

PETITION SCHEME – PROCEDURE FOR RESPONDING TO PETITIONS (REVISED)

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.

Petitions should be handed in to:

**Democratic Services Section
Room 116, Town Hall,
Feethams,
Darlington,
Co. Durham.
DL1 5QT.**

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 the Democratic Services Section on tel. 01325 388351 and an Officer will talk you through the process.

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 also state what action the petitioners would like the Council to take;
- The name, 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 placed on the website. If the petition does not identify a Petition Organiser, where possible we will contact signatories to the petition to agree who should act as the Petition Organiser, however if we are unable to establish a Petition Organiser we may regard the petition as invalid.

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. It will also be published on our website.

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 debate at a Cabinet meeting 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.

Where the Petition Scheme does not apply

The Petition Scheme does not apply in relation to certain Council duties. These include:

- Any matter relating to a Planning decision, including with regard a Development Plan Document, or the Community Infrastructure Levy;
- Any matter relating to an alcohol, gambling or sex establishment licensing decision;
- Any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment, such as Council Tax banding and non-domestic rates;
- Any matter relating to a Statutory Petition (for example requesting a referendum on having an elected mayor);
- Any matter relating to an existing Council consultation, such as the annual consultation on the Medium Term Financial Plan, where an individual or organisation has an opportunity to respond directly on this matter. Further information on on-going Council consultations is available via the Council's website.

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 Cabinet meeting;
- holding an inquiry into the matter;
- undertaking research into the matter;

- holding a public meeting;
- holding a consultation;
- holding a meeting with petitioners;
- calling a referendum;
- 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 the local railway or hospital) 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 the council is responsible here at www.darlington.gov.uk

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 Cabinet Debates

If a petition contains more than 1000 signatures it will be debated by the Cabinet. This means that the issue raised in the petition will be discussed at a meeting which all the Cabinet members can attend. The Cabinet 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 Cabinet. The Cabinet 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.

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 appropriate 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, making recommendations to the Cabinet and arranging for the matter to be considered at a meeting of the Cabinet. Once the appeal has been considered the Petition Organiser will be informed of the outcome within five working days. The outcome of the review will also be published on our website.

GLOSSARY OF TERMS

Petition Organiser: In relation to a petition made to a local authority means:

- (a) the person designated in the petition as the person with whom the authority may deal in relation to the petition, or
- (b) such other person as agrees with the authority to be the person with whom the authority may deal in relation to the petition.

PROCEDURE FOR DEALING WITH A PETITION



