitions

Paper petitions can be submitted via a number of routes e.g. via a Ward Councillor, by post or hand delivered to one of the Council office buildings.

Paper petitions handed in to a Ward Councillor are presented at Full Council and then passed to a senior officer within the relevant Directorate. Those that come directly into a council office building are also passed to the appropriate senior officer.

Paper petitions should contain the details of the petition on the front of each sheet so that it is clear that each signatory has responded to identical wording.

EPetitions

All ePetitions submitted to the Council must:

- Include a clear and concise statement covering the subject of the petition
- State what action the petitioners wish the Council to take

The ePetition organiser will need to provide us with their name, postal address including postcode, email address and contact telephone number. The name of the petition organiser (but no other contact details) will be published alongside details of the petition.

The ePetition organiser will also need to decide how long their petition will be open for signatures. Most ePetitions run for six months, but it can be a shorter or longer timeframe, up to a maximum of 12 months.

When an ePetition is created, it may take up to five working days before it is published online. This is because we have to check that the content of the ePetition meets the guidelines before it is made available for signature.

The relevant Cabinet Member will be advised of the publication of any e-petition relating to his or her service area.

If a petition does not follow the guidelines set out above, or if we need clarification on any issues raised within an ePetition, we will contact the ePetition organiser within 5 working days of receipt to explain.

We will also contact the ePetition organiser if we feel we cannot publish an ePetition for any reason, and where possible, we will offer assistance to change and resubmit it.

If the required clarification is not provided, or if an ePetition that we cannot publish is not re-submitted within 14 days, a summary of the ePetition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the Council's ePetitions facility.

How To 'sign' an ePetition

An individual wanting to sign an ePetition, will be asked to provide their name, address and postcode, plus a valid email address. They will then receive an email containing a link which they must click on in order to confirm their email address is valid. Once this step is completed their 'signature' will be added to the ePetition.

NB: Anyone viewing an e-petition will only be able to see the names of those who have signed - **no contact details will be visible**.

All ePetitions currently available for signature on the Council's website can be viewed at

<http://democracy.york.gov.uk/mgePetitionListDisplay.aspx?bcr=1>

How will the Council respond?

Within 14 days of a petition being received or of an ePetition being closed to signatories, we will send acknowledgement to the petition organiser, providing information on when they can expect to hear from us again and how we plan to respond.

Our response will depend on what the petition/ePetition 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 meeting of Full Council
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation event
- holding a meeting with petitioners
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition
- referring the petition for consideration by a council committee or body

If the petition/ePetition is about something over which the council has no direct control e.g. the local railway or hospital, we *may* refer it to the Council's relevant partner organisation, and where appropriate, may work with them to respond to the petition.

Securing a Full Council Debate

Where a petition/ePetition contains more than 1000 signatures it will be debated by the Full Council. This means that the issue(s) it raise(s) will be discussed at a meeting which all Councillors can attend and the views will be considered by the relevant decision-makers.

In determining whether a petition has received the required number of signatures the Council will combine paper petitions with other paper petitions and with any e-petition if requested by the petition organiser to do so and if the wording on each petition is identical.

The council will decide how to respond at this meeting. For example, they may decide:

- to forward the petition/ePetition to a meeting of the Cabinet for a decision (most decision making power in the Council rests with the Cabinet), or ask the appropriate decision maker to consider the views expressed in the debate when reaching a decision
- to take the action the petition/ePetition requests if it is something which by law, is a decision which can be taken at a full Council meeting;
- not to take the action requested for reasons put forward in the debate or;
- to commission further investigation into the matter e.g. requesting an officer report be produced for consideration by the relevant Overview & Scrutiny Committee;

Getting Involved When Your Petition Is Considered

A petitioner may choose to attend any meeting where their petition/ePetition is to be considered to listen to the debate, or register to speak at the meeting via the Council's Public Participation Scheme. This scheme enables participants to address Councillors before they debate the issues raised.

What happens next?

The petition/ePetition organiser will receive notification of the outcome of their petition. Where a petition/ePetition has been considered at a public meeting, information on the related decisions will be made available electronically via the meeting minutes published online. It will also be possible to track the implementation of any actions arising from them, via the online committee management system.

What if I feel the petition has not been dealt with properly?

If a petition organiser feels that we have not dealt with their petition properly, they have the right to request that the Council's Corporate & Scrutiny Management Committee review the steps that the Council has taken in response to their petition. The committee will consider a request within 30 days of receiving it.

Should the Committee determine we have not dealt with a 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's Cabinet
- arranging for the matter to be considered at a meeting of the Full Council.

Once the review has been considered the petition organiser will be informed of the results within 5 working days, and the results of the review will also be published on our website via the minutes of the meeting.