



Winchester City Council – Petition Scheme

1. Petitions

- 1.1 Winchester City Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. A petition to the Council may be presented on any matter in relation to which the Council has powers or duties or which affects the Winchester District.
- 1.2 Any of the following may present a petition:
- (i) Any member of the Council
 - (ii) Any local government elector of the Winchester District
 - (iii) Any resident of the Winchester District
 - (iv) Any person who works or studies within the Winchester District.
- 1.3 All petitions sent or presented to the Council will receive an acknowledgement within 10 working days of receipt, which will also set out what we plan to do with the petition.
- 1.4 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. A petition is a document submitted to the Council spontaneously by the public – i.e. without any request from the Council. For example, we will treat as a petition any communication which is signed and 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) for this purpose (but see 1.5 below).
- 1.5 For the purposes of this guidance, there are four categories or ‘types’ of petition. There is also a minimum number of signatures required for each ‘type’ of petition.
- (i) **Ordinary Petition** – treat as a petition anything which identifies itself as a petition, or which a reasonable person would regard as a petition (threshold of 10 signatures). The petition has to be considered by the most appropriate body e.g. Cabinet, Portfolio Holder (decision notice), a scrutiny body, or a committee.
 - (ii) **Petition requiring Debate at full Council** – this must be referred to full Council for debate. A threshold for the number of signatures has been set that will ‘trigger’ this requirement – see paragraph 5.1 below for further details.

- (iii) **Petitions to hold an officer to account** – this would require an appropriate scrutiny committee to question that officer about the matter(s) contained within the petition. A different threshold of signatures for this type of petition has been applied – see paragraph 6.3 below for further details.
- (iv) **Exempted petitions** – these include petitions covered by other procedures e.g. individual applications for Planning and Licensing Committees; the impact of the Local Development Framework (LDF) on individual sites, cases where there is a right of appeal; and under specific statutory procedures such as Elected Mayors. These are dealt with under existing procedures and are not entitled to the additional rights under this Scheme. The Democratic Services Team Manager will provide assistance should you have any queries.

1.6 There are other exceptions to what we would consider as ‘a petition’. For example, if the Council carries out a consultation exercise, and it receives a mass response to this consultation, then such a mass response should be dealt with via the procedures relevant to the consultation; and it should not be regarded as a petition.

1.7 Petitions that qualify under this scheme (and the guidance set out at paragraph 2 below) can be sent to:

**David Blakemore
Democratic Services Team Manager
Winchester City Council
City Offices
Colebrook Street
Winchester
SO23 9LJ**

1.8 (i) **At which meeting can my petition be presented?**

- (a) Petitions may be presented at any meeting of the full Council (except the annual meeting), any meeting of Cabinet or any meeting of an overview and scrutiny committee. Advice can be given as to which meeting would be most appropriate to the matters raised in the petition.
- (b) The annual calendar of Council and committee meetings can be on the Council’s website
- (c) If you would like to present your petition to a meeting, or would like your Councillor or someone else to present it on your behalf, please contact David Blakemore on 01962 848217 dblakemore@winchester.gov.uk **at least 10 working days** before the meeting who will talk you through the process.
- (d) Unless the matter has been resolved to the satisfaction of the petition organiser, the Democratic Services Team Manager will contact the organiser within 10 working days of receipt of the

petition and explain which meeting (under the Council's Constitution) is most appropriate for the petition to be reported to for consideration, when and where that meeting will take place and also to invite the petition organiser to attend and to address the meeting for up to three minutes on the issue covered by the petition.

- (e) Whilst we are committed to dealing with petitions promptly, a petition will normally need to be received at least 10 working days before 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 to decide that the petition will be held over until the following meeting of the relevant body.
- (ii) If your petition has received the required number of signatures described at paragraph 5.1 below, it will also be scheduled for a **full Council debate** and, if this is the case, we will let you know whether this will happen at the same meeting or a later meeting of the full Council.
- (iii) There will be no more than two petitions allowed on the agenda of any meeting. Each petitioner will be notified in such circumstances.
- (iv) If the purpose of your petition is to hold to account an officer of the Council, please note the definitions to which this must apply. These are described at paragraph 6.3 below.

2. What are the guidelines for submitting a petition?

2.1 All petitions submitted to us must include:

- (i) a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take
- (ii) the name and address and signature of any person supporting the petition.

2.2 Petitions must also be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition.

2.3 Petitions which are considered by the Council's Corporate Head of Resources to be vexatious, abusive or otherwise inappropriate will not be accepted. In the six weeks before an election, 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.

2.4 If, as determined by the Corporate Head of Resources, 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 explain the reasons to you.

2.5 A petition will not normally be considered where it is received within six months of another petition being considered by the Council on the same matter.

3. **What will the Council do when it receives my petition?**

3.1 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.

3.2 (i) 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.

(ii) If the above is not possible and the petition has enough signatures to trigger a full Council debate, or for a senior officer giving evidence, then the acknowledgement will confirm this and tell you when and where the meeting will take place.

(iii) We will inform you at which meeting the petition will be considered and if the petition needs more investigation, we will tell you the steps we plan to take.

(iv) If, under these procedures, we are unable to accept your petition, we will write and tell you why.

3.3 If the petition applies to a planning or licensing application, or on a matter where there is already an existing right of appeal (such as Council Tax banding and non-domestic rates) or under specific statutory procedures such as Elected Mayors and referendums etc, then those other procedures will apply and this petition process cannot be used. Procedures for submitting petitions as part of representation regarding individual [planning](#) or [licensing](#) applications can be found via these links.

3.4 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 at these pages, except in cases where this would be inappropriate. Whenever possible, we will also publish all correspondence relating to the petition. The name and address of the petition organiser will normally be published, but other personal information will be removed.

3.5 Please note that the Council also has a facility to submit 'e-petitions' via the Council's website. Details of how to instigate or support an e-petition can found via this [link](#).

4. **How will the Council respond to petitions?**

4.1 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:

(i) taking the action requested in the petition

(ii) considering the petition at full Council, Cabinet or a committee meeting

- (iii) holding an Inquiry into the matter
- (iv) undertaking research into the matter
- (v) holding a public meeting
- (vi) holding a consultation
- (vii) holding a meeting with petitioners
- (viii) referring the petition for consideration by one of the Council's overview and scrutiny committees*
- (ix) writing to the petition organiser setting out our views about the request in the petition.

* The Council's overview and scrutiny committees are committees of Councillors that are responsible for holding the Council's decision makers to account. More information on the Council's overview and scrutiny committees is available via this [link](#).

- 4.2 In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.
- 4.3 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.
- 4.4 If your petition is about something for which a different council is responsible, 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.

5. Full Council debates

- 5.1 A petition will be debated by full Council if it meets or exceeds the following thresholds, unless it is a petition asking for a senior council officer to give evidence at a public meeting – see paragraph 6 below. The issue raised in the petition will therefore be discussed at a meeting which all councillors can attend:

- (i) **For an issue which mainly relates to a single ward:**

- **100 signatures – 1 Member ward**
- **200 signatures – 2 Member ward**
- **300 signatures – 3 Member ward**

(ii) **For an issue which affects 2 or more wards:**

- **500 signatures.**

- 5.2 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.
- 5.3 The petition organiser will be given three minutes to present the petition at the meeting. If it is possible for the issue concerned to be determined at that meeting, then the Council's normal debating and decision procedures will apply. If the issue cannot be determined without further investigation and a report back to a future meeting, then a period of up to 20 minutes will be allowed for a general debate.
- 5.4 Having regard to paragraph 5.3 above, the Council 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.
- 5.5 Where the issue is one on which the Cabinet is required to make the final decision, the Council will decide whether to make recommendations to inform that decision.
- 5.6 The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

6. Officer Evidence

- 6.1 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.
- 6.2 If your petition contains at least **300 signatures**, the relevant senior officer will give evidence at a public meeting of the Council's overview and scrutiny committee.

For the purpose of petitions to hold an officer to account, the local definition is that it applies to senior officers reporting to the Chief Executive or Strategic Directors. You should be aware that the Chief Executive in consultation with the Chairman of 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.

- 6.3 The committee may also decide to call the relevant Councillor (e.g. Cabinet Portfolio Holder) to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to:
- (i) suggest questions to the chairman of the committee by contacting David Blakemore 01962 848217 dblakemore@winchester.gov.uk up to three working days before the meeting.
 - (ii) use the Council's usual public participation procedures.

7. E-petitions

- 7.1 The Council welcomes e-petitions which are created and submitted through our [website](#). E-petitions must follow the same guidelines as for paper petitions. If the petition applies to a planning or licensing application, or on a matter where there is already an existing right of appeal (such as Council Tax banding and non-domestic rates) or under specific statutory procedures such as Elected Mayors and referendums etc, then those other procedures will apply. Procedures for submitting petitions as part of representations regarding individual [planning](#) or [licensing](#) applications can be found via these links.
- 7.2 The petition organiser will need to provide their postal address and email address and state how long the petition should be open for signatures. Petitions can run for up to 12 months, but a shorter timeframe is more usual.
- 7.3 When an e-petition is submitted, it may take five working days before it is published online. The Council has to verify its content etc before it is made available for signature.
- 7.4 If the Council considers that it is unable to publish your petition, the petitioner will be contacted within this time period to explain the reasons for this decision. This will allow the petitioner an opportunity to amend and resubmit their petition. 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.
- 7.5 When an e-petition has been closed for signature, it will automatically be submitted and you will receive an acknowledgment within 10 working days.
- 7.6 If you would like to present your e-petition to a meeting (depending on the 'triggers' in the paper petition scheme), please contact the Council as soon as possible.

8. How do I 'sign' an e-petition?

- 8.1 When you 'sign' an e-petition, you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information, you will be sent an email to the email address that you have provided. This email will include a link which you then must click on to confirm that the email address is

valid.

8.2 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 on the list of signatories, but not your contact details. The name and postal address of the petition organiser will be published with the petition. Where names and addresses are relevant to the Council's consideration of a particular topic, those details may appear in Committee reports elsewhere on the website. In those instances, telephone numbers and email addresses will still be excluded.

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

9.1 (i) If you consider that we have not dealt with your petition properly, the petition organiser has the right to request that the relevant overview and scrutiny committee reviews the steps that the Council has taken in response to your petition.

(ii) 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.

9.2 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.

9.3 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, making recommendations to the Cabinet and arranging for the matter to be considered at a meeting of Council.

9.4 Once the appeal has been considered the petition organiser will be informed of the results within five working days and published on the website.
