

## Appendix 2 - Petitions Scheme

- 1 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.
  
- 2 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.
  
- 3 To support the scheme, the Council has:
  - Set a low threshold of ten signatures 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

## **4 Petitions Not Covered By This Scheme**

4.1 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) Relate to matters which are of a defamatory or discriminatory nature, personal attacks on identifiable individuals or disclosure of confidential or personal information, particularly 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 Operating Officer, considers to be vexatious i.e. a petition with insufficient substance to merit action and the use effective use of public resource, abusive or otherwise inappropriate

4.2 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.

4.3 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.

## **5 Submitting a Petition**

### **Paper Petitions**

- 5.1 Paper petitions can be submitted via a number of routes e.g. via a Ward Councillor, by post or hand delivered to the Council Offices.
- 5.2 Paper petitions handed in to a Ward Councillor are normally presented at Full Council and then passed to a senior officer within the relevant Directorate and referred to the Customer and Corporate Services Scrutiny Management Committee. Those that come directly into the Council Offices are also referred to the Customer and Corporate Services Scrutiny Management Committee.
- 5.3 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.

## **6 ePetitions**

- 6.1 All ePetitions submitted to the Council must:
- a) Include a clear and concise statement covering the subject of the Petition.
  - b) State what action the petitioners wish the Council to take.
- 6.2 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.
- 6.3 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.

- 6.4 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.
- 6.5 The relevant Executive Member will be advised of the publication of any e-petition relating to their service area.
- 6.6 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.
- 6.7 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.
- 6.8 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.

## **7 How to 'sign' an ePetition**

- 7.1 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.*

- 7.2 All ePetitions currently available for signature on the Council's website can be viewed at:  
<http://democracy.york.gov.uk/mgePetitionListDisplay.aspx?bcr=1>

## **8 How will the Council respond?**

- 8.1 Within 5 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 what process needs to be followed.
- 8.2 Our response will depend on what the petition/ePetition asks for and how many people have signed it but details of the petition will be referred to our Customer and Corporate Services Scrutiny Management Committee (CCSMC) who may decide a range of potential actions, including:
- a) Requesting a detailed report on the issues;
  - b) Noting receipt of the petition and proposed action;
  - c) Requiring the Executive Member or person taking any decisions on the matter to attend a meeting and answer questions;
  - d) Undertaking a detailed scrutiny review, gathering evidence, hearing from witnesses and making recommendations to the appropriate person or Member making the decisions;
  - e) Referring the matter to Full Council for debate according to the significance of the issues
- 8.3 CCSMC will have the right to call for reports and undertake reviews in relation to petitions where it is concerned that they have not been dealt with properly.

- 8.4 The relevant Executive Member may also be required to consider the petition to agree appropriate actions, depending upon the issues raised.
- 8.5 If the petition relates to an operational Highways matter, for example a traffic regulation order or Respark, it will be referred directly to the relevant Executive Member and will not be considered by CCSMC.
- 8.6 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.

## **9 Getting Involved When Your Petition Is Considered**

- 9.1 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.

## **10 What happens next?**

- 10.1 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.