

## Proposed Amendments to the Warwickshire County Council Petition Scheme

### Petitions Scheme

#### 1. Introduction

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. Anyone who lives, works or studies in Warwickshire, including those under 18 years old, can sign or organise a petition for submission to the Council.

We will treat something as a petition if it is identified as being a petition by the person sending it to us, or if it seems to us that it is intended to be a petition.

In this Scheme, 'You' means the organiser of the petition, or someone nominated by the petition organiser to liaise with the Council.

To be accepted by the Council, a petition must relate to the provision of local services for which the County Council has responsibility for. Democratic Services can provide advice and support if you are unsure what these services are. **If your petition relates to matters which the County Council does not have responsibility for, it will be shared with your local County Councillor who may be able to provide advice and support about where to direct your concerns.**

Democratic Services are contactable in the following ways:

**Email:** [democraticservices@warwickshire.gov.uk](mailto:democraticservices@warwickshire.gov.uk)

**Telephone:** 01926 418196

**Post:** Democratic Services Team Lead, Resources Directorate, Warwickshire County Council, Shire Hall, Warwick, CV34 4RL

The Council already has arrangements to allow members of the public to speak at some of its meetings. This is set out in the Council's constitution and on our website - [here](#). There are special rules for Regulatory Committee and Democratic Services can help you with any queries you may have.

This scheme gives a petitioner with a minimum of 1000 signatories in support an additional right (provided the requirements are met) to present and speak in support of their petition at a meeting of the Council. For other petitions with 50 or more but less than 1000 signatories in support, the Monitoring Officer will determine whether the petition should be referred to a Cabinet member, Officer, or other member body.

We will publish the details of the petitions we accept under this scheme on our website and summarise the response made to the petition.

If you wish to present your petition to a particular meeting of the Council, you must ensure your

petition is submitted to Democratic Services at least 10 working days before the meeting you wish to speak at. This is to ensure that there is time to check that the petition meets the requirements of the Scheme and if appropriate to arrange for the petition to be included on the agenda of the meeting.

If you wish to exercise the rights under this scheme you should either:

1. Use our e-petition facility, which enables petitions to be created, signed and submitted online (for a period up to three months) **OR**
2. send the petition direct to the Democratic Services Team Leader who can be contacted in the following ways

**Email:** [democraticservices@warwickshire.gov.uk](mailto:democraticservices@warwickshire.gov.uk)

**Telephone:** 01926 418196

**Post:** Democratic Services Team Leader, Resources Directorate, Warwickshire County Council, Shire Hall, Warwick, CV34 4RL

You will receive an acknowledgement from the Council within **5 working days** of receipt of your petition. This acknowledgement will set out the proposed next steps and when you will hear from us again.

If you simply turn up to a meeting expecting to present a petition without sending it to the Democratic Services Team Leader, the meeting will not consider your petition, and the petition will be sent to the Democratic Services Team Leader for consideration under this scheme. Where a petition has **not been accepted** under this scheme rights to speak (if any) at a meeting will be governed by the Council's normal arrangements for allowing members of the public to speak at meetings noted above.

Dates for future meetings of the council are on our website:

[www.warwickshire.gov.uk/council](http://www.warwickshire.gov.uk/council)

Please contact the Democratic Services Team Leader if you require any help or advice in relation to the Scheme.

## **2. 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 it may include one or more of the following:

- taking the action requested in the petition
- writing to the petition organiser setting out our views about the request in the petition
- holding a meeting with petitioners including with the Portfolio Holder and/or the local member where relevant
- holding a consultation
- undertaking research into the matter
- referring the petition for consideration at a councillor, cabinet or local community forum meeting or, where the criteria are met, inviting the petition organiser to speak at a formal meeting
- referring the petition for consideration by the council's relevant overview and scrutiny body
- referring the petition to another local public service organisation for consideration

- holding an inquiry into the matter
- holding a public meeting
- calling a referendum

If a petition does not follow the guidelines set out within this Scheme, the council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

If your petition meets the criteria for presentation to a formal council meeting it will not usually be subject to a debate unless the topic of the petition is already on the published agenda for the relevant meeting as Councillors cannot take a decision about what you have raised in your petition without all relevant information (including legal and financial advice).

You will receive a response to your petition. This may be either verbally at the meeting or following the meeting. In both cases you will receive a written response from the Council to your petition which we will aim to provide within ten working days of the meeting.

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

#### **Contact Details**

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. Everyone who signs a petition must provide an address and post code so that we are able to check the validity of signatures.

If the petition does not identify a petition organiser, we will contact the people who signed the petition to agree who should act as the petition organiser.

#### **Details of the local services which the Council is responsible for**

The Petition must relate to the provision of local services for which the Council is responsible. We may consider accepting a petition that relates to matters of wider relevance or interest to Warwickshire, for example if it relates to improvements in the economic, social or environmental well-being of Warwickshire to which any of our Partner Authorities could contribute. A list of Partner Authorities (which is not exhaustive) is included in the annex. The decision as to whether or not a petition meets the criteria in this section will be taken by the Monitoring Officer or their nominated representative.

Where a petition relates to a matter which is within the responsibility of another public authority, we will ask you as the petition organiser if you would like us to redirect the petition to the other public authority.

Where a petition relates to a matter over which the Council has no responsibility we will return the petition to you with an explanation for that decision

#### **Purpose of Petition**

Petitions must include a clear and concise statement explaining what the petition is about. It should state:

- what action you wish the council to take; and

- the name and address and signature of any person supporting the petition.

### **Signatories**

A petition must have at least 50 signatories in support – see section 4 below.

### **Exclusions**

It should not be an inappropriate or excluded petition – see section 7 below.

## **4. How many people must support the petition?**

Your rights to formally present a petition to a meeting of the Council depends on the number of people who have signed the petition – a minimum of 1000 signatories are required for a petition to be presented to a formal meeting of the Council. Where the number of signatories is below 1000 the Monitoring Officer will decide whether the petition should be referred to a Cabinet member or Officer for response.

Your rights to any other response from the Council will depend upon your petition achieving at least 50 signatures

## **5. Rights to present**

A petition may only be presented once under this scheme.

If the petition meets the criteria for it to be presented to a formal meeting of the Council, you may:

- formally present the petition to an appropriate Council meeting in person **and**
- speak in support of your petition for up to 5 minutes at that meeting.

Formal meetings of the Council are held in public and you will need to attend Shire Hall for the meeting.

You may nominate another person to speak on behalf of the petition if you prefer, or if required we can make arrangements for an officer of the Council to read the petition on your behalf.

Where more than one petition is received supporting the same outcome on a particular matter, each petition organiser will be treated as an independent petition organiser, but only the petition organiser of the first petition to be received will be invited to address the relevant meeting.

## **6. What Petitions will not be considered?**

### **6.1 Inappropriate Petitions**

Petitions which the Monitoring Officer considers vexatious, rude, offensive, defamatory, abusive, time wasting or otherwise inappropriate will not be accepted, for example:

- (i) Petitions should relate to the provision of local services not:
  - (a) the private lives, personal circumstances, behaviour or personality of individuals whether officers or members of the Council or other public service organisations.
  - (b) national policy or the policies of political parties.

- (ii) Repeat petitions – a petition will not normally be considered where they are received within six months of another petition being considered on the same matter.
- (iii) Petitions relating to matters over which the council has no responsibility and which the Monitoring Officer does not consider are of wider relevance to Warwickshire

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.

## **6.2 Consultation petitions**

These are petitions which are received in response to an invitation by the Council on particular proposals and are not dealt with under this scheme. Consultation petitions received by the consultation deadline will be dealt with in accordance with the consultation arrangements and will be reported to the public meeting of the person or body which is taking the decision on the proposals. They will not be dealt with under this scheme.

## **6.3 Excluded Petitions**

A petition is also excluded from this scheme if the petition relates to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or concerns any matter where there is already an existing right of appeal under other processes.

Further information about how you can express your views in relation to these types of matters is set out below:

### **Planning and Licensing applications**

Where the petition relates to a planning or licensing application to be decided by the County Council it will be presented to our Regulatory Committee at the meeting which is considering the application concerned. The Petition will be open to inspection at the meeting. The Petitioner may speak for up to 3 minutes in accordance with public speaking scheme for that Committee.

Petitions relating to planning or licensing applications should be sent to the address given on the notice advertising that a planning application has been made or to the Executive Director for Communities, PO Box 43, Barrack Street, Warwick, CV34 4SX.

### **Planning applications**

Please note the County Council mainly deals with applications relating to minerals and waste management. Therefore, most planning applications are dealt with by the relevant District or Borough Councils in Warwickshire. The notice publishing that an application has been made will include an address for people who wish to make comments on the proposal. This will usually identify whether it is the County or a District or Borough Council which is taking the decision.

### **Licensing applications**

Please note that the County Council does not deal with applications relating to club or

premises licences, sex establishments or applications under the Gambling Act, which are dealt with by the relevant District or Borough Councils in Warwickshire. Any petitions about these matters should be directed to the relevant District or Borough Council in accordance with their arrangements.

### **Referendum for Elected Mayor, etc.**

There are particular statutory requirements relating to petitions which request a referendum on whether or not the Council should adopt different political management arrangements i.e. involving a directly elected mayor. The minimum number of signatories is 5% of the local government electorate in Warwickshire. This figure is updated each February and can be found at [ INSERT LINK ]. In order to be counted all the signatories on the petition must live, work or study within Warwickshire.

## **7. E-petitions**

The Council welcomes e-petitions which are created and submitted through our website. E- petitions must follow the same guidelines as paper petitions. You can view, submit or sign an e-petition at the following link [View, submit or sign an e-petition](#)

In order to commence an e-petition, 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. Most petitions run for 3 months. This is the maximum period you can choose but you can choose a shorter period.

When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable and meets the requirements of this Scheme before it is made available for signature. If it is decided that we cannot publish your petition for some reason, we will contact you to explain why. You will be able to change and re-submit your petition if you wish. If you do not do this within 14 days, the petition will be rejected.

When an e-petition has closed for signature, it will automatically be submitted to Democratic Services. In the same way as a paper petition you will receive an acknowledgement within 5 days. If you would like to present your e-petition to a meeting of the council, please contact the Democratic Services Manager within 5 working days of the petition closing. See Section 4 above for requirements for presenting a petition. If you wish to present your petition to a particular meeting of the Council you should ensure your petition closes at least 10 working days before the meeting.

A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive information. The acknowledgement and response will be published on the website.

### **How do I sign an e-petition?**

When you sign an e-petition you will be asked to provide your name, postcode and a valid email address. When you have submitted this information, you will be sent an email to the email address provided. This email will include 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 but your contact details will not be visible.

## **8. The petitions website**

The Council maintains a petitions website at [www.warwickshire.gov.uk/petitions](http://www.warwickshire.gov.uk/petitions)

When a petition which meets the requirements of this scheme is received by the Democratic Services Team Leader, they will arrange for the petition to be published on the website. The information will include the subject matter of the petition, the date of receipt and the number of signatories. In relation to e-petitions this will also include the names of signatories.

If the petition is to be or has been reported to a Council meeting that information will be included on the website.

Once decided, the response of the council to the petition will also be included on the website. Confidential information will not be included. This should enable petitioners to keep track of the progress of their petition.

Petitions will be kept on the website for a period of 1 year from the date of receipt.

## **9. Informing councillors and officers**

When a petition is received the relevant Cabinet member, party spokespersons and the relevant Executive Director or senior Officer will be sent a copy of the petition.

If a petition relates to a local matter in a particular electoral division the relevant local County Councillor will also be sent a copy of the petition.

If a petition relating to a local matter in a particular electoral division is to be presented to a Council meeting the local county councillor will be invited to address the meeting for no more than 3 minutes immediately after the petition organiser.

## **10. Scheme review**

The Council may review these arrangements from time to time and make alternative arrangements.

## **Annex List of Partner Authorities**

**1. Any of the following covering the whole or part of Warwickshire:**

- a) any district council or borough council;
- b) Warwickshire Police;
- c) the Police and Crime Commissioner for Warwickshire;
- d) a joint waste authority;
- e) a waste disposal authority;
- f) West Midlands Combined Authority;a Primary Care Trust;
- g)
- h) a youth offending team; or .
- i) an Integrated Care Board

**2. Any of the following who provide services at or from a hospital or other establishment or facility located in Warwickshire:**

- a) a National Health Service trust; or
- b) an NHS foundation trust.

**3. Any of the following:**

- a) the Arts Council of England;
- b) the English Sports Council;
- c) the Environment Agency;
- d) the Health and Safety Executive;
- e) the Historic Buildings and Monuments Commission;
- f) Homes England;
- g) the Museums, Libraries and Archives Council; or
- h) Natural England.