



**NORTHAMPTON**  
BOROUGH COUNCIL

## Northampton Borough Council Scheme to Respond to Petitions

### Introduction

The council welcomes petitions and recognises that they are one way in which people can let the Council 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. Subject to the exclusions set out at paragraph 1.3 the Council will treat something as a petition if it is identified as being a petition, or if it seems that it is intended to be a petition.

Paper petitions can be sent to:

**Democratic Services**  
**Northampton Borough Council**  
**St Giles Square**  
**Northampton**  
**NN1 1DE**

Or petitions can be created, signed and submitted online by following this link **[This link will be live from December 2010]**.

Petitions can also be presented to a meeting of the Council. These meetings take place on an approximately 6 weekly basis, Dates and times can be found here [ww.Northampton.gov.uk](http://ww.Northampton.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 01604 873101 at least 10 working days before the agenda needs to be published for the meeting and they will talk you through the process. If your petition has received 2000 signatures or more it will also be scheduled for a Council debate and we will let you know when this will take place.

### 1.1 What is a petition?

We treat as a petition any communication which is signed by or sent to us on behalf of a number of people. For practical purposes, we normally set a requirement for at least 10 signatories or petitioners before we treat it as a petition. Whilst we like to hear from people who live, work or study in Northampton, this is not a requirement and we would take equally seriously a petition from, for example, 10 visitors to the Borough on the subject of facilities at one of our visitor attractions.

### 1.2 What should a petition contain?

A petition should include –

1.2.1 A clear statement of your concerns and what you want the authority to do. If your petition is about something over which the Council has no direct control (for example the local railway or hospital) we will consider making 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 conflicts with Council policy), then we will set out the reasons for this to you. You can find more information on the services for which the council is responsible here [[www.northampton.gov.uk](http://www.northampton.gov.uk)]

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.

1.2.2 The name and contact details of the “petition-organiser” or someone to whom you would like any correspondence about the petition to be sent. Contact details may be either a postal address or an email address.

1.2.3 The names of at least 10 petitioners (which can include the petition organiser). Where the petition is in paper form, this must include an actual signature from each petitioner and their name and address. Where the petition is in electronic form, a list of the names of the petitioners together with a valid email address is required. If you want your petition to be debated at a meeting of the Council (“A Petition for Debate”), or to trigger a public meeting of an Overview and Scrutiny Committee at which a specific officer will be required to report (“A Petition to hold an Officer to Account”), your petition will need to contain a higher number of signatories or petitioners (see below).

### 1.3 What is excluded from this scheme?

- Petitions in response to a Council consultation on a specific matter. Such petitions should be returned to the person at the address set out in that particular consultation document
- Petitions relating to vexatious, abusive or otherwise inappropriate matters (inappropriate may include matters which are subject to ongoing legal proceedings or those that target individual members of a community)
- Petitions made under other legislation, for example seeking a referendum on an elected Mayor
- Any matter relating to a planning decision including about a development plan document or the community infrastructure levy
- Any matter relating to an alcohol, gambling or sex establishment licensing decision
- Any matter relating to an individual or entity where a right of review or appeal is given by other legislation, such as Council Tax banding
- A petition which raise issues of possible Councillor misconduct. These will be taken as complaints arising under the Local Government Act 2000 and will be reported where appropriate to the Standards Assessments Sub-Committee

- A petition that raises issues of officer competence or misconduct. This will be referred to the Chief Executive (or to the Head of Human Resources in respect of the Chief Executive) and will be considered under the Council's Disciplinary Procedures
- Duplicate Petitions - where more than one petition is received in time for a particular meeting, each supporting the same outcome on one matter, each petition organiser will be treated as an independent petition organiser, but only the petition organiser of the first petition to be received will be invited to address the relevant meeting
- Repeat Petitions - a petition will not normally be considered if it is received within 6 months of another petition being considered by the authority on the same matter.

#### 1.4 Who should you send a petition to?

- 1.4.1 The Democratic Services Manager has responsibility for receiving, managing and reporting all petitions sent to the authority. Please refer to the address set out in the Introduction
- 1.4.2 The Democratic Services Manager will ensure that your petition is acknowledged to the petition organiser and entered on the authority's petitions website (<http://Northampton.petitions>) and that the website is regularly up-dated with information on the progress of your petition. The Democratic Services Manager can also provide you with advice about how to petition the authority or the progress of your petition.

#### 1.5 Types of Petition

There are four different types of petition, as set out below. How we deal with a petition depends on which type of petition you submit –

##### 1.5.1 Ordinary Petitions

These are petitions with signatories or petitioners that number between 10 and 2,000 of the population and which do not fall within any of the following specific types.

##### 1.5.2 Statutory Petitions

Particular Acts of Parliament require the Council to consider petitions, for example a petition for a review of Parish Councils, or a petition for a directly elected Mayor. Where you submit a petition under such a specific statute, it will be reported to the next available meeting of the Council in accordance with those statutory requirements.

##### 1.5.3 Petitions for Debate

If you want your petition to be reported to and debated at a meeting of the Council, it must contain at least 2000 signatories or petitioners (1% of the population). In the spirit of promoting participation in the democratic process, the Council will vary the threshold for considering petitions at Full Council on localised issues (where it can be expected to be of interest or concern to less than 1% of the population). For example,

where it receives a petition about anti-social behaviour in a particular street. The threshold for such localised issues, affecting a single ward, will be 250 signatories or petitioners.

#### 1.5.4 Petitions to Hold an Officer to Account

If you want your petition to be considered at a meeting of the Overview and Scrutiny Committee, where an officer, identified either by name or by post title, will be required to answer questions on the conduct of a particular matter, your petition should contain at least 1000 signatories or petitioners (0.5% of the population). As in 1.5.3 the Council will vary the threshold for considering petitions to hold an officer to account on localised issues, affecting a single ward, to 250 signatories or petitioners. Such petitions can only call the Chief Executive, a Director or a Head of Service of the authority to attend a meeting of Overview & Scrutiny.

### 1.6 **E-petitions**

1.6.1 The -Council welcomes e-petitions which are created and submitted through our website [this link will be live from December 2010].

1.6.2 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 petitions run for six months, but they can choose a shorter or longer timeframe, up to a maximum of 12 months.

1.6.3 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 10 working 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.

1.6.4 When an e-petition has closed for signature, it will automatically be submitted to the Democratic Services Section. 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 Democratic Services Section on the telephone number detailed above within 10 working days of receipt of the acknowledgement.

1.6.5 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 this website.

### 1.7 **What happens when a petition is received?**

Whenever a petition is received –

1.7.1 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 the Council again. It will also be published on the Council's website.

- 1.7.2 In the first instance, the Democratic Services Manager will endeavour to resolve the petitioners' request directly, by asking the relevant Cabinet Member or officer to take appropriate action. For example where the petition relates to fly tipping and the authority can arrange for it to be cleared up directly. Where this is done, the Democratic Services Manager will ask the petition organiser whether they consider that the matter is resolved.
- 1.7.3 Where the petition relates to a matter which is within the delegated powers of an individual Cabinet Member they may decide not to exercise those delegated powers but to refer the matter to Cabinet for decision.
- 1.7.4 If the matter can not be resolved in this manner, the Democratic Services Manager will confirm to whom the petition will be reported for consideration. This will include details of when and where that will take place and invite the petition organiser to attend that meeting and to address the meeting for up to 3 minutes on the issue covered by the petition. The invitation to the petition organiser to address the meeting is in addition to any other public speaking rights at that meeting.
- 1.7.5 Whilst the Council is committed to dealing with petitions promptly, a petition will normally need to be received at least 10 working days before the publication of an agenda for a relevant meeting if it is to be reported to that meeting. Where it is necessary to undertake a significant amount of work to collect information and advice to enable the matter to be properly considered, it may be necessary for the Democratic Services Manager to decide that the petition will be held over until the following meeting of the relevant body.
- 1.7.6 At the same time as notifying the petition organiser, the Democratic Services Manager will notify the Ward Councillors of the receipt of the petition.
- 1.7.7 At each stage of the consideration of the petition, within 5 working days of any decision, the Democratic Services Manager will ensure that the petitions website is updated to ensure that petitioners can track progress of their petition.
- 1.7.8 The process after this stage differs for the various types of petitions – see below.

## 1.8 **What happens to Petitions for Debate?**

- 1.8.1 Petitions for Debate will be reported to the next convenient meeting of Council. Petitions will not be considered at the Annual Meeting of Council or at Extraordinary Meetings of Council, which are not convened to consider the subject matter of the petition.
- 1.8.2 As set out below, the petition organiser will be invited to address the meeting for up to 3 minutes on the subject of the petition. The petition

organiser may nominate another person to address the meeting and to answer any questions on the matter.

## **1.9 What happens to a Petition to Hold an Officer to Account?**

1.9.1 Petitions to hold an officer to account will be reported to the next convenient meeting of the Overview and Scrutiny Committee.

1.9.2 In advance of the Committee meeting, the petition organiser will be invited to submit a list of questions, which they would like put to the officer at the meeting. These questions will be provided to the Chair of the Committee, who will decide whether they are appropriate, and to the officer concerned, in advance of the meeting.

At the meeting, the Chair will invite the petition organiser to address the Committee for a maximum of 3 minutes on the issue, and the relevant officer will then be required to report to the Committee in relation to the conduct of the subject matter of the petition. Members of the Committee may question the officer, and the Chair may invite the petition organiser to suggest questions for them to put to the officer.

1.9.3 After the relevant person has appeared before the Overview and Scrutiny Committee, the Committee must make a report or recommendations to Council (under its existing powers) and send a copy of that report or recommendations to the petitions organiser. If appropriate the report should also be published on the authority's website.

## **1.10 What happens to an Ordinary Petition?**

1.10.1 The Democratic Services Manager will arrange for each Ordinary petition to be reported to the appropriate Cabinet Member, or the next convenient meeting of Cabinet, Council or Committee or Sub-Committee of the Council which has the power to take a decision on the matter.

## **1.11 What happens at the meeting when the matter to which the petition relates is considered –**

1.11.1 Petitions, which do not relate to an ordinary item of business will be considered before the normal business of the meeting, and will be considered in the order in which they were received, unless the Chair at the meeting determines otherwise. A maximum of 30 minutes will be allowed at each meeting for considering such petitions and any petitions not reached in the time allowed will be deferred until the next meeting.<sup>1</sup> In respect of petitions made to Cabinet they may be deferred to the Portfolio Holder for consideration if time does not allow for discussion at Cabinet.

1.11.2 The decision-taker or the Chair of the meeting may invite a relevant officer to set out the background to the issue before inviting the petition organiser to address the meeting for up to 3 minutes. The petition organiser may be questioned by the members of the meeting. The

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<sup>1</sup> Note that the Local Democracy, Economic Development and Construction Act 2009 does not provide for a limit on the time allowed for debating petitions, but it is included here to ensure that the authority can continue to discharge its other functions effectively.

decision taker or the chair may then invite relevant ward councillors to address the meeting on the matter for up to 3 minutes each. Relevant officers will then be invited to advise the meeting after which the matter will be open to debate among members of the meeting. Where the matter is to be determined by a Cabinet Member, they will take a decision on the matter. That decision may be a determination of the matter, or may be a decision to refer the matter for investigation and report back, or to refer it up to a meeting of Council, Cabinet or a Committee of the Council for determination.

- 1.11.3 Within 5 working days of the consideration of the petition by the relevant decision-taker or relevant meeting, the Democratic Services Manager will notify the petition organiser of the decision and advise them that if they are not satisfied with that decision, they may request that the matter be reported to the next convenient meeting of the Overview and Scrutiny Committee for review.
- 1.11.4 At each stage, the Democratic Services Manager will enter the relevant information on the website at the same time as it is sent to the petition organiser.

#### **1.12 Appeal to the Overview and Scrutiny Committee**

- 1.12.1 If the petition organiser is not satisfied with the outcome of the authority's consideration of their petition, they may appeal to the Overview and Scrutiny Committee by notifying the Democratic Services Manager of their intention to appeal within 20 working days of being notified of the Council's decision on the petition.
- 1.12.2 Within 5 working days of receipt of intention to appeal, the Democratic Services Manager will notify the petition organiser of the time, date and place of the next convenient meeting of the Overview and Scrutiny Committee and will invite the petition organiser to attend the meeting and to address the Committee for up to 3 minutes on why they considers that the Council's decision on the petition is inadequate.
- 1.12.3 At that meeting, the Overview and Scrutiny Committee will invite the petition organiser and Ward Councillors to make their representations and to explain why they consider that the response was insufficient. The Overview and Scrutiny Committee may not over-ride the decision, but the relevant decision-maker must consider any recommendations made by the Overview and Scrutiny Committee.