

Bedford Borough Council Petitions Scheme



(Reviewed by General Purposes Committee 12 March 2013)

The content has been periodically updated to reflect changes to Team names and Officer post titles.

1 INTRODUCTION

- 1.1 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 2 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 should be sent to:

Democratic & Electoral Services Manager and
Statutory Scrutiny Officer

Bedford Borough Council
Borough Hall
Cauldwell Street
Bedford
MK42 9AP

- 1.2 Petitions can also be presented to a meeting of the Council. These meetings take place at regular intervals throughout the year and the dates and times of the meetings which are currently scheduled can be found at [Calendar of meetings](#). 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 you can find out your Councillor's contact details by browsing the "Your Councillors" pages on the Council's website. Alternatively, please contact the Democratic & Members Team on 01234 228819 at least 3 working days before the meeting and they will talk you through the process. If your petition has received sufficient support, it will also be scheduled for a Council debate [see section 6 below on Full Council Debates] and if this is the case we will let you know whether this will happen at the same meeting or a later meeting of the Council and will publish this on our website.
- 1.3 The Council will let petition organisers know what is happening with their petitions at each stage of the process and will also keep the relevant Ward Councillors informed. It will also maintain a petitions' register on its website and will use that to report on the progress of each petition. A report on all of the petitions received and dealt with under this scheme during the preceding year will be submitted to the first meeting of the Council and the Executive in each Municipal Year.

- 1.4 Democratic & Member Services will monitor, by means of a feedback questionnaire the level of satisfaction with the Council's procedures for dealing with petitions. The outcome of that monitoring will be included in the report referred to in paragraph 1.3 above and will be used to inform reviews of, and to help improve, the operation of this scheme.
- 1.5 The Council has developed a facility to submit [e-petitions](#), which became available for use on 6 September 2010, and this is referred to in paragraphs 7 and 8 of this scheme.

2 WHAT ARE THE GUIDELINES FOR SUBMITTING A PETITION?

- 2.1 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.
- 2.2 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 petition organiser's name but not contact details, will be included on the petitions' register on the website unless they request otherwise. 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.
- 2.3 If the petition is presented at a Council Meeting by someone other than the organiser, their name will also be included on the petitions' register unless they request otherwise.
- 2.4 Petitions which are considered to be vexatious, abusive or otherwise inappropriate 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 you to explain the reasons.

3 WHAT WILL THE COUNCIL DO WHEN IT RECEIVES MY PETITION?

- 3.1 An acknowledgement will be sent to the petition organiser within 2 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. It will also be published on our website. If the petition relates to a local or Ward issue, a copy of the acknowledgement letter will also be sent to the relevant Ward Councillor(s).
- 3.2 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 support to trigger a Council debate (see paragraph 6), or a senior officer giving evidence (see paragraph 7), then the acknowledgement 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.

- 3.3 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 in the petitions' register on our website, except in cases where this would be inappropriate. When you [sign an e-petition](#) you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

4 ARE THERE ANY TYPES OF PETITION THAT ARE EXCLUDED FROM THIS SCHEME?

4.1 The following types of petition are excluded from the scheme:

- Petitions in response to a Council consultation on a specific matter. Such petitions should be returned to the person at the address set out in the particular consultation document.
- Petitions relating to vexatious, abusive or otherwise inappropriate matters (inappropriate may include matters which are subject to ongoing legal proceedings or those that target individual members of a community). If we decide that a petition which has been submitted falls within this definition we will explain our reasons to the petition organiser.
- Petitions made under other legislation which sets out the process which must be followed.
- Any matter relating to a planning decision including decisions about a development plan document or the community infrastructure levy.
- Any matter relating to an alcohol, gambling or sex establishment licensing decision.
- Any matter relating to an individual or body where a right of review or appeal is given by other legislation, such as Council Tax banding or non domestic rates.
- A petition which raises issues of possible Councillor misconduct - these will be treated as complaints and will be referred where appropriate to the Council's Monitoring Officer.
- A petition that raises issues of Officer competence or misconduct - this will be referred to the Chief Executive (or to the Monitoring Officer in respect of the Chief Executive) and will be considered under the Council's Employment Procedures.

5 HOW WILL THE COUNCIL RESPOND TO PETITIONS?

5.1 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 and/or Executive meeting
- Referring the petition for consideration by the relevant Overview and Scrutiny Committee*
- Referring the petition for consideration by the relevant Director.
- Holding an inquiry into the matter
- Undertaking research into the matter
- Holding a public meeting
- Writing to the petition organiser setting out our views about the request in the petition.

** (These are committees of Councillors who are responsible for keeping under review the work of the Council and making recommendations for improvement).*

- 5.2 In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.
- 5.3 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 [here](#).
- 5.4 If your petition is about something 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 and, if your petition relates to a local or Ward issue, we will also let the relevant Ward Councillor(s) know the action that has been taken.
- 5.5 The Council reserves the right to verify the supporters on any petition.

6 FULL COUNCIL DEBATES

- 6.1 If a petition contains **more** than 30 supporters (subject to some exceptions) it will be reported to and debated at the next scheduled meeting of the full 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.
- Please note that it is unlikely that petitions which are presented at Council Meetings will be discussed at the same meeting unless we have been given sufficient notice of the petition to enable its discussion to be included as a specific agenda item.
- 6.2 If your petition is about a localised issue, affecting only a small area of the Borough, a threshold of 30 supporters will also apply. These must all be from people who live in the area concerned.
- 6.3 The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible, in which case it will be considered at the following meeting. The petition organiser will be given up to 5 minutes to present the petition at the meeting before it is discussed by Councillors who may seek clarification from the petition organiser on any issues raised in their speech. 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 Executive, portfolio holder or the Mayor 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. If the matter is one on which the Executive has to take the final decision, we will tell the petition organiser when the Executive will consider the matter. This confirmation will also be published on our website.

7 OFFICER EVIDENCE

- 7.1 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.

- 7.2 If your petition contains at least 30 supporters the relevant senior officer will give evidence at a public meeting of the relevant Directorate facing Overview and Scrutiny Committee.
- 7.3 If the petition relates to a localised issue affecting only a small area of the Borough, a threshold of 30 supporters will also apply. These supporters must be from people living in the area concerned.
- 7.4 The senior staff who can be called to give evidence are:
- Chief Executive
 - Deputy CEX and Executive Director of Environment
 - Executive Director of Resources (Section 151 Officer)
 - Executive Director of Adult Services
 - Executive Director for Children Education & Families
 - Executive Director of Public Health
 - Services Director of Governance (Monitoring Officer)
- 7.5 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 any relevant Councillor to attend the meeting. Committee members will ask the questions at this meeting, but the petition organiser will have the opportunity to address the Committee for a maximum of 5 minutes on the issue raised in the petition and will be invited to submit a list of questions which they would like to be put to the Officer at the meeting. These will be given to the Chair of the Committee (who will decide whether it is appropriate to ask them) and to the Officer concerned in advance of the meeting. Members of the Committee may ask the petition organiser questions about their petition.

8 E-PETITIONS

- 8.1 The Council welcomes [e-petitions](#) which are 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 support, up to a maximum of 12 months.
- 8.2 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 before it is made available for support.
- 8.3 If we feel we cannot publish your petition for some reason, we will contact you within 5 working days to explain why. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and reason why it has not been accepted will be published under the 'rejected petitions' column of the petitions' register.

- 8.4 When an e-petition has closed for support, it will automatically be submitted to the Democratic & Electoral Services Manager and Statutory Scrutiny Officer. In the same way as a paper petition, you will receive an acknowledgement within 2 working days. If you would like to present your e-petition to a meeting of the Council, please contact the Democratic & Members Team (telephone 01234 228819 email righttospeak@bedford.gov.uk) within 10 working days of receipt of the acknowledgement.

9 HOW DO I 'SIGN' AN E-PETITION?

- 9.1 You can see all the [e-petitions](#) currently available for support here.
- 9.2 When you sign an e-petition you will be asked to provide your name, your postal address including 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 will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'support' 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.

10 WHAT CAN I DO IF I FEEL MY PETITION HAS NOT BEEN DEALT WITH PROPERLY?

- 10.1 If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the relevant Overview and Scrutiny Committee review the steps that the Council has taken in response to the petition. Requests for a review of any petitions which an Overview and Scrutiny Committee has dealt with (ie petitions requiring officers to give evidence) will be dealt with by another Overview and Scrutiny Committee. This is to ensure that all reviews are independent. Any such request must be made within 20 working days of the date of the letter setting out the Council's response. 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.
- 10.2 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 Executive and arranging for the matter to be considered at a meeting of the Full Council.
- 10.3 Once the appeal has been considered the petition organiser will be informed of the results within 2 working days. The results of the review will also be published on the Council's website.

11 ACCESSING THIS INFORMATION IN OTHER FORMATS

- 11.1 If you would like a copy of this scheme in a particular format to suit your needs, eg. large print, please contact Lesley Blue (see below for contact details), who will be pleased to discuss with you how we can make accessing or understanding this information easier for you.

11.2 Contact Details

Lesley Blue is the Democratic & Electoral Services Manager and Statutory Scrutiny Officer for Bedford Borough Council. Her contact details are:

E-mail: lesley.blue@bedford.gov.uk