

Draft Petition scheme

Petitions

Thanet District 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 Services and Scrutiny Manager
Thanet District Council
PO Box 9
Cecil Street
CT9 1XZ

Petitions can also be presented to a meeting of the Council. Dates and times can be found here:

http://www.thanet.gov.uk/council_democracy/clrs_democracy_elections.aspx?template=ie6page&nopersist=true

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 Committee Services on 01843 577500 at least 15 working days before the meeting and they will talk you through the process.

This scheme sets out thresholds for responding to petitions, as follows:

1. Ordinary petitions - those petitions signed by 25 or more petitioners but fewer than 650. These will be dealt with in accordance with the Council's existing constitutional provisions for responding to petitions.
2. Petitions signed by at least 650 petitioners but fewer than 1,300 will be considered at a meeting of the Overview and Scrutiny Panel, and the petitioner will have the option to request that a named officer attends the meeting to give evidence.
3. Petitions signed by 1,300 or more petitioners will be debated at a meeting of Council, unless the petitioner has already exercised the above option to request that a named officer attends, in which case it will be considered at a meeting of the Overview and Scrutiny Panel.

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 disclosed. 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.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate by the Monitoring Officer in consultation with the Leader of the Council and the Chairman of the Overview and Scrutiny Panel will not be accepted and the reasons for this will be explained in our acknowledgement of the petition. The test that should apply in such circumstances would be the same as that used for Freedom of Information requests i.e. 'Is the request likely to cause distress, disruption or irritation without any proper or justified cause'

In addition if the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or 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 here www.thanet.gov.uk.

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. The petition will also be published on our website

The Council also intends to provide the facility to organise and submit a petition by purely electronic means before the end of this year (2010) When that happens, this Petition Scheme will be amended accordingly.

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.

If a petition contains more than 25 signatories, but less than 650 signatories it would be presented to Council and referred to the Cabinet or another appropriate committee without debate, for report to the Council within three ordinary meetings.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate

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 committee meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the Overview and Scrutiny Panel*
- writing to the petition organiser setting out our views about the request in the petition
- requiring an Senior Officer to attend a meeting of the Overview and Scrutiny Panel to give evidence*
- Holding a debate at that full Council meeting

* The Overview and Scrutiny Panel is a committee of Councillors who are primarily responsible for scrutinising the **work of the Council** in other words, the overview and scrutiny panel has the power to hold the Council's decision makers to account.

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 at www.thanet.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.

The Council will publish on its website the results of petitions over 25 signatories.

Full Council debates

If a petition contains more than 1300 signatures it will be debated by the 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. Council will endeavour to consider the

petition at the meeting following receipt of a petition, 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.

Council will then decide how to respond to the petition at that 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. Where the issue is one on which the Council executive are required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

As detailed in the Council's Constitution, total time devoted to the consideration of Petitions at any single Council meeting will not exceed 30 minutes in total.

Officer evidence

If your petition contains at least 650 signatures, the Chief Executive, Director, Head of Service or 3rd tier Manager will give evidence at a public meeting of the Overview and Scrutiny Panel.

You should be aware that the Overview and Scrutiny Panel may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition. The Panel may also decide to call the relevant Councillor Portfolio Holder to attend the meeting. Panel members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting the Chairman of the Overview and Scrutiny Panel up to three working days before the meeting. Confirmation of an officer giving evidence at a public meeting of the Overview and Scrutiny Panel will also be published on our website.

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 Overview and Scrutiny Panel 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 Panel 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 Panel determine we have not dealt with your petition, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council executive and arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.