

PETITION SCHEME

INTRODUCTION

1. A petition is a communication submitted to the Council signed by people who live, work or study in the Borough on a topic which relates to a function of the Council.
2. All petitions submitted to the council will receive a formal acknowledgement within 10 working days of receipt. This acknowledgement will be sent by Democratic Services.
3. Petitions can be in written paper form or as an online e-petition. Petitions will not be accepted in any other form.
4. The Council's Petition Scheme covers both electronic and paper petitions.
5. Further information relating to the Council's Petition Scheme can be found on the Council's website at www.fareham.gov.uk/have_your_say/petitions

RULES GUIDELINES FOR SUBMITTING A PETITION

- 5.6. For a Petition to be valid, which triggers a formal response by the Council, as described in this scheme, a petition must:
 - i Be addressed to the Council;
 - ii Relate to functions of the Council;
 - iii Include a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take;
 - iv Include the contact details, including an address, for the petition organiser (lead petitioner). This is the person we will contact to explain how we will respond to the petition; and
 - v Obtain a minimum of 50 signatures of support from people who live, work or study in the borough. Paper copies should include the names and addresses of those signing the petition so that we may check its validity if required. Those "signing" an electronic petition must provide their house number and postcode and state whether they live, work or study in the Borough.
- 6.7. A petition submitted to the Council must follow these rulesguidelines. If a petition is not accepted, an acknowledgment letter will still be sent to the lead petitioner within 10 working days.
- 7.8. Petitions with less than 50 signatures may still be submitted to the Council but may not be dealt in accordance with this scheme. An explanation for the action to be taken will be sent to the lead petitioner within 10 working days of receipt.
9. During a pre-election period, the Council is governed by Guidance which may mean that a petition will be managed differently. In this case the Council will explain the reasons and discuss the revised timescale which will apply to the lead petitioner.

10. Once a petition has been submitted to the Council it must be closed by the Lead Petitioner. No further signatures can be received by the Council once a petition has been submitted.

8.11. RESTRICTIONS

9.12. The Head of Democratic Services may decide not to accept a petition on behalf of the Council if: -

- i the petition is a request for action that is outside the functions or powers of the council or a statement where no action is required;
- ii the petition is a request that is substantially the same as an existing petition or one that has been submitted in the past 12 months;
- iii the content is considered to be malicious, vexatious, abusive or otherwise inappropriate or which is intended to be solely humorous;
- iv language is offensive, intemperate or inappropriately provocative. This not only includes obvious swear words and insults, but any language to which people reading it could reasonably take offence;
- v the petition contains party political content, as we are unable to publish such material;
- vi the petition is potentially libellous, false or defamatory statements or information which may cause loss or personal distress without justified cause;
- vii the petition contains material which is potentially confidential;
- viii the petition contains information which is commercially sensitive or is a commercial endorsement or promotion of any product, service or publication;
- ix the names of individual officials of the council or other public body are displayed. Disputes relating to the actions of individual officers should be presented through the council's complaints procedure. Petitions may however refer to a senior manager responsible for delivery of public services but must relate to their role in delivering that service and not to their character, personality or private life.
- x the petition contains the names of family members of elected representatives or officials.
- *xi the external e-petition submitted from an external website is not able to be validated by the Council.

40.13. Petitions which fall within these restrictions will be formally acknowledged within 10 working days of receipt by way of a letter to the petitioner explaining the reasons for nonacceptance under this scheme. No further action will be taken by the Council where these restrictions apply.

RESPONSES

44.14. The Council will respond to each petition in accordance with this petition scheme.

42.15. If the Council can action the request without any further action being required, the lead petitioner will be notified in writing.

43.16. If the petition contains more than 1500 valid signatures, then this will trigger a debate at Council. The lead petitioner will be notified of the date and time of the relevant

meeting and will be formally invited to attend.

- ~~14.17.~~ If the petition relates directly to a planning or licensing application or other quasi-judicial matter, these matters are statutory functions which cannot be debated at Council. The lead petitioner would be notified of the procedure for handling petitions relating to statutory functions.
- ~~15.18.~~ If a petition is received on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply. Further information on these procedures will be provided to the lead petitioner.
- ~~16.19.~~ A petition with less than 1500 valid signatures may be referred to one of the Council's Committees or Scrutiny Panels for consideration or where appropriate be passed to the relevant service area, for further investigation.
- ~~17.20.~~ If a petition clearly falls under the functions or powers of another local government authority, the Council will, where appropriate, forward the petition to the relevant body.
- ~~18.21.~~ If a petition is about something over which the council has no direct control (for example the local railway or hospital) the Council will forward your Petition to the relevant Authority or Body.
- ~~19.22.~~ If a petition is asking for a senior council officer to give evidence to a committee 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 the lead petitioner will be notified of the relevant details for this meeting.

~~APPEALS~~

- ~~20.1.~~ If the lead petitioner does not feel that their petition has been handled adequately, they can complain through the Council's formal complaints procedure.

EXTERNAL E-PETITIONS

- 23. E-petitions from external websites can be submitted from any source but must adhere to the Procedure Rules set out within this scheme in order to be accepted by the Council.
- 24. Petitioners will need to ensure that they are aware of any terms and conditions on external websites regarding the use of their data. The Council cannot be held responsible for how personal information may be used by other websites.
- 25. In order that an external e-petition can be accepted by the Council the Lead Petitioner must notify the Council once an e-petition has been set up on an external website to ensure that no restrictions set out above apply.

26. The Lead Petitioner is responsible for ensuring that the e-petition adheres to the rules set out in the scheme and that the restrictions set out above do not apply.

APPEALS

27. If the lead petitioner does not feel that their petition has been handled adequately, they can complain through the Council's formal complaints procedure.