

BDC PETITIONS SCHEME

Petitions

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 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 is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be sent to:

Governance Officer
Bolsover District Council
The Arc
High Street
Clowne
Derbyshire
S43 4JY

Petitions can also be presented to a meeting of the Council. These meetings take place on a four weekly basis, dates and times can be found at www.bolsover.gov.uk 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 Democratic Services on (01246 242529) or email democratic.services@bolsover.gov.uk 10 days before the meeting and they will talk you through the process. If your petition has received 700 signatures or more it will also be scheduled for a Council debate and if this is the case we will let you know when this will happen.

Who can submit a petition?

Any person regardless of age who lives, studies or works in the District is able to submit a petition.

Merging petitions

Where the Council receives petitions relating to the same issue we will consider amalgamating the signatories only with the approval of the petition organisers.

What are the guidelines for submitting a petition?

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 contact details for the petition organiser (lead petitioner) so the Council knows who to contact
- the name, address, postcode and signature of any person supporting the petition.
- Date the petition is submitted.

Issues specifically excluded from the Petition Scheme

The following matters are specifically excluded under the Petitions Scheme and will not be considered:

- Any matter relating to a planning decision, including a development plan document or the community infrastructure levy
- Any matter relating to a licensing decision, including licensing applications under the Licensing Act 2003 and the Gambling Act 2005.
- Any matters for which the Standards Committee has powers for determining complaints received under the Local Assessment Framework.
- Any matter relating to an individual or entity in respect of which that individual has a right of recourse to a review or right of appeal conferred by or under any enactment.
- Any matter which is substantially the same as a petition submitted in the previous 12 months.
- Any matter which is considered to be vexatious, discriminatory, abusive or otherwise inappropriate.
- Any matter which is considered to be “exempt” under the Local Government Act 1972, Access to Information Act 1985, the Data Protection Act 1998, the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

What will the Council do when it receives my petition?

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.

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.

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. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). 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.

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.

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 may include one or more of the following:-

- taking the action requested in the petition;
- considering the petition at a Council meeting;
- undertaking research into the matter;
- holding a public meeting;
- holding a consultation;
- holding a meeting with petitioners;
- referring the petition for consideration by one of the Council's Scrutiny Committees – this will be to the most relevant Scrutiny Committee. *
- calling for a referendum;
- writing to the petition organiser setting out our views about the request in the petition.

*Scrutiny committees are committees made up of Councillors who are responsible for scrutinising the work of the Council – in other words, a committee that has the power to hold the Council's decision makers to account.

Where a petition relates to specific wards or area the relevant ward members will be informed when a petition is received and how it will be considered.

If your petition is about something over which the Council has no direct control (for example a local hospital) we will consider making representations on behalf of the community to the relevant body. The Council works with local partners through the Local Strategic Partnership (LSP) and where possible we will work with these partners to respond to your petition. For information on the LSP partners visit: [www.bolsoverpartnership.org]. 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.

If your petition is about something that 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.

Full Council Debates

If a petition contains more than 700 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 up to 30 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 Council has received several different petitions it may be necessary to limit the number to be heard at a particular meeting of the Council but we will inform you if this is the case.

Where the issue is one on which the Council's Executive (Cabinet) 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.

Officer Evidence

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.

If your petition contains at least 350 signatures, the relevant senior officer will give evidence at a public meeting of the Council's Scrutiny Committee(s). The senior staff that can be called to give evidence include:

- Chief Executive
- Chief Finance Officer/Section 151 Officer
- Director of Transformation
- Assistant Director – Governance and Monitoring Officer

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 Governance on 01246 242529 up to three working days before the meeting.

Petitions which will not be reported

Repeat Petitions

Petitions will not normally be considered if they are received within twelve months of another petition having already been considered by the Authority on the same matter.

Rejected Petitions

We will not take action on any petition which we consider to be vexatious, defamatory, frivolous, abusive, discloses any confidential or exempt information or is otherwise inappropriate, or does not relate to a matter which is the responsibility of the Authority, or over which the Authority has some influence, and will explain the reasons for this in our acknowledgement of the petition.

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

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that one of the Council's Scrutiny Committees review the steps that the Council has taken in response to your petition. This will be the relevant Scrutiny Committee when your matter has been considered by Council, or an alternate Scrutiny Committee when your matter has been dealt with by the relevant Scrutiny Committee. 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.

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, referring the matter to the corporate complaints procedure, making recommendations to the Council's Executive (Cabinet) and arranging for the matter to be considered at a meeting of the full Council.

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

PETITIONS FORM

The Council has a petitions scheme which sets out how local people can submit a petition to highlight issues of concern within their local area. It sets out what essential information needs to be included and how the Council can respond to the issues raised.

The form is intended to assist the public in setting out the issues relating to their petition but other formats are also acceptable.

Purpose of petition
Ward/Area the Petition Issues Cover
What action do you wish the Council to take in relation to this issue?
Would you like the opportunity to present this petition to a meeting of the Council? YES/NO (cross out the word that does not apply)
Would you like your Ward Councillor to present the petition on your behalf? YES/NO (cross out the word that does not apply)
Contact details of the Petition Organiser (Lead Petitioner) Name: (Please print)

Address (including postcode)
Contact telephone number:
Email address:
Signature of Lead Petitioner:
Date of Petition:

Please complete and return this form to:

Governance Officer
Bolsover District Council
The Arc
High Street
Clowne
Derbys
S43 4JY

