

Aylesbury Vale District Council – Petitions Scheme

1. The council welcomes petitions signed by people who live, work or study in the District on matters which are either the responsibility of the Council or which affect the District and recognises that petitions are one way in which people can let us know their concerns. It is important to note that other procedures apply to petitions on certain matters such as planning and licensing as covered in paragraphs 13, 14, 18 and 20.

2. All petitions sent or presented to the council will receive an acknowledgement from the council within 5 working days of receipt. This acknowledgement will set out what we plan to do with the petition. 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. Paper petitions can be sent to: Head of Administration, The Gateway, Gatehouse Road, Aylesbury, Bucks HP19 8FF

Or Petitions can be created, signed and submitted online.

3. Petitions can also be presented to an ordinary meeting of the council. There are six meetings a year, dates and times can be found on AVDC's website.

4. 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 the Head of Administration on 01296 585048 at least 10 clear working days before the meeting and they will talk you through the process.

5. If the petition contains 2,000 signatures or more it will be scheduled for a Council debate as referred to later in this Scheme. If this is the case we will let you know whether this will happen at the same meeting or a later meeting of the Council.

What are the guidelines for submitting a petition?

6. 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 and address and signature of any person supporting the petition.

7. Petitions should 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. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

8. Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. 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 the petition organiser to explain the reasons.

What will the council do when it receives my petition?

9. An acknowledgement will be sent to the petition organiser within 5 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. Details of the petition (all personal details will be removed) will also be published on our website.
10. 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.
11. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place.
12. If the petition needs more investigation, we will tell you the steps we plan to take.
13. If the petition applies to a planning or licensing decision, is a statutory petition (for example requesting a referendum on having an elected mayor), or 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 all these procedures and how you can express your views is available from the Head of Administration.
14. 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. Please note that petitions which raise issues of possible Councillor misconduct will be taken as complaints under the Local Government Act, 2000 and will be reported to the Standards Assessment Sub-Committee rather than considered under the petitions procedure.
15. 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, 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 email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

How will the council respond to petitions?

16. 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:
 - taking the action requested in the petition.
 - considering the petition at a council meeting.
 - holding an inquiry into the matter.
 - undertaking research into the matter.
 - holding a public meeting.
 - holding a consultation.
 - holding a meeting with petitioners.

- referring the petition for consideration by the relevant scrutiny committee *
- writing to the petition organiser setting out our views about the request in the petition.

* Scrutiny Committees are committees of Councillors who are responsible for scrutinising the work of the council – in other words, the scrutiny committee has the power to hold the council’s decision makers to account.

17. In addition to these steps, the council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

18. If your petition is about something over which the council has no direct control (for example the local railway, schools or health services) we will consider what the best method is for responding to it. This might consist of simply forwarding the petition to the other council or partner, but could involve other steps. In any event we will always notify you of the action we have taken.

Full council debates

19. If a petition contains more than 2,000 signatures it will be debated by the full council 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 which 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. The petition organiser will be given 5 minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes. The 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 committee. Where the issue is one on which the Cabinet are 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 along with the local Members. This confirmation will also be published on our website.

Officer evidence

20. Your petition may ask for a senior council officer to give evidence at a public meeting of a scrutiny 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. Please note that where a petition raises issues of competence or misconduct, it will be referred to the Head of People and Payroll and will be considered under the Council’s disciplinary procedures and not under the petitions procedure.

21. If your petition contains at least 1,000 signatures, the relevant senior officer (on the Council’s Corporate Board) will give evidence at a public meeting of the relevant scrutiny committee. A list of the senior staff on the Corporate Board that can be called to give evidence can be found on AVDC’s website. You should be aware that the relevant 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. The committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be given the opportunity to suggest questions to the chair of the committee by contacting Democratic Services up to three working days before the meeting.

Presentation of other petitions to Council

22. Other petitions containing less than 2,000 signatures may also be presented to the Council. In this instance, the Head of Administration must be given notice not later than the noon the working day prior to the meeting.

23. The substance of a petition presented at a meeting of the Council may be briefly summarised by the person who presents it subject to a maximum limit of 5 minutes. If the petition does not refer to a matter before the Council it shall be referred without debate to the appropriate cabinet, the appropriate cabinet member or relevant committee for consideration.

24. If the petition refers to a matter before the Council it will be available for members to inspect during the course of the meeting.

E-petitions

25. 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 AVDC with their name, postal address and email 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 twelve months.

26. When you create an e-petition, it may take five working days before it is published online. This will allow the Council to satisfy itself on the content and nature of the petition before it is made available for signature.

27. 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.

28. When an e-petition has closed for signature, it will automatically be submitted to the Head of Administration. 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 Head of Administration within 10 working days of receipt of the acknowledgement.

29. 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 the Council's website.

How do I ‘sign’ an e-petition?

30. You can see all e-petitions currently available for signature on the Council’s website.

31. When you sign an e-petition you will be asked to provide your name and address, your postcode and a valid e-mail address. When you have submitted this information you will be sent an e-mail to the email address you have provided. This e-mail will include a link which 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.

32. You will be able to withhold your name from public view, in exceptional circumstances. You will still need to provide your details, as mentioned in paragraph 31, however, people visiting the e-petition will not be able to see your name or contact details.”

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

33. If you feel that we have not dealt with your petition properly under paragraphs 19 and 20, the petition organiser has the right to request that one of the council’s scrutiny committees 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.

34. 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. 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 council executive and arranging for the matter to be considered at a meeting of the full council.

35. 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.