

BASILDON BOROUGH COUNCIL PETITIONS SCHEME

Petitions

The Council recognises that petitions are one way in which people can let us know their concerns. We accept both paper copies of petitions and petitions that have been prepared using the council's electronic ePetition facility. We aim to respond and guide you through the options available to find a resolution to your concern.

How do I submit a Petition to the Council?

If you are submitting a paper petition then you should ensure that it is accompanied by contact details, including an address, for the person organising the petition ('the Lead Petitioner'). The Lead Petitioner is the person the Council will contact regarding the petition. This information will only be used for this purpose, although we may need to pass your details to the relevant department to enable them to respond to the issues you raise.

You should also state whether you live, work or study in the Borough. This is also a requirement of those who sign the petition.

Completed paper petitions should be sent to:

Basildon Borough Council
Committee and Member Services
St Martin's Square
Basildon
Essex SS14 1DL

Alternatively, they can be passed to the Council by a Councillor who also has the ability to raise awareness of the petition being submitted at meetings of Full Council.

If you wish to use the council's ePetition facility to compile your petition you will need to register on the website and provide the Council with basic personal information so that we can contact you about your ePetition. This information will only be used for this purpose, although we may need to pass your details to the relevant department to enable them to respond to the issues you raise. You will also need to confirm whether you live, work or study in the Borough. Once registered, you will be required to provide a short title for your petition, along with a description of what you want the council to do. An email will be automatically generated and sent to Committee and Member Services notifying the department of your request for an ePetition to be hosted on the website.

Your petition request will be reviewed to ensure that it meets the published guidelines, for example it is not vexatious, abusive or otherwise inappropriate. You will then be notified if the request has been accepted or rejected. If the petition request is accepted, the petition will appear on the website for individuals to sign. If the request is rejected you will be provided with a reason.

All ePetitions will appear on the petitions webpage for a period of eight weeks, that will also include a deadline for signatures. Once this deadline is met the completed petition will be automatically submitted to the Council.

How will you deal with my Petition?

The level of support expressed in the petition you are submitting (i.e. the number of people that have signed it) will determine how it is then dealt with.

Petitions submitted to the Council need to:

- Include a clear and concise statement covering the subject of the petition and state what action the petitioners wish the Council to take
- Include the name, address and signature of any person supporting the petition and whether they live, work or study in the Borough of Basildon area, including details of the Lead Petitioner.
- Be a topic that relates to the functions or services delivered by the Council, or other public services for which the Council has shared delivery responsibilities (e.g. the police), through a partnership arrangement or which affects the Borough.
- Petitions should not disclose matters that are personal or confidential, be vexatious, abusive or otherwise inappropriate

Are there any exclusions to the Petitions Scheme?

The procedures for dealing with petitions, as set out in the scheme, will not apply in connection with petitions received regarding certain issues as set out below. The Council still welcomes petitions regarding these matters, however other procedures exist for these.

The scheme cannot accept:

- Petitions relating to planning applications
- Petitions relating to a Licensing application or Notice
- Statutory petitions (for example requesting a referendum on having an elected mayor)
- A petition on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates

Other procedures exist for the above and will therefore not be dealt with under the petition scheme. If you have any queries regarding the procedure associated with the above, please contact Committee and Member Services for advice.

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.

What will happen to my petition once it has been submitted?

Petitions containing 1 - 999 signatures

Petitions meeting the set guidelines which contain 1 - 999 signatures will be referred to the relevant Cabinet Member and Council Officers who will consider the petition and take action they consider to be appropriate. Notification of your petition and its contents will be provided to any Councillors representing the wards directly affected by the petition.

Petitions containing 1,000 (or more) signatures

Petitions containing 1,000 or more signatures will be referred to the appropriate Cabinet Member and Council Officers. The Cabinet Member will refer the matter to the relevant Scrutiny Committee who will consider the matter and advise the Cabinet Member on action which they may wish to take. An opportunity will be provided for the lead petitioner to present the petition and speak on the matter for no more than 5 minutes at the meeting of the relevant Scrutiny Committee.

Petitions containing 5,000 (or more) signatures

Petitions containing a minimum of 5,000 signatures will be debated at a meeting of Full Council. For further information, please see the section regarding Full Council debates.

Petitions specifically requesting attendance of a Senior Council Officer

Petitions specifically requesting that a Senior Council Officer attends a meeting of the Council's committees to give evidence regarding a particular matter must contain a minimum of 1,000 signatures; such petitions will be referred to the next available meeting of the relevant Scrutiny Committee. For further information, please see the section regarding Officer Evidence.

What will the Council do once it receives my petition?

An acknowledgement will be sent to the Lead Petitioner within 10 working days of receiving the completed petition. This will let you know what the Council plans to do with the petition and when you 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 Council debate, or has enough signatures and specifically requests a senior officer giving evidence, then the acknowledgement will confirm this and will tell you when and where the meeting will take place. If the petition needs more investigation, this will be explained in the acknowledgement.

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.

To ensure that people know what we are doing in response to the petitions we receive, we shall advise the lead petitioner of action taken and publish the details of all petitions submitted to us on our website, except in cases where this would be inappropriate.

How will the Council respond to petitions?

The response to a petition will depend on what a petition asks for and how many people have signed it.

If the petition is about something over which the Council has no direct control (for example the local railway or hospital) we may consider making representations on behalf of the community to the relevant body if we are supportive of the petition request. 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 in fact conflicts with Council policy and would therefore be inappropriate for the Council to make representations to the relevant body), then we will set out the reasons for this to you.

If the 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. It might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will notify you of the action we have taken.

Full Council debates

If a petition contains more than 5,000 signatures it will be debated at a meeting of the Full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting, in which case the petition will be referred to the next available meeting of the relevant Scrutiny Committee. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The Full 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 Full 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 Scrutiny Committee. Where the issue is one on which the Council's Cabinet 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. This confirmation will also be published on our website.

Officer evidence

A 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, the 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 the petition contains at least 1,000 signatures and includes a specific request for an officer to give evidence then the relevant senior officer will give evidence at a meeting of the relevant Scrutiny Committee. A list of the senior staff that can be called to give evidence is detailed below:

- Chief Executive
- Responsible Financial Officer (S.151 Officer)
- Monitoring Officer
- Relevant Director or Head of Service

You should be aware that the Scrutiny Committee or Commission 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 and it is at the discretion of the Chairman whether members of the public are allowed to speak at the meeting.

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

If petitioners feel that we have not dealt with the petition properly, the lead petitioner has the right to request the Council's Overview and Scrutiny Commission to review the steps that the council has taken in response to the petition. If the petition has already been considered by the Commission, a Scrutiny Committee will review the process instead.

The Commission will endeavour to consider the 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 Commission determine the Council has not dealt with the petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to 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 5 working days. The results of the review will also be published on our website.