



## **Ashfield District Council Petition Scheme**

**February 2020**

### **1. Introduction**

- 1.1 This Scheme sets out details of how Ashfield District Council will deal with and respond to petitions.
- 1.2 Ashfield District Council recognises the importance of petitions as a means of engaging more meaningfully with local communities, facilitating the public to let us know about their concerns, and as a mechanism for generating service improvements.
- 1.3 The Council's Petition Scheme will be reviewed every four years.

### **2. What is a petition?**

- 2.1 Any communication which is signed by, or sent to Ashfield District Council on behalf of a number of people who live, work, or study within Ashfield could be treated as a petition.
- 2.2 The Council will treat something as a petition if it is identified as being a petition, or if it seems that it is intended to be a petition.

### **3. What should a petition contain?**

- 3.1 Petitions submitted to Ashfield District Council **must** include:
  - 3.1.1 A clear and concise statement covering the subject of the petition, the area to which the petition relates to, and the action the petitioners want the Council to take.
  - 3.1.2 The contact details, including the address, of the petition organiser. The Council will contact the petition organiser to explain how it will respond to the petition. The contact details of the petition organiser **will not** be published on the Council's website. If the petition does not identify a petition organiser, the Council will contact petition signatories to agree who should act as the petition organiser.
  - 3.1.3 The name, address, and signature of any person supporting the petition.

- 3.1.4 The name, address, and email address of any person supporting an e-petition through the Council's website.
- 3.1.5 Date the petition was submitted.
- 3.2 Signatures for a petition should be collected no more than 6 months before it is submitted. This ensures that issues raised within a petition are considered within an appropriate time period.

#### 4. Exclusions

- 4.1 Submitted petitions that are determined by the Chief Executive to be vexatious, discriminatory, abusive, unreasonable, or otherwise inappropriate will not be accepted. This could include:
  - 4.1.1 **Vexatious:** The Chief Executive will take into account all circumstances of the petition with the key question of 'is the petition likely to cause distress, disruption, or irritation without any proper or justified cause?'
  - 4.1.2 **Discriminatory:** A discriminatory petition could be one that implies or states that a group of people or an area receives better, or worse, services because of that group's predominant religion, race, sex or other protected characteristic, as covered by discrimination legislation.
  - 4.1.3 **Abusive:** Petitions that are directed at individuals or their professional ability.
  - 4.1.4 **Unreasonable:** Petitions that ask the Council to act in contrary to legislation.
  - 4.1.5 **Inappropriate:** This could include petitions relating to ongoing legal proceedings, or that target individual members of a community.
  - 4.1.6 Any petition submitted to Ashfield District Council will be considered on its merits, and not based on who is submitting the petition.
- 4.2 Petitions relating to Planning or Licensing applications are not covered by the Council's Petition Scheme and will be referred to the relevant committee for consideration.
- 4.3 In the period immediately before an election or referendum, the Council may need to deal with a petition differently. If this is the case, the Council will contact the petition organiser to explain why and to discuss a revised timescale.
- 4.4 Petitions will not normally be considered if they are received within 6 months of another petition having already been considered by the Council on the same matter.
- 4.5 Ashfield District Council will only accept e-petitions submitted through its website.
- 4.6 If a petition does not follow the guidelines set out in this scheme, the Council will not accept it. The petition organiser will be contacted in this scenario with the reasons why the petition has been declined.

## 5. How to submit a petition

- 5.1 Paper petitions, accompanied by a covering letter identifying the key information outlined above, can be sent to:

**Democratic Services Team  
Ashfield District Council  
Council Offices  
Urban Road  
Kirkby-in-Ashfield  
Nottingham  
NG17 8DA**

- 5.2 Petitions can be submitted by email to: [democratic.services@ashfield.gov.uk](mailto:democratic.services@ashfield.gov.uk)
- 5.3 Petitions submitted by email must follow the guidelines set out in this scheme.
- 5.4 Petitions can also be created and submitted as an e-petition through the Council's website. E-petitions must follow the same guidelines as paper or email petitions set out in this scheme. E-petitions can be submitted [here](#).
- 5.5 The petition organiser will need to provide the Council with their name, address, and email address.
- 5.6 E-petition organisers must set how long the petition is to be open for signatures, with a minimum period of **at least one month** and a maximum period of **6 months**.
- 5.7 Upon creating an e-petition, it may take up to **10 clear working days** before it is published on the Council's website. This is to allow the Council time to ensure the e-petition follows the guidelines set out in this scheme.
- 5.8 If the Council feels it cannot publish the petition for some reason, the petition organiser will be contacted and with the reason(s) why. The petition organiser will be offered the opportunity to make changes and resubmit an e-petition following feedback from the Council, this must be done within **10 clear working days** of the Council contacting the petition organiser.
- 5.9 Once an e-petition closes for signature, the petition organiser will receive an acknowledgement within **10 clear working days** as set out at section 6 of this scheme.
- 5.10 E-petition signatories will be asked to provide their name, postcode, and valid email address when signing an e-petition. Once this information has been submitted, an email will be sent to the provided email address to confirm the email address is valid. Once the email address has been validated, the signature will be added to the petition.
- 5.11 Anyone viewing an e-petition listed on the Council's website will be able to see the name of any signatories, but not their address or email address.
- 5.12 All e-petitions currently available for signature can be viewed on the Council's website.

- 5.13 Petitions that meet the required signatory threshold (see section 8 below) can also be presented to a meeting of the Council. These meetings take place regularly; please see the [Council's calendar of scheduled meetings here](#).
- 5.14 If you would like to present your petition to the Council, or would like your Ward Councillor or someone else to present it on your behalf, please contact the Democratic Services Team at least **10 clear working days** before the meeting.
- 5.15 Petitions presented to a meeting of the Council are subject to the thresholds set out at section 8 within this scheme.

## **6. What will Ashfield District Council do when it receives a petition?**

- 6.1 The Council will send an acknowledgement to the petition organiser within **10 clear working days** of receiving the petition. The acknowledgement will let the petition organiser know how the Council plans to deal with the petition in accordance with this petition scheme, and when they can expect to hear from the Council again.
- 6.2 If the Council receives two or more petitions relating to the same issue(s), consideration will be given to amalgamating the signatories with the approval of the petition organisers.
- 6.3 To ensure people know what the Council is doing in response to the petitions it receives, the details of all petitions submitted to the Council will be published on the Council's website.

## **7. How will Ashfield District Council respond to a petition?**

- 7.1 Depending on the number of people that have signed the petition, it will be dealt with in one of the following ways:
  - 7.1.1 If a petition submitted to the Council contains **between 10 and 199 signatures**, it will be responded to in accordance with [Ashfield District Council's Compliments and Complaints procedure](#).
  - 7.1.2 If a petition submitted to the Council contains **between 200 and 749 signatures**, it will be discussed at a meeting of the Council's Corporate Leadership Team. The Corporate Leadership Team will endeavour to discuss the petition within **10 clear working days** of it being submitted to the Council. Following discussion, a written response will be provided to the petition organiser within **10 clear working days**.
  - 7.1.3 If a petition submitted to the Council contains **between 750 and 1499 signatures**, it will be referred to the Overview and Scrutiny Committee for consideration. Further information on this can be found at section 8 below.
  - 7.1.4 If a petition submitted to the Council contains **over 1500 signatures**, it will be referred to Full Council for consideration and debate. Further information on this can be found at section 9 below.

- 7.2 The relevant Ward Member(s), Cabinet Members, and Officers will be informed when a petition covering their Wards/areas of responsibility is received, and how the petition will be considered.
- 7.3 If a petition is about something over which the Council has no direct control, it will consider making representations on behalf of the petitioners 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.
- 7.4 If a petition is about something that a different Council is responsible for, consideration will be given to what the more appropriate method of responding to it is. This could involve forwarding the petition to the relevant Council, but could involve other steps. The petition organiser will be informed throughout this process.

## **8. Overview and Scrutiny Committee consideration**

- 8.1 A petition containing **between 750 and 1,499 signatures** will be considered by the Council's Overview and Scrutiny Committee.
- 8.2 The most appropriate Senior Council Officer will be invited to give evidence at a public meeting of the Overview and Scrutiny Committee relating to the issues set out in a petition.
- 8.3 The petition organiser will be permitted a total of **15 minutes** to ask up to a maximum of three questions to the Officer in attendance regarding the petition.
- 8.4 The petition organiser must provide the Service Manager – Scrutiny and Democratic Services with written notice of these questions at least **10 clear working days** before the Overview and Scrutiny Committee meeting.
- 8.5 Questions submitted as part of this process considered by the Chief Executive to be vexatious, discriminatory, abusive, unreasonable, or otherwise inappropriate will not be considered. For more information on exclusions, please refer to section 4 above.
- 8.6 Following the questions asked by the petition organiser, a further **15 minutes** will be allocated to allow discussion between Overview and Scrutiny Committee Members and the invited Officer. During this allocated time, Committee Members may seek further clarification from the petition organiser.
- 8.7 Following discussion, Members of the Overview and Scrutiny Committee may decide to approve recommendations to be submitted to a future meeting of the Council's Cabinet.

## **9. Council debates**

- 9.1 If a petition submitted to the Council contains **more than 1,500 signatures** it will be referred to Full Council for consideration and debate. This means that the issue raised in the petition will be discussed at a meeting that all Councillors can attend.

- 9.2 If the petition has been submitted at least **10 clear working days** prior to a scheduled formal Council meeting then it may be considered at that meeting.
- 9.3 The Council will endeavour to consider the petition at its next meeting. However, on some occasions, this is not possible and consideration will take place at the following meeting. Please see [Ashfield District Council's calendar of scheduled meetings here](#).
- 9.4 Petitions will not be considered at Extraordinary Council meetings.
- 9.5 The petition organiser will be given **5 minutes** to present the petition at the meeting. The petition will then be discussed by Councillors for a maximum of **15 minutes**.
- 9.6 Several courses of action are available to Council regarding the consideration and debate of a petition, including but not limited to:
- taking the action requested in the petition
  - undertaking research into the issues raised
  - holding a meeting with the petitioners
  - holding an inquiry
  - calling for a referendum
  - giving the petition further consideration at a future Council meeting
  - referring the petition to the Overview and Scrutiny Committee

## **10. What can I do if I feel my petition has not been dealt with properly?**

- 10.1 If you feel that the steps taken in response to your petition are not adequate, the petition organiser has the right to request that the Council's Overview and Scrutiny Committee review the steps that the Council has taken in response to your petition.
- 10.2 A request for review must be made within **20 working days** of notification of the Council's decision on the petition.
- 10.3 The request for a review must be sent to the Democratic Services Team at [democratic.services@ashfield.gov.uk](mailto:democratic.services@ashfield.gov.uk).
- 10.4 A request for review must be accompanied by a short explanation of the reasons why the Council's original response is not considered adequate.
- 10.5 The Overview and Scrutiny Committee will endeavour to consider any requests for review at its next meeting, although this may not always be possible, and consideration will take place at the following meeting. Please see [Ashfield District Council's calendar of scheduled meetings here](#).
- 10.6 Should the Overview and Scrutiny Committee determine a petition has not been dealt with adequately; it may instigate an investigation, make recommendations to the Council's Cabinet, or arrange for the matter to be re-considered at a meeting of the Council.
- 10.7 Following consideration of an appeal by the Overview and Scrutiny Committee, the petition organiser will be informed of the outcome within **10 clear working days**. The outcome will also be published on the Council's website.