

## PETITIONS SCHEME FOR MID DEVON DISTRICT COUNCIL

### 1.0 Petitions

1.1 A petition is a formal, written request made to an official person or organised body, often containing many signatures. Mid Devon District Council welcomes petitions and recognises that they are one way in which citizens can let us know their concerns. The other ways you could consider influencing how the Council works are set out on the Council's website page, "Have My Say". The link for which is <http://www.middevon.gov.uk/index.aspx?articleid=7447>

1.2 All petitions sent or presented to the Council will receive an acknowledgement within 10 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 contains a minimum of 25 signatures and is identified as being a petition, or it seems to us that it is intended to be so.

1.3 There are a number of ways to present a petition.

1.4 Paper petitions can be sent to:

Member Services Manager  
Mid Devon District Council  
Phoenix House  
Phoenix Lane  
Tiverton  
EX16 6PP

1.5 Or be emailed to [Committee@middevon.gov.uk](mailto:Committee@middevon.gov.uk)

1.6 Or be created, signed and submitted online by following this link <http://www.middevon.gov.uk/forms/epetition/getpetition.asp>

1.7 Petitions can also be presented to a meeting of the Council. Dates and times can be found here (<http://www.middevon.gov.uk/index.aspx?articleid=5853>).

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 the Member Services Manager on (01884) 234209 at least 10 working days before the meeting and they will talk you through the process. If your petition has received 1500 signatures or more it will also be scheduled for a council debate 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.

## 2.0 **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 – which must be a resident or a person who works or studies in Mid Devon.

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 contact details of the petition organiser will **not** be placed on the website. 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 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.

## 3.0 **What will the Council do when it receives my petition?**

3.1 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. It will also be published on our website.

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 signatures to trigger a council debate, or a senior officer giving evidence, 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 If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), 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. Further information on all these procedures and how you can express your views is available here:

- Planning (<http://www.middevon.gov.uk/index.aspx?articleid=7451>)
- Licensing (<http://www.middevon.gov.uk/index.aspx?articleid=1238>)
- Council tax bands and business rates (<http://www.middevon.gov.uk/index.aspx?articleid=158> and <http://www.middevon.gov.uk/index.aspx?articleid=169>)

3.4 We will not take action 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.

3.5 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 e.g. the petitions referred to in paragraph 3.4.

#### 4.0 **How will the Council respond to petitions?**

4.1 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 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 Scrutiny Committee\*;
- calling a referendum;
- writing to the petition organiser setting out our views about the request in the petition.

4.2 If we are not able to take action 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.

4.3 If your petition is about something that a different council is responsible for, for example highways is the responsibility of Devon County Council, 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.

- 4.4 \* The Council's Scrutiny Committee is a committee of councillors who are responsible for scrutinising the work of the Council – in other words, the Scrutiny Committee has the power to hold the Council's decision makers to account.

#### 5.0 **Full Council debates**

If a petition contains more than 1500 signatures it will be debated by 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. 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 the 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 are 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.

#### 6.0 **Officer evidence**

- 6.1 Your petition can 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.

- 6.2 If your petition contains at least 1500 legitimate signatures, the relevant senior officer will give evidence at a public meeting of the Council's Scrutiny Committee.

- 6.3 The senior staff that can be called to give evidence are:

The Chief Executive as Head of Paid Service  
Director of Community Services and Deputy Chief Executive  
Management Team officers

- 6.4 You should be aware that the Scrutiny 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 Member Services up to ten working days before the meeting.

## 7.0 **E-petitions**

7.1 The Council welcomes e-petitions that are created and submitted through our website (<http://www.middevon.gov.uk/forms/epetition/getpetition.asp>). 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. Most petitions run for six months, but you can choose a shorter or longer timeframe, up to a maximum of 12 months.

7.2 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 signature. 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. If you do not do this within 14 days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

7.3 When an e-petition has closed for signature, it will automatically be submitted to our Member Services Section. In the same way as a paper petition, you will receive an acknowledgement within ten working days. If your petition has reached 1500 signatures and you would like to present your e-petition to a meeting of the Council, please contact Member Services (01884 234209) within ten working days of receipt of our acknowledgement.

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

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

8.1 You can see all the e-petitions currently available for signature here (<http://www.middevon.gov.uk/forms/epetition/getpetition.asp>)

8.2 You must be a resident, work or study in Mid Devon to place a valid signature on a petition. 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 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 it but your contact details will not be visible.

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

9.1 If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Scrutiny Committee 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.

9.2 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.

9.3 Once the appeal has been considered the petition organiser will be informed of the results within ten working days. The results of the review will also be published on our website.

9.4 Names and e-mail addresses will be deleted six months after the appeal process has been concluded. Paper petitions will be shredded six months after the Council has responded to the petition.