Cheshire West & Chester Council

PETITIONS SCHEME

Visit: cheshirewestandchester.gov.uk

Cheshire West and Chester

Petitions Scheme

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 confirm that the petition has been received, and future communications will advise when the petition goes live and reaches set milestones. 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:

Director of Governance
The Portal
Wellington Road
Ellesmere Port
CH65 0BA

Or petitions may be created, signed, and submitted online.

Petitions require a **minimum of 10 signatures** to be considered as such, otherwise the request will be considered as correspondence and dealt with via the standard contact procedures.

Petitions that receive 100 or more signatures can be presented to a meeting of the Council. These meetings take place 6 times a year and, dates and times can be found here:

http://cmttpublic.cheshirewestandchester.gov.uk/ieListMeetings.aspx?CommitteeId=448

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 Democratic Services (democraticservices@cheshirewestandchester.gov.uk) at least 10 working days before the meeting and they will talk you through the process. Further guidance is provided below.

If your petition has received signatures of 1% of the Borough electorate (approximately 3616 in 2022[1]) it can be scheduled for a full Council or Cabinet debate (decided by the Chief Executive and Leader) providing all the signatures are submitted at the same time and that the subject is appropriate e.g., does not relate to a planning or licensing application).

If your petition has received signatures of 0.5 % of the Borough electorate (approximately 1808 as of 2022) it can be scheduled, should you wish it to be, for consideration at an appropriate Scrutiny Committee.

The Council's Privacy Policy applies to all Petitions:
(**https://www.cheshirewestandchester.gov.uk/privacy-policy**)

[1] Mid-year estimate 2022, Office for National Statistics

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 placed on the website.
- Petitions which are considered to be vexatious, abusive, or otherwise inappropriate (e.g., relates to a planning or licensing application) 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 the petition organiser to explain the reasons.

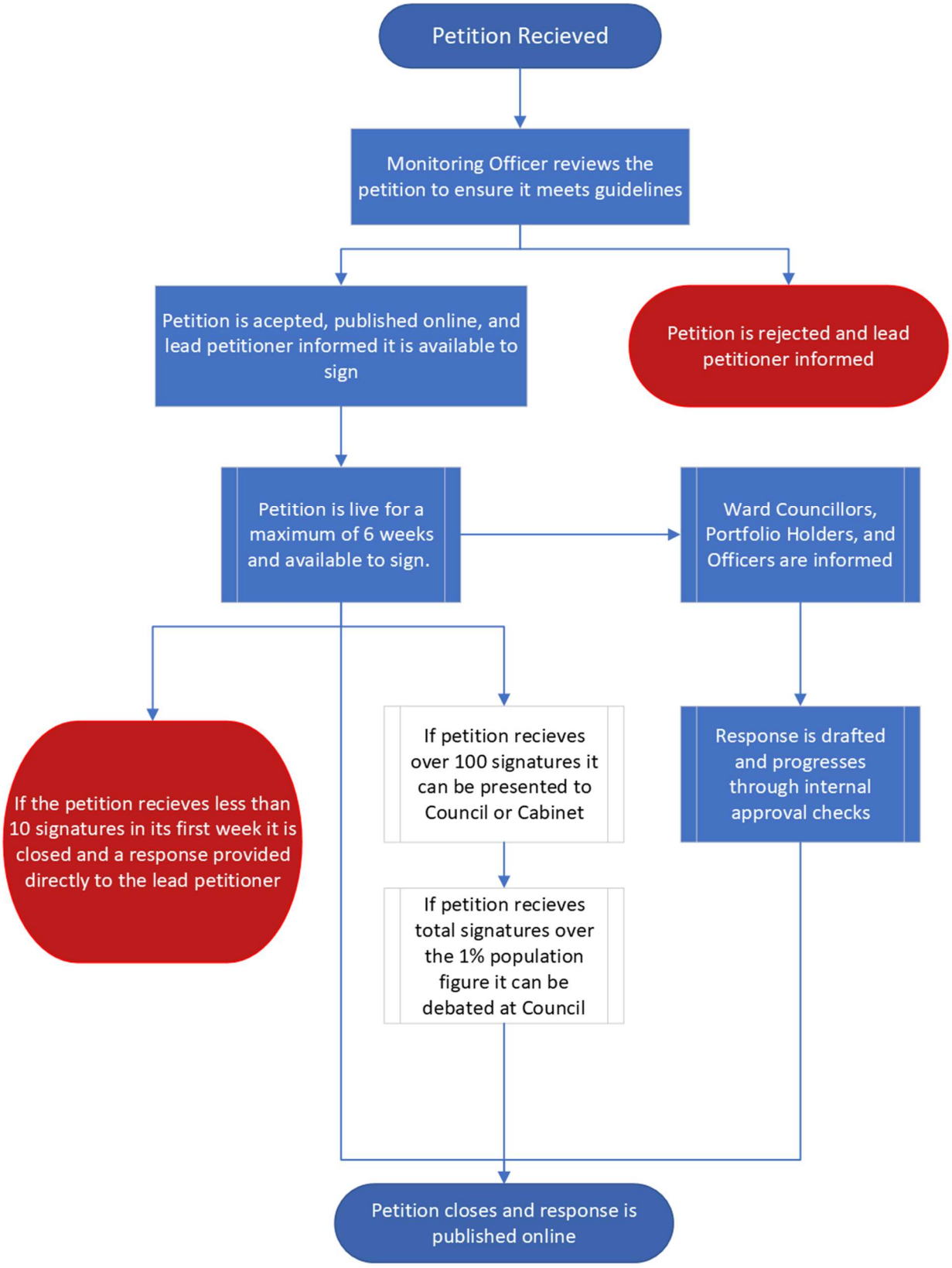
Petitions will only be accepted if they are started by persons who live, work or study in the authority's area.

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 then be sent to the monitoring officer for approval and subsequently uploaded onto the Council website if deemed appropriate.
- Whilst the petition is live, it will be sent to the relevant service area, director, and Portfolio Holder for response
- If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence (if asked for), 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 the petition applies to a current or future planning or licensing application, is a statutory petition (for example requesting a referendum), 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. For instance, Planning Committee and Licensing Committee have to make decisions based on the evidence put before them and the planning/licensing merits, as defined by law, so such matters cannot be debated in a full council meeting as it would leave the Council exposed to legal challenge.
- We will not act 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.

Correspondence will be directly with the lead petitioner and a final written response from the Council will be published online and sent directly to the named lead petitioner.



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
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the Council's Overview and Scrutiny Committee*
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

Number of signatures	Response
Less than 10	Response from an officer treated as standard correspondence
10 - 500	Response from relevant department manager (can also be presented at Council if 100 or more signatures are received)
501-2,500	Response from relevant Director and opportunity to take petition to the relevant scrutiny board for presentation and debate signatures account for 0.5% of the borough's population
2,501 +	Response from the Chief executive and the leader of the Council. Opportunity of the petition being debated at Council if signatures account for 1% of the borough's population

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

Petition subject - appropriate steps

<u>Alcohol related crime and disorder</u>

If your petition is about crime or disorder linked to alcohol consumption, the Council will, among other measures, consider the case for placing restrictions on public drinking in the area.

Measures could include establishing a Designated Public Place Order or a Public Spaces Protection Order.
The Councils response to your petition will set out the steps we intend to take and the reasons for taking this approach.

Anti-social behaviour (ASB)

As the elected representatives of your local area, as social landlord and licensing authority, the council plays a significant role to play in tackling anti-social behaviour. The council, in conjunction with our partners in the local crime and disorder partnership have set out minimum service standards for responding to issues of anti-social behaviour, you can find more details about these standards here [http://www.cheshirewestandchester.gov.uk/housing/council_tenants/our_performance/service_standards/anti_social_behaviour.aspx].
When responding to petitions on ASB, we will consider in consultation with our local partners, all the options available to us including the wide range of powers and mechanisms we have to intervene as part of our role as social landlord and licensing authority
For example, we will work with the neighbourhood policing team in the affected area to identify what action might be taken including what role CCTV might play, consider identifying a dedicated contact within the council to liaise with the community and neighbourhood partners on issues of ASB in the area in question and, where appropriate, we will alert the crime and disorder reduction partnership and the scrutiny panel that deals with crime and disorder to the issues highlighted in the petition.

Under-performing health services

We will work with local health partners to consider the matter raised in the petition including, where appropriate, exploring what role Healthwatch might have in reviewing and feeding back on the issue. The scrutiny panel that deals with health will also be alerted to the petition and where the matter is sufficiently or potentially serious, the issue will be referred to them to consider for review.

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 http://www.westcheshiretogether.org.uk/ 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 www.cheshirewestandchester.gov.uk

If your petition is about something that a different council is responsible for we will consider 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 or Cabinet

If a petition receives over 100 signatures it is eligible to be presented to the next available meeting of full Council. If a petition crosses this threshold whilst open as an e-petition, the lead petitioner will be contacted and offered the next available opportunity to present. If the presentation of the petition occurs after the Council has published a written response, there is no guarantee that the response will change as a result of the Council meeting. Presenting a petition does result in a debate or allow the opportunity for questions and the lead petitioner will have a maximum of 5 minutes to outline the context of the petition at the meeting.

If a petition contains signatures of at least 1% of the Borough population submitted at the same time it can be debated by the full Council or by the Cabinet, if the Lead Petitioner wishes, unless it is a petition asking for a senior council officer to give evidence at a public meeting. The 1% figure is obtained from the Councils Insight & Intelligence Team using the latest available information from the Office for National Statistics.

This means that the issue raised in the petition will be discussed at a meeting. 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 a 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. Where the issue is one on which the Council's Executive is 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.

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 750 signatures, the relevant senior officer will give evidence at a public meeting of the relevant Council committee. The senior staff that can be called to give evidence are the Council's Chief Executive and Directors.

You should be aware that the Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The Committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting scrutiny@cheshirewestandchester.gov.uk up to three working days before the meeting.

E-petitions

The Council welcomes e-petitions which may be created and submitted through our website.

E-petitions must follow the same guidelines as paper petitions.

The petition organiser will need to provide us with their name, postal address, and email address. You will also need to decide how long you would like your petition to be open for signatures. Petitions are kept open on the Council website for a set time limit of 6 weeks however this can be reduced if desired by the lead petitioner.

If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish.

Petitions must be signed by a minimum of 10 individuals within the first week of being published online to be maintained as an open petition. If 10 or more signatures are not recieved then the petition will be closed, and a response provided to the lead petitioner as per standard Council correspondence.

If you would like to present your e-petition to a meeting of the council, please contact Democratic Services by emailing democraticservices@cheshirewestandchester.gov.uk. The petition must have received minimum of 100 signatures for it to be presented to full Council and the Council may contact you if the petition crosses the threshold whilst still open to offer the next available Council meeting as an opportunity to present. If a request to present the petition to Council is not made a written response will subsequently be posted online and sent to the lead petitioner.

Petitions hosted on external websites

The Council strongly encourages petitioners to use the Councils internal e-petition service as above to host petitions, however there may be some circumstances in which an externally hosted petition is accepted. It is the responsibility of the lead petitioner to ensure an externally hosted petition meets all of the same requirements as set out in this scheme.

It is also the responsibility of the lead petitioner to ensure that all data protection regulations, including the data policies of the Council, are conformed to when hosting a petition on an external website.

The Council reserves the right to reject a petition hosted on an external website and there is no guarantee that all websites or hosting platforms will be accepted.

How do I ‘sign’ an e-petition?

You will be able to see all the e-petitions currently available for signature on the council’s web site.

When you sign an e-petition you will be asked to provide your name, your postcode, and a valid email address. When you have submitted this information, you will be sent an email to the email address you have provided. This email includes a link which you must click on in order to confirm the email 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.

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 one of the Council’s Scrutiny Committees 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 Council ‘s Cabinet 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.

Further information

For further information or guidance please contact the Democratic Services team at democraticservices@cheshirewestandchester.gov.uk.