

Petitions Guidance Note

The Council welcomes petitions and recognises that petitions are one way that people express their concerns about issues affecting communities within the Borough.

Submitting a Petition

Petitions can be created, signed and submitted from the council's website <https://www.cheshirewestandchester.gov.uk/your-council/consultations-and-petitions/petitions/petitions.aspx> , or by sending a paper petition to: Director of Governance, Cheshire West & Chester Council, 4 Civic Way, Ellesmere Port, CH65 0BE.

When an e-petition is created, it may take five working days before it is published online to check that the content of the petition is suitable before it is made available for signature.

All e-petitions currently available for signature are on the council's website <https://www.cheshirewestandchester.gov.uk/your-council/consultations-and-petitions/petitions/petitions.aspx> . Anyone signing an e-petition will be asked to provide their name, postcode and a valid email address. A verification email will then be sent and, once responded to, their name (but not contact details) will be added to the petition.

Receipt of the petition will be acknowledged within 10 working days, explaining what will happen to the petition and when. Unless the petition is declined (for the reasons set out below), it will also be published on the council's website and entered into a register of petitions. 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.

Any decision as to whether a petition can be accepted as valid will be made by the council's Monitoring Officer. If a petition is declined, an appropriate summary of the petition will be published along with the reason why it was declined and any representations received about the petition (unless the representations are declined for the reasons set out below).

Acknowledgements and responses to e-petitions will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and responses will also be published on the website.

Petitions with over 100 signatures

Where a petition has been signed by at least 100 signatories, a registered elector nominated by the petition signatories ('the Petitioner') may ask to present the petition to a Council meeting and to speak for up to 5 minutes during the allotted public speaking and question time for that meeting.

The Chair will then decide how the petition will be dealt with. It will either be referred to a Scrutiny Committee for consideration, or to an officer who will prepare a response to the Petitioner. In either case the council may do any of the following to inform its response:

- (a) meet with the petitioners
- (b) hold an inquiry
- (c) hold a public meeting
- (d) undertake research
- (e) undertake consultation

Petitions signed by over 0.5% of the Borough population

If a petition has received signatures of at least 0.5% of the Borough population (approximately 1,715 in 2019 but the latest number can be obtained from Democratic Services) it can be scheduled, should the Petitioner request it, for consideration at a Scrutiny committee meeting.

Petitions signed by over 1% of the Borough population

If a petition has received signatures of at least 1% of the Borough population (approximately 3,430 in 2019 but the latest number can be obtained from Democratic Services) it can be scheduled, if requested by the Petitioner, for a 15 minute debate at either Council or Cabinet, as determined by the Leader and Chief Executive,

before any response is sent to the Petitioner. To qualify under these rules, the signatures in support of a petition must all be submitted to the council at the same time (or in the case of an e-petition, before it closes).

If a Petitioner would like to present their petition to the Council, or would like a councillor or someone else to present it on their behalf, they should contact Democratic Services at least 10 days before the meeting on 01244 977076 or email at democraticservices@cheshirewestandchester.gov.uk.

Executive arrangements petitions

Residents of Cheshire West & Chester can submit a petition asking for an elected mayor for the Council, and if the number of signatures reaches 5% of the electorate (13,878 in February 2020) a referendum must be held. For more detail, see the [Local Authorities \(Referendums\) \(Petitions and Directions\) \(England\) Regulations 2000](#).

Petitions must include:

- (a) A clear and concise statement covering the subject of the petition
- (b) What action the petitioners want the council to take
- (c) The name and address and signature of every person supporting the petition
- (d) The name and address of the petition organiser. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, the signatories to the petition will be contacted and asked to agree who should act as the petition organiser.
- (e) In the case of e-petitions, how long the petition should be open for signatures (up to 12 months)

Reasons for declining a petition

- (a) Petitions (or representations) that are considered to be defamatory, frivolous, offensive, or vexatious

- (b) If a petition applies to a matter that must be determined in accordance with a specified legal framework and/or where there are specific appeal procedures in place already, e.g. planning and licensing applications, business rates and council tax bandings, appeals relating to school admissions and exclusions, etc. This is because the petition procedure is designed to stimulate debate and action on strategic issues affecting communities within the Borough. It is not an alternative to the existing procedures for debating, determining or appealing specific applications or decisions.
- (c) If a petition is about something over which the council has no direct control, e.g. the local railway or hospital, or something that a different council is responsible for. In these circumstances, the council will consider what representations it can make on behalf of the community to the appropriate body.
- (d) Any statutory petition, e.g. requesting a referendum on having an elected mayor. This is because there are specific procedures that apply to those types of petitions.

If a petition does not follow any of the guidelines set out above, the council will write to the petition organiser and explain why. They will be given an opportunity to amend their petition (if appropriate) and in all cases the council will confirm what it proposes to do with the petition.

If the petition organiser feels that the council has not dealt with their petition properly, they have the right to request that a Scrutiny committee reviews the steps taken in response to the petition. Should the Scrutiny committee decide that the council has not dealt with the petition adequately, it may use any of its powers to deal with the matter, including instigating an investigation, making recommendations to Cabinet or arranging for the matter to be considered at a meeting of the Council. Once this review process is complete, 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.