

Uttlesford District Council Petition Scheme

Petitions

The council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be sent to:

Democratic and Electoral Services
Uttlesford District Council
London Road
Saffron Walden
Essex
CB11 4ER

The council will be able to offer an online petition system by the end of 2010, which means you will be able to create a petition via the council's website.

Petitions can also be presented to a meeting of the council. These meetings take place six times a year including the Annual Council meeting Dates and times can be found here: <http://ggpweb.uttlesford.gov.uk/CmiswebPublic/CommitteeDetails.aspx?committeeID=3186>

If you would like to present your petition to the council, or would like your councillor or someone else to present it on your behalf, please contact Peter Snow, democratic and electoral services manager, on 01799 510430 or by email at psnow@uttlesford.gov.uk at least 10 working days before the meeting and he, or one of his staff, will talk you through the process. If your petition has received **XX** signatures or more it will also be scheduled for a council debate.

What are the guidelines for submitting a petition?

Petitions submitted to the council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
- the name and address and signature of any person supporting the petition.

Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be publicised. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

The council's constitution states the threshold for which a petition will be considered to be properly constituted:

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In order to be properly constituted, a petition must satisfy one or more of the following conditions:

- a) be signed by no fewer than 50 individuals who are electors of the district of Uttlesford*
- b) Be signed by the chairman of no fewer than five councils of parishes within the Uttlesford district*
- c) Be signed by no fewer than half the electors of any single parish within the district of Uttlesford whether or not the parish has a parish council*

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

What will the council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.

Petitions may not be used to call into question decisions relating to planning or licensing matters and decisions relating to individuals or legal bodies where there is a statutory right of appeal. Statutory petitions are the subject of different procedures. These relate, for example, to a petition calling for a referendum on having an elected mayor or petitions for which there may be other statutory provision. Further information is available from Michael Perry, assistant chief executive, on 01799 510416 or by emailing mperry@uttlesford.gov.uk

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

How will the council respond to petitions?

Our response to a petition will depend on what a petition 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 council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- referring the petition for consideration by the council's scrutiny committee
- writing to the petition organiser setting out our views about the request in the petition

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

If your petition is about something over which the council has no direct control (for example Stansted Airport, the local railway or hospital or services run by the county council such as schools, social services or road repairs, we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you. You can find more information on the services for which Uttlesford District Council and Essex County Council are responsible for here:

http://www.uttlesford.gov.uk/template_a_z_whole.cfm

If your petition is about something that a different council is responsible for we 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 we will always notify you of the action we have taken.

Full council debates

If a petition contains more than **XX** signatures it will be debated by the full council unless it is a petition asking for a senior council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The council will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

Officer evidence

Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

If your petition contains at least **YY** signatures (**half the number of signatures required to trigger a full council debate**), the relevant senior officer will give evidence at a public meeting of the council's scrutiny committee. The senior officers are the chief executive, the directors, the assistant chief executive (who is the council's chief legal officer) and the head of finance. Details are available on www.uttlesford.gov.uk in the "Your Council" section. Petitioners must be aware that it may not be possible for senior officers to answer questions about particular petitions if, for example, doing so would breach commercial confidentiality or professional legal privilege.

You should be aware that the scrutiny committee may decide that it would be more appropriate for a different senior officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. Committee members will ask the questions at this meeting, but you will be able to suggest questions by contacting Peter Snow, democratic and electoral services manager on 01799 510430 or at psnow@uttlesford.gov.uk up to three working days before the meeting.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the council's scrutiny committee 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 committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation or arranging for the matter to be considered at a meeting of Full Council. Once the appeal has been considered the petition organiser will be informed of the results within 10 working days. The results of the review will also be published on our website.

If, however, the council had already sent the petition to the scrutiny committee for consideration and the petitioner is unhappy with the outcome, then the review will be conducted by the standards committee, which is chaired by a person independent of the council.