



PETITIONS SCHEME

1. APPLICATION OF PETITION SCHEME

- 1.1 In accordance with the requirements of the Local Democracy, Economic Development and Construction Act 2009 ('The Act') the Council adopted the 'Petitions Scheme' at its meeting held on 19 May 2010 and the scheme will come into force with effect from 15 June 2010.
- 1.2 The requirement for the Council to provide a mechanism by which to accept electronic petitions ('E-Petitions') will come into force from 15 December 2010.
- 1.3 Copies of the Petition Scheme are available on the council's website at www.dover.gov.uk or on request from the Democratic Support Team, Dover District Council, Council Offices, White Cliffs Business Park, Whitfield, Kent CT16 3PJ.

2. HOW CAN I HAVE MY SAY?

- 2.1 As a Council, Dover District Council tries to identify and solve problems at an early stage. The Council is committed to receiving feedback as this helps us to develop and review services. We recognise that there are a number of ways in which you can have your say including:
 - Contacting your local district councillor;
 - Asking a question at a meeting of the full Council;
 - Attending one and speaking at one of the Council's Neighbourhood Forums;
 - Suggesting a topic for consideration at one of the Council's Neighbourhood Forums or Overview and Scrutiny Committees;
 - Registering to speak at an Overview and Scrutiny Committee or a Planning Committee meeting;
 - Making a complaint through the Council's complaints system; or
 - Creating or signing a petition.

3. PETITIONS

- 3.1 Dover District Council welcomes petitions and recognises that petitions are one way in which people can let it 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 the council plans to do with the petition.
- 3.2 The council 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.

3.3 Petitions can be submitted under this scheme to Dover District Council by one of three methods.

(a) Paper petitions should be sent to:

Democratic Services Manager
Dover District Council
White Cliffs Business Park
Whitfield
Kent CT16 3PJ

(b) E-Petitions may be created, signed and submitted online through the council's website. For further details please see the section on E-Petitions in this scheme.

(c) Paper petitions can also be presented to a meeting of the Council. These meetings take place approximately every 8 weeks and the dates and times can be found in the adopted programme of meetings for the municipal year. This information is available from the council's website.

If you would like to present your petition to the council, or would like your district councillor or someone else to present it on your behalf, please contact a member of the Democratic Support Team on 01304 872304 at least 10 working days before the meeting and they will talk you through the process.

3.4 If your petition has received **1,600** signatures¹ it will also be scheduled for a council debate. In such a case the Council will let you know at which meeting your petition will be debated.

4. WHO CAN SIGN A PETITION?

3.1 Any person who lives, works or studies in the Dover District Council area, including those less than 18 years of age, can organise a petition or be a petition signatory.

5. WHAT ARE THE GUIDELINES FOR SUBMITTING A PETITION?

5.1 All 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; and
- The name, postal address and signature of any person supporting the petition. For e-petitions there is a requirement to supply a valid e-mail address.

5.2 Petitions should be accompanied by contact details, including a postal address, for the designated 'Petition Organiser'. The Petition Organiser is the person the council will contact to explain how it will respond to the petition. The contact details of the petition organiser will **NOT** be placed on the

¹ Which is approximately 1.5% of the districts total population as measured by the Registrar General's population estimate for England and Wales.

website. If the petition does not identify a Petition Organiser, the council will contact signatories to the petition to agree who should act as the Petition Organiser.

- 5.3 Petitions that are considered to be vexatious, abusive or otherwise inappropriate will **NOT** be accepted. The Council will make a judgement on whether a petition is vexatious, abusive or otherwise inappropriate when considering the circumstances of the individual case. For example, the type of petition may be considered inappropriate include those relating to matters which are part of on-going legal proceedings or which target individual members of a community.
- 5.4 In the period immediately before an election or referendum the Council may need to deal with your petition differently – if this is the case the Council will explain the reasons and discuss the revised timescale that 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, the council will write to you to explain the reasons.

6. WHAT WILL THE COUNCIL DO WHEN IT RECEIVES MY PETITION?

- 6.1 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what the Council plans to do with the petition and when they can expect to hear from us again. It will also be published on the Council's website.
- 6.2 If the council can do what your petition asks for, the acknowledgement may confirm that it has 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, the council will tell you the steps that it plans to take.
- 6.3 If a petition applies to any of the following matters other procedures will apply and it will not be considered under this petition scheme:
- (a) Any matter relating to a planning decision (including about a development plan document or the community infrastructure levy);
 - (b) Any matter relating to a licensing decision;
 - (c) Any other matter relating to an individual or entity in respect of which that individual or entity has the right of recourse to a review or right of appeal conferred by or under any other enactment. This includes:
 - Statutory petitions (such as requesting a referendum on having an elected mayor); or
 - Matters where there is already an existing right of appeal (such as council tax banding and non-domestic rates).
- 6.4 If a statutory petition fails to meet the requirements of the enactment in question it can be addressed through the Council's petition scheme in exactly the same manner as any other non-statutory petition.

- 6.5 A matter under 5.3(a) - (c) can be the subject of a petition if it consists of an allegation that a function for which the authority is responsible has not been discharged at all or that its discharge has failed or is failing on a systematic basis.
- 6.6 The Council will not take action on any petition that it considers is vexatious, abusive or otherwise inappropriate and will explain the reasons for this in its acknowledgement of the petition.
- 6.7 To ensure that people know what the Council is doing in response to the petitions it receives the details of all petitions submitted to it will be published on the Council's 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 e-mail. The Council will not send you anything that is not relevant to the E-Petition you have signed, unless you choose to receive other e-mails from us.

7. HOW WILL THE COUNCIL RESPOND TO PETITIONS?

- 7.1 The Council's 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:
 - (a) Taking the action requested in the petition;
 - (b) Consider the petition at a council meeting;
 - (c) Holding an inquiry into the matter;
 - (d) Undertaking research into the matter;
 - (e) Holding a public meeting into the matter;
 - (f) Holding a meeting with petitioners;
 - (g) Refer the petition to an overview and scrutiny committee* or another committee of the Council for consideration;
 - (h) Providing a written response to the petition organiser setting out the Council's views about the request in the petition; and/or
 - (i) Take any other action that it considers appropriate including taking no further action.

* Overview and Scrutiny Committee are committees of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.

- 7.2 In addition to these steps, the council will consider all the specific actions it can potentially take on issues highlighted in a petition. The table below gives some examples:

Petition Subject	Appropriate Steps
Alcohol related crime and disorder	If your petition is about crime and disorder linked to alcohol consumption, the council will, among other measures consider the caser for placing restrictions on public drinking in the area by establishing a designated public place or, as a last resort, imposing an alcohol disorder zone. When

	<p>an alcohol disorder zone is established the licensed premises in the area where alcohol related trouble is being caused are required to contribute to the costs of extra policing in that area. The council's response to your petition will set out the steps we intend to take and the reasons for taking this approach.</p>
<p>Anti-Social Behaviour (ASB)</p>	<p>As the elected representatives of your local area, as social landlord and licensing authority, the council plays a significant role to play in tackling anti-social behaviour. The council, in conjunction with our partners in the local crime and disorder partnership have set out minimum services standards for responding to issues of anti-social behaviour.</p> <p>When responding to petitions on ASB, we will consider in consultation with our local partners, all the options available to us including the wide range of powers and mechanisms we have to intervene as part of our role as social landlord and licensing authority. For example, we will work with the neighbourhood policing team in the affected area to identify what action might be taken including what role CCTV might play, consider with the community and neighbourhood partners on issues of ASB in the area in question and, where appropriate, we will alert the crime and disorder reduction partnership and the Scrutiny (Community and Regeneration) Committee to the issues highlighted in the petition.</p>
<p>Under-performing health services</p>	<p>We will work with local health partners to consider the matter raised in the petition including, where appropriate, exploring what role the Local Involvement Network (LINK) might have in reviewing and feeding back on the issue (the LINK is run by local individuals and community groups and independently supported – their role to find out what people want in terms of local health services, monitor those services and to use their powers to hold them to account). The health overview and scrutiny committee will also be alerted to the petition and where the matter is sufficiently or potentially serious, the issue will be referred to them to consider for review.</p>

- 7.3 If your petition is about something over which the council has no direct control (for example another public body, local railway or a Kent County Council function) it will aim to make 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

- 7.4 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. It 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.

8. FULL COUNCIL DEBATES

- 8.1 If a petition contains more than 1,600 signatures the full council will debate it 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 that 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.
- 8.2 The Petition Organiser will be given 10 minutes to present the petition at the meeting. Councillors will then discuss the petition for a maximum of 20 minutes. The council will decide how to respond to the petition at this meeting. It may decide to take one or more of the following actions:
- (a) Taking the action requested in the petition;
 - (b) Not to take the action the petition requests for reasons put forward in the debate; and/or
 - (c) To commission further investigation into the matter or refer to another committee.
- 8.3 Where the issue is one on which the council executive are required to make the final decision, the council will decide on whether to make recommendations to inform that decision.
- 8.4 The Petition Organiser will receive written confirmation of this decision. This confirmation will also be published on the council's website.

9. OFFICER EVIDENCE

- 9.1 Your petition may ask for a senior council officer to give evidence at a public meeting of the council 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.
- 9.2 If your petition contains at least **800 signatures**², the relevant senior officer will give evidence at a public meeting of either the Scrutiny (Policy and Performance) Committee or the Scrutiny (Community and Regeneration) Committee. A list of the senior staff that can be called to give evidence can be found below:

² Which is approximately 0.75% of the districts total population as measured by the Registrar General's population estimate for England and Wales.

Statutory Chief Officers

Nadeem Aziz	Chief Executive	(Head of Paid Service)
David Randall	Monitoring Officer	(Head of Governance)
Michael Davis	Section 151 Officer	(Head of Finance & ICT)

Non-Statutory Chief Officers

David Willis	Head of Business & Community Transformation
Michael Dawson	Head of Development & Public Protection
Christine Waterman	Head of Housing, Culture & Community Safety
Roger Walton	Head of Property, Leisure & Waste Management
Tim Ingleton	Head of Regeneration

- 9.3 You should be aware that the relevant overview and 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.
- 9.4 A senior officer cannot be called to account for a petition relating to their personal circumstances, character or for reasons that are deemed to be vexatious, abusive or otherwise inappropriate by the local authority.
- 9.5 The members of the relevant overview and scrutiny committee will ask the questions at this meeting, but you will be able to suggest questions to the Chairman of the committee by contacting the officer listed below up to three clear working days before the meeting. The relevant overview and scrutiny committee will set its key questions in writing at least three clear working days prior to the meeting at which the relevant senior officer will give evidence.

Democratic Services Manager
Dover District Council
White Cliffs Business Park
Whitfield
Kent CT16 3PJ

Telephone: 01304 872304
E-Mail: scrutiny@dover.gov.uk

10. E-PETITIONS

- 10.1 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 e-mail 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.
- 10.2 When you create an E-Petition, it may take up to five working days before it is published online. This is because the council has to check the content of your petition is suitable before it is made available for signature.
- 10.3 If we feel that 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 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'reject petitions' section of the website.

- 10.4 When an E-Petition has closed for signature, it will automatically be submitted to the Democratic Support Team to process. In the same way as a paper petition, you will receive an acknowledgement within 10 working days. If you would like to present your e-petition to a meeting of the council, please contact the Democratic Support Team within 10 working days of receipt of the acknowledgement.
- 10.5 A petition acknowledgement and response will be e-mailed to everyone who has signed the E-Petition and elected to receive this information. The acknowledgement and response will also be published on this website.

11. HOW DO I SIGN AN E-PETITION?

- 11.1 You can see all the E-Petitions currently available for signature on the council's website.
- 11.2 When you sign an E-Petition you will be asked to provide your name, your postcode and a valid e-mail address. When you have submitted this information you will be sent an e-mail to the e-mail address you have provided. This e-mail will include a link that you must click on in order to confirm the e-mail 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.

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

- 12.1 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 (Policy and Performance) 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.
- 12.2 The Scrutiny (Policy and Performance) Committee will endeavor 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 the council has 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 Cabinet; or
 - Arranging for the matter to be considered at a meeting of the full council.
- 12.3 Once the appeal has been considered the petition organizer will be informed of the results within 5 working days. The results of the review will also be published on our website.