

## **Appendix D**

### **NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL PETITION SCHEME**

#### **1. Introduction and Background**

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.

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 2 working days of receipt.~~ petition. The Council will treat something as a petition only if it meets the requirements within this scheme.

~~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.~~

Paper petitions should be sent to:

The Petitions Officer  
North West Leicestershire District Council  
PO Box 11051  
Coalville  
LE67 0FW

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

<http://minutes-1.nwleics.gov.uk/mqEpetitionListDisplay.aspx>

If a petition is delivered direct to the Council Offices it should be handed direct to the Reception Staff at Whitwick Business Centre, Stenson Road, Coalville, Leicestershire LE67 4JP.

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

If you would like advice on this Scheme please contact Member Services on 01530 454512

#### **2. What are the Guidelines Requirements for Submitting a Petition?**

Petitions submitted must:

- (a) include a clear and concise statement covering the subject of the petition. It should state and what specific action the petitioners wish the Council to take; and
- (b) it should relate to an issue which affects the District and/or over which the Authority has some influence;

(b) be a Valid Petition as set out in section 3 of this Petition Scheme;

(c) include the name ~~and~~ address and signature of every person supporting the petition; ~~and The address should be that at which you live, work or study in the District;~~

(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 must be able to present~~ the petition; ~~at any relevant meeting.~~

(e) ~~the Council~~ ~~The Council's Petition Officer~~ will not accept any petitions ~~that in his/her opinion do not meet these requirements.~~

### 3. where there are no contact details for Valid Petitions

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To be a Valid Petition, the petition ~~organiser~~ must:

- Be about a matter for which the Council has a responsibility or ~~which affects the first signatory District;~~
- Not be vexatious, derogatory, defamatory, frivolous or offensive;
- Not concern a Council employment or staffing matter or sensitive personal information about a Councillor;
- Not require the disclosure of confidential or Exempt Information;
- Not be substantially the same issue/subject as a petition which has been received by the Council in the past 12 months;
- Not relate to a specific licensing or planning decision and/or a matter which already has a specific legal right of appeal;
- Not relate to a matter or issue that the public has already been consulted on in the past 12 months, or is due to be consulted on within the next 12 months;
- Not request Council to do something which conflicts with Council policy;
- Not relate to issues in relation to possible misconduct of District or Parish Councillors;

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If the Petitions Officer rejects a petition for not being a Valid Petition, then he/she will notify you of the rejection and tell you the reasons why. The Petitions Officer will also notify the Chief Executive and the relevant Strategic Director if appropriate.

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### 4. Who can Sign a Petition?

In order to sign a petition you must be living, working or studying in the District. ~~3~~

#### Who can Sign a Petition?

In order to sign a petition you must be living, working or studying in the District. ~~When signing a petition, the address you submit must be that at which you live, work or study in the District.~~ A blank petitioning form is available for ~~your~~ use from the Council's website.

### 45. How will the Council Respond to Petitions?

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 Strategic Director dealing with the issue directly;
- (b) taking the action requested in the petition;
- (c) considering the petition at a Council / Cabinet meeting;
- (d) holding an inquiry into the matter;
- (e) undertaking research into the matter at Scrutiny;
- (f) holding a public meeting;
- (g) holding a consultation;
- (h) holding a meeting with petitioners;
- (i) referring the petition for consideration by one of the Council's Scrutiny Committees
- (j) calling a referendum; and
- (k) writing to the petition organiser setting out the Council's views about the request in the petition, which may include taking no action.

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

## **56. Types of Petition**

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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.

| <b>TYPE OF PETITION</b> | <b>NUMBER OF SIGNATORIES REQUIRED</b> | <b>BRIEF DESCRIPTION OF THE DIFFERENT TYPES</b>   |
|-------------------------|---------------------------------------|---|
| Ordinary petitions      | 15 signatories                        | <ul style="list-style-type: none"> <li>• Does not fall within other types below.</li> <li>• Relates to things for which Council has responsibility for or affect the area or over which the Council has influence.</li> </ul> |

| TYPE OF PETITION                        | NUMBER OF SIGNATORIES REQUIRED | BRIEF DESCRIPTION OF THE DIFFERENT TYPES  |
|---|--------------------------------|---|
| Petitions to hold an officer to account | 1,000 signatories              | <ul style="list-style-type: none"> <li>If you want the petition to be considered at the relevant Scrutiny Committee.</li> <li>You can ask a senior Council officer to answer questions on the conduct of a particular matter, explain progress on an issue or explain the advice given to members to enable them to make a particular decision.</li> <li>Senior staff that can be called to account in this way are the Council's Chief Executive and the relevant Strategic Director. The relevant Scrutiny Committee may decide that it would be appropriate for another officer to give evidence, if for example the named officer has left the organisation or moved jobs.</li> </ul> |
| Petitions for debate                    | 2,000 signatories              | <ul style="list-style-type: none"> <li>If you want the petition to be reported and debated at a full Council meeting by councillors.</li> <li>No facility to call a named officer to account or answer questions.</li> </ul>  |

## 6. Exemptions

[Petitions for Officers – 15 – 1,000 signatories](#)

[Petitions for Cabinet – 1,001 to 2,000 signatories](#)

[Petitions for Council – More than 2,000 signatories](#)

## 7. What Happens When a Petition is Received

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In respect of a petition of any sort:

- It will be acknowledged to the petition organiser within 2 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.

Petitions for Officers

- The Petitions Officer ~~may reject~~ will ask the relevant Strategic Director to take some action. For example, if the petition relates to fly tipping the Strategic Director for Communities can arrange for it to be cleared up directly. The Petitions Officer will notify the relevant portfolio holder and ward councillors of receipt of the petition.

Petitions for Cabinet

- Cabinet will, where possible, decide, by resolution, how to respond to the petition at the meeting. Cabinet could:
  - take the action requested by the petition (if it has the power to do so);
  - not to take the action requested for reasons put forward in the debate;
  - commission further investigation into the matter by a Committee / officers;
  - refer to Council. The relevant Strategic Director / Chief Executive will be responsible for producing a report in consultation with the portfolio holder to give effect to the referral to Council.

Petitions for Council

- 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 to take the action requested for reasons put forward in the debate;
  - commission further investigation into the matter by a Committee / officers;
  - refer to Cabinet (if it falls within Cabinet's decision-making powers) with or without Council's recommendations for Cabinet consideration. The relevant Strategic Director / Chief Executive will be responsible for producing a Cabinet report in consultation with the portfolio holder to give effect to Council's referral to Cabinet.

General rules on how petitions will be dealt with at Council / relevant Scrutiny Committee meetings:

- A maximum of two petitions which are, in his/her opinion:only will be permitted at any meeting. Only one petition will be permitted if the Head of Legal and Support Services receives notice of a deputation under Council Procedure Rule 19.  
  
• not concerned with an issue which affects the District or do not raise matters over which the Authority has responsibility or has some influence;  
  
• defamatory, illegal, scurrilous, frivolous, offensive, out of 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 or relates to a specific licensing or planning application;  
  
• relates to substantially the same issue / subject as a petition which has been they were received by the Authority in the last 12 months;  
Petitions Officer.  
• requests the Council to do something which conflicts with Council policy.
- 2. If you wish to raise issues of possible District or Parish 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 at [http://www.nwleics.gov.uk/pages/conduct\\_complaints\\_and\\_standards](http://www.nwleics.gov.uk/pages/conduct_complaints_and_standards). You can telephone the Monitoring Officer for advice on this process on 01530 454762.
- 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.
- 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. Further information on all these procedures and how you can express your views is available from the following contacts:
  - (a) Planning 01530 454668
  - (b) Licensing 01530 454844
  - (c) Council Tax 01530 454545
  - (d) Referendum Elections Office 01530 454512
- 5. 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.  
  
If the Petitions Officer rejects a petition for any of these reasons, then he/she will notify you of the rejection and tell you the reasons why. The Petitions Officer will also notify the Chief Executive and the relevant Strategic Director if appropriate.

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- A maximum of 30 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 Chair may invite an officer or portfolio holder 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. What Happens When a Petition is Received**

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| <p>When a petition is received, of whatever sort</p> | <ul style="list-style-type: none"> <li>• It will be acknowledged to the petition organiser within 2 working days of receipt.</li> <li>• 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.</li> <li>• In some cases the Petitions Officer may be able to resolve the petition's request directly, by asking the relevant Cabinet member or relevant Strategic Director to take some action. For example, if the petition relates to fly tipping the Strategic Director for Communities can arrange for it to be cleared up directly. Where this is done, the Petitions Officer will ask the petition organiser whether he/she considers that the matter is resolved. The Petitions Officer will inform the petition organiser at the time of acknowledgement that they intend to try and resolve the matter in this way.</li> <li>• If the petition organiser is satisfied with the proposed direct action he/she will be asked to confirm this to the Petitions Officer. 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 the Petitions Officer will assume that the petition organiser is satisfied and that no further action is required.</li> <li>• If the petition organiser is not satisfied with the proposed direct action then he/she should notify the Petitions Officer within 10 working days from the date of the detailed response. The Petitions Officer will, as soon as practicable, respond to the organiser setting out: <ul style="list-style-type: none"> <li>— who the petition will be reported to for consideration;</li> <li>— if the matter is to go to a meeting, when and where that meeting will take place;</li> <li>— inviting the organiser to attend that meeting and address the meeting in accordance with the Petition Scheme;</li> <li>— any invitation to address the meeting is in addition, but will be dealt with separately, to any other public speaking rights at the meeting.</li> </ul> </li> <li>• At the same time, the Petitions Officer will notify the relevant portfolio holder and ward councillors of receipt of the petition.</li> </ul> |
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|                   | <ul style="list-style-type: none"> <li>Within 10 days of receipt of the petition the Petitions Officer will enter details of the petition on the Council's website including the: <ul style="list-style-type: none"> <li>subject matter of the petition;</li> <li>the date of receipt;</li> <li>what will happen with it;</li> <li>the petition organiser's contact details (unless they request that they are not made public).</li> </ul> </li> <li>The petitions website will be updated through the process of consideration of the petition to ensure that petitioners can track progress on their petition.</li> </ul>  |
| Ordinary petition | <ul style="list-style-type: none"> <li>The Petitions Officer will arrange for the petition to be reported to the next convenient meeting of full Council.</li> <li>The Chair will invite the petition organiser to address Council for up to 5 minutes on the subject of the petition. If the petition organiser is not present at Council the petition will fail and will not be considered.</li> <li>Members may question the petition organiser and make initial comments for 5 minutes.</li> <li>The relevant portfolio holder or Board or Committee Chair may then address the meeting for up to 5 minutes.</li> <li>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 Board or Committee. The motion shall be moved and seconded and put to the vote without discussion or debate.</li> <li>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 Strategic Director or Service Manager who will respond to the petition organiser in writing within 28 days to explain what happened at Council.</li> </ul> |

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| <p>Petition to hold an officer to account</p> | <ul style="list-style-type: none"> <li>• Will be reported to the next convenient meeting of the relevant Scrutiny Committee.</li> <li>• In advance of the meeting the petition organiser will be invited to submit a list of questions to the Petitions Officer on the subject of the petition which they would like the Officer to answer at the meeting.</li> <li>• The questions will be given to the Chair and the relevant Strategic Director / officer concerned in advance of the meeting.</li> <li>• The Chair can decide whether they are appropriate to ask.</li> <li>• The Chair, on advice of the Head of Legal and Support Services, may reject questions if they are defamatory, illegal, scurrilous, frivolous, offensive, or out of order, or if they do not relate to the subject matter of the petition.</li> <li>• The Chair will invite the petition organiser to address the Committee for up to 5 minutes on the subject of the petition. This includes asking the pre-submitted questions.</li> <li>• The officer being called to account will report to the Committee on the conduct of the subject matter of the petition and/or will consider the questions submitted by the petition organiser (in advance of the meeting) and which have not been rejected by the Chair.</li> <li>• The Chair may then ask questions of the petition organiser and invite the Committee to do the same.</li> <li>• The Chair will invite any relevant ward councillors present to address the meeting. A maximum of 5 minutes in total will be allowed to hear from the ward members.</li> <li>• The Chair will then invite the officer called to account to address the meeting again if necessary.</li> <li>• Having heard the petition organiser and officer called to account, The relevant Scrutiny Committee may debate and decide what to do with the petition. This may include:</li> </ul> |
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|                      | <ul style="list-style-type: none"> <li>— making recommendations on a matter to the relevant Strategic Director / Chief Executive;</li> <li>— referring the matter to the relevant Strategic Director / Chief Executive, Committee, Board or Group for consideration;</li> <li>— referring the matter to a Task and Finish Group for more detailed work.</li> </ul> <ul style="list-style-type: none"> <li>● The petition organiser will receive written confirmation of the decision following the meeting.</li> </ul>  |
| Petitions for debate | <ul style="list-style-type: none"> <li>● Will be reported to the next convenient meeting of full Council.</li> <li>● The Chair will invite the petition organiser to address Council for up to 5 minutes on the subject of the petition. If the petition organiser is not present at Council, the petition will fail and will not be considered.</li> <li>● The Chair will invite the Cabinet portfolio holder to address the meeting for up to 5 minutes.</li> <li>● The Chair 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.</li> <li>● The matter will then be open for a general debate in line with the usual rules of debate.</li> <li>● Council will, where possible, decide, by resolution, how to respond to the petition at the meeting. Council could: <ul style="list-style-type: none"> <li>— take the action requested by the petition (if it has the power to do so);</li> <li>— not to take the action requested for reasons put forward in the debate;</li> <li>— commission further investigation into the matter by a Committee / officers;</li> <li>— refer to Cabinet (if it falls within Cabinet's decision-making powers) with or without Council's recommendations for Cabinet consideration. The relevant Strategic Director / Chief Executive will be responsible for producing a Cabinet report in consultation with the portfolio holder to give effect to Council's referral to Cabinet.</li> </ul> </li> <li>● The petition organiser will receive written confirmation of the decision following the meeting.</li> </ul> |

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| <p>General rules on how petitions will be dealt with at Council / relevant Scrutiny Committee meetings</p> | <ul style="list-style-type: none"> <li>• A maximum of two petitions only will be permitted at any meeting. Only one petition will be permitted if the Head of Legal and Support Services receives notice of a deputation under Council Procedure Rule 19.</li> <li>• Petitions that do not relate to an item of business already on the agenda will be considered before the normal business of the meeting.</li> <li>• Petitions will be considered in the order they were received by the Petitions Officer.</li> <li>• 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.</li> <li>• The Chair may invite an officer or portfolio holder 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.</li> </ul> |
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## 8. *E-petitions*

The Council welcomes e-petitions which are created and submitted through its website <http://minutes-1.nwleics.gov.uk/mgEpetitionListDisplay.aspx>. 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.

When you create an e-petition, it may take five working days before it is published online. 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 your wish. If you do not do this within ten working days, a summary of the petition and the reason why it has not been accepted will be published on the website.

When an e-petition has closed for signature, it will automatically be submitted to the Petitions Officer. In the same way as a paper petition, you will receive an acknowledgement within ten working days. If you would like to present your e-petition to a meeting of the Council, please contact Member Services on 01530 454512 within ten working days of receipt of the acknowledgement.

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.

## **9. How do I “Sign” an E-petition**

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.

## **10. What can I do if I feel my Petition has not been Dealt with Properly**

~~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 Scrutiny Commission 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 Commission will endeavour to consider your request as soon as possible.~~

~~Should the Commission determine the Council has 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 for consideration by the Council's Cabinet or arranging for the matter to be considered at a meeting of the full Council which will be the conclusion of the matter. The Scrutiny Commission will give reasons for any decision made under this review process.~~

~~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.~~

~~There is no right of appeal about the outcome of a petition, but if you feel that the Council has not properly followed the procedure within this Scheme, you may contact the Petitions Officer.~~

~~If you remain dissatisfied, you can make a complaint to the Local Government and Social Care Ombudsman.~~