



## **Borough Council of King's Lynn and West Norfolk Petition Scheme**

The Borough Council of King's Lynn and West Norfolk welcomes petitions and we recognise that petitions are one way in which people can let us know their concerns.

### **What petitions can we accept?**

For the purposes of this scheme, we will treat as a petition anything which identifies itself as a petition, or if it seems to us that it is intended to be a petition, and which is signed by a minimum of 250 people who live, work or study in West Norfolk.

We can be petitioned about things that the Borough Council is directly responsible for or that we can have some influence over. A petition can ask us to either take action or to stop doing something. We can be petitioned about our services, our policies or a decision made by either a Borough Councillor or council officer.

If your petition is about something over which the Borough Council has no direct control, we will consider making representations on behalf of the community to the relevant body. The Borough Council works with a large number of local partners to improve the economic, social and environmental well-being of Norfolk. If a petition is about how any of these partners can make improvements, we will work with them where possible to respond to it. If we are not able to do this for any reason, for example, if what the petition calls for conflicts with Council policy, we will explain the reasons for this to the petition organiser.

For some issues, such as planning and licensing decisions or council tax banding and non-domestic rates, there is already an established way for communities to have their say, so these are not included in our petition scheme. However, if we are failing to deliver these services properly then you can submit a petition. For example, we cannot accept a petition about an individual planning application but you can petition us about failing to deliver an effective service for planning applications. If a petition organiser is unsure whether their issue is something they can petition us about, we will be happy to advise them.

We will not accept petitions which we consider to be vexatious, abusive or otherwise inappropriate. Please read our terms and conditions before submitting a petition.

If a petition does not follow the guidelines set out above, we may decide not to do anything further with it. In that case, we will write to the petition organiser to explain our reasons for this.

### **Petitions submitted to the Council:**

- Should include a clear and concise statement saying what the petition is about. It must state what action it wishes the council to take.
- Must contain the name and address for and signature of any person who lives, works or studies in West Norfolk supporting the petition.

Petitions should include the contact details, including an address, of the petition organiser. This is the person we will contact to explain how we will respond to the petition. We will not put the contact details of the petition organiser on the website. If the petition does not say who the petition organiser is, we will contact people who have signed the petition to agree who should act as the petition organiser.

We can receive either paper or online petitions, or a combination of the two. In the case of an online petition using the Borough Council's online petition facility, once available, the petition organiser will need to submit the wording of the petition to the council before it goes 'live' to collect signatures. Although paper petitions do not have to be submitted to us before the petition organiser starts collecting signatures, it may be helpful to take this step. This is because it could help the petition organiser and the council to find an alternative way of resolving the issue at an early stage.

### **How to submit a petition**

We can accept paper petitions sent to us or presented to us. If a petition organiser wants to present their petition to a meeting of the council, or would like their councillor or someone else to present it on their behalf, they should contact our Democratic Services Office on 01553 616632 at least 10 working days before the meeting to arrange this.

Once the facility is on line, we will also accept online petitions submitted using our petition tool on our website (see below for more information). We can accept petitions emailed to us, or petitions created using other petition software, but only if the names, addresses and the email addresses of people who have signed the petition are attached.

### **What we will do when we receive a petition**

We will send an acknowledgement to the petition organiser within 10 working days of receiving the petition. This will let them know how we plan to respond to the petition and when they can expect to hear from us again. It will also be published on our website.

If we can do what the 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 debate by full Council, or a senior officer giving evidence to an Overview and Scrutiny Panel, then the acknowledgment will confirm this and say when and where the meeting will take place. If the petition needs more investigation, we will outline the steps we plan to take.

If the petition applies to a planning or licensing decision or a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. However, a petition relating to the council's systematic or total failure to discharge its responsibilities in any of these functions would be considered as valid.

We will not consider petitions making substantially the same request as another similar petition considered by the Council within the preceding 12 months.

To make sure that people know what we are doing in response to the petitions we receive, we will publish the details of all the valid petitions submitted to us on our website. We recommend that people check our website before starting a petition to see if anybody has already sent us a petition on the same subject.

### **How will we respond to petitions?**

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
- researching the issue
- holding a public meeting
- carrying out a consultation
- holding a meeting with petitioners
- referring the petition for consideration by:
  - one of our Overview and Scrutiny Panels\*
  - our Cabinet
  - the Local Strategic Partnership
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

\*Overview and Scrutiny Panels are committees of councillors who are responsible for scrutinising the work of the authority - in other words, an Overview and Scrutiny Panel has the power to hold the authority's decision makers to account.

If the petition is about something that has nothing to do with the Borough Council, we will explain this to the petition organiser and, where possible, offer advice on where it should be directed.

### **Full Council debates**

If a petition contains more than 5000 signatures it will be debated by the full Council. 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 following receipt but on some occasions this may not be possible and it will then be considered 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. We will decide how to respond to the petition at this meeting. We may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate, or to further investigate the matter, for example by asking a relevant committee to look into it. Where the issue is one on which the authority's Executive is required to make the final decision, the Council will decide whether to make recommendations to

inform that decision. We will write to the petition organiser to confirm our decision. We will also publish our decision on our website.

### **Officer evidence**

A petition may ask for a senior council officer to answer questions at an Overview and Scrutiny Panel meeting about something which the officer is responsible for as part of their job. For example, a 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. These meetings are held in public. However, a petition must contain at least 2500 signatures to require the attendance of the relevant senior officer at such a meeting.

Be aware that the Overview and Scrutiny Panel 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. Where the petition relates to a policy, budget or other decision by members of the Council, it will be expected that the relevant Cabinet Member will also attend such a meeting to assist with answering questions. Panel members will ask the questions at this meeting, but you will be able to suggest questions to the Chairman of the Panel by contacting the Relevant Democratic Services Officer at least two working days before the meeting.

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

If a petition organiser feels that we have not dealt with their petition properly, they have the right to request that the appropriate Overview and Scrutiny Panel reviews the steps that we have taken in response to their petition. It is helpful to everyone if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.

The Panel will consider the request at its next available meeting. If the Panel decides that 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 Cabinet or arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered, we will inform the petition organiser of the results within five working days. We will also publish the results of the review on our website.

If the petition organiser is still unhappy, they can use our complaints process or contact the Local Government Ombudsman.

**\* Please note that the following provisions for online petitions will be effective from 15 December 2010**

## **Online Petitions**

We welcome online petitions which are created and submitted through our own petitions webpage [link] or created using other online petition tools. Online 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. They will also need to decide how long they would like their petition to be open for signatures. Most online petitions run for six months but the petition organiser can choose a shorter or longer timeframe, up to a maximum of 12 months.

When someone creates an online petition on our website, it may take up to ten working days before we publish it online. This is because we have to check that the content of the petition is suitable before people can sign it.

If we feel we cannot publish the petition for some reason, we will contact the petition organiser within this time to explain. The petition organiser can change and resubmit their petition if they wish. If they do not do this within 10 working days, we will assume that the petition organiser no longer wishes to proceed with their petition and a summary of the petition and the reason why it was not accepted will be published under the 'rejected petitions' section of the website.

When an online petition has reached the date set by the petition organiser for it to close, we will let them know. At this stage the petition organiser can choose whether to submit the petition, print the petition and combine it with paper signatures, arrange with us to present the petition or withdraw the petition.

If the petition organiser wants to combine an online petition with a paper one, they will need to print off the signatures on the online petition and either send it to us or arrange to present it. It is the responsibility of the petition organiser to check the petition to make sure there are no duplicate signatures.

If we do not hear from the petition organiser, we will automatically submit their online petition within ten working days of it closing.

We will then treat online and combination petitions in the same way as a paper only petition. We will send the petition organiser an acknowledgement within ten working days to let them know what we intend to do in response. If the petition organiser wishes to present the petition to a meeting of the council, they must contact Democratic Services on 01553 616391 within 10 working days of receipt of the acknowledgement.

We will email a petition acknowledgement and response to everyone who has signed the online petition and asked to receive this information. We will also publish our response to online petitions on our website.

You can withdraw an online petition at any time.

## **How do people 'sign' an online petition?**

When people sign an online petition we will ask them to provide their name, their address and a valid email address. When they have submitted this information we will send them an email to the email address they have provided. This email will include a link which they must click on to confirm their email address is valid. Once this step is complete we will add their 'signature' to the petition. People viewing the online petition will be able to see the names of those who have signed it but not their contact details.

People visiting the online petition will be able to see the names of people who have signed it but they will not be able to see their contact details.