

PART 3I: THE PETITIONS SCHEME

1 General

- 1.1 The Council welcomes petitions and recognises that these are one way in which citizens of Coventry can raise concerns.
- 1.2 The Council will treat something as a petition if it is identified as being a petition, or if it seems to the Council that it is intended to be a petition and it has at least 5 signatories on it.
- 1.3 Petitions can be submitted by people who live, work or study in Coventry, or sponsored by a Councillor on their behalf. Where a petition is presented without a Councillor sponsor, ward Councillors will be offered sponsorship of the petition.
- 1.4 Petitions can be submitted in two ways:
(a) on paper; a recommended form for use by petition organisers is available on the City Council's website (www.coventry.gov.uk) at http://www.coventry.gov.uk/downloads/file/9207/petitions_template, and
(b) electronically via the Council's e-Petition facility <http://epetitions.coventry.gov.uk/submit-your-petition-now/>
- 1.5 Paper petitions should be sent to the Petitions Officer:
City Solicitor and Assistant Director, Legal and Democratic Services
Coventry City Council
Council House
Earl Street
Coventry
CV1 5RR

2. Guidelines for Submitting a Petition

- 2.1 Petitions submitted to the Council must include:-
- The topic being addressed and
 - The action required from the Council and
 - At least 5 signatories who live, work or study in Coventry
- 2.2 Petitions should be accompanied by contact details including an address for the Petition Organiser. This is the person the Council will contact to explain how it intends to respond to the petition. This can be, but does not have to be, a Councillor. That person will need to indicate which personal data can be published on the Council's website in order to enable the Council to meet its obligations under the Data Protection Act 1988. If the petition does not identify a Petition Organiser, signatories to the petition will be contacted, starting with the first signatory, to agree who will act as the Petition Organiser.

2.3 In the period immediately before an Election or referendum the Council may need to deal with the petition differently – if this is the case the Council will explain the reasons and discuss the revised timescales which will apply.

3. Exclusions

3.1 The general principle is that the Council will consider all petitions submitted but petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted.

3.2 Where applicable, the Council will contact the Petition Organiser to discuss with them the issues and advise on how the petition might be made acceptable.

3.3 Where the Petitions Officer considers that a petition should be rejected for any of the above reasons, the matter should be referred by the Petitions Officer to the Leader of the Council and the Leader of the main opposition group for adjudication and where there is no consensus, the matter would be decided by the Leader.

3.4 The Council will not accept petitions dealing with any matter which has been considered by the Council within the previous 6 months. The exception to this would be where there has been a material change affecting the topic of the petition. These should be referred by the Petitions Officer to the Leader of the Council and the Leader of the main opposition group for adjudication and where there is no consensus, the matter should be decided by the Leader.

4. Petitions submitted or sponsored by a Councillor

4.1 -Councillors may submit a petition as Petition Organiser or support an existing petition, acting as its 'Sponsor'.

(a) If a Councillor presents a petition to a meeting of the City Council the Councillor submitting the petition will be entitled to speak for two minutes;

(b) if a Councillor presents a petition to the Cabinet or appropriate Cabinet Member, the Councillor submitting the petition will be entitled to attend the meeting to present the petition and entitled to speak for two minutes in addition to the speaking time for the petition organiser; and

(c) if a Councillor presents a petition to either the Planning or the Licensing and Regulatory Committee, that Committee's rules with regard to speaking and responding will apply.

(d) If a Councillor who is the Petition Organiser or who is acting as its Sponsor (in which case, together with the Petition Organiser) indicates in writing that they are

agreeable, a petition may be dealt with or responded to without the need for formal consideration by a City Council body.

4.2 Where two or more Councillors present the same petitions, both Councillors will be entitled to speak for 2 minutes.

5. **Council Action on Receipt of a Petition**

5.1 A written acknowledgement will be sent to the Petition Organiser within five working days of receiving the petition (unless the Council is considering excluding the petition in accordance with Rule 3 above).

5.2 Details of the petition will be sent to the relevant ward Councillors. For citywide petitions, all Councillors will be notified. Any Councillor wishing to act as 'Sponsor' for a petition will need to contact the Petition Organiser and seek their agreement, and then inform the Petitions Officer. The Councillor's name will be added to the Petition Register. Both the Petition Organiser and a Sponsor will receive correspondence relating to the petition. Where the Petition Scheme states that the Petition Organiser will be informed, the Sponsor will also be informed.

5.3 The Petitions Officer will check that the petition complies with the requirements of the scheme and then publish details of the petition on the Council's website. This will be updated in the petitions Register. The details of the petition will be published within ten working days of receipt.

6. **How the Council will respond to Petitions**

6.1 When the Council accepts a petition, (other than those presented by a Councillor at full Council) the Petitions Officer will check which of the five different types of petitions apply:

- (a) A petition requiring Council debate (Rule 7)
- (b) A petition calling a senior officer to account (Rule 8)
- (c) A petition which relates to a current Planning application (Rule 9)
- (d) A petition which relates to a Licensing or Regulatory matter (Rule 9)
- (e) Other petitions (Rule 10)

6.2 When dealing with petitions the Council may consider one or more of the following responses :-

- (a) Taking the action requested in the petition
- (b) Taking no further action
- (c) Referring the petition to Cabinet, a Cabinet Member or relevant Committee
- (d) Referring the petition for consideration by the Council's Scrutiny Boards
- (e) Referring the petition to another organisation
- (f) Holding an enquiry into the matter
- (g) Undertaking research into the matter
- (h) Holding a public meeting
- (i) Holding a consultation
- (j) Holding a meeting with the petitioners

- (k) Calling a referendum
- (l) Writing to the Petition Organiser setting out the views of the Council about the request in the Petition
- (m) Any other appropriate action

6.3 Where the issue is one on which the Council's Cabinet is 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. This confirmation will also be published on the Council's website.

6.4 If the petition is a statutory petition or relates to a matter where there is already an existing right of appeal, such as Council Tax banding or non-domestic rates, other procedures will apply and the petition will not be routed in any of the four ways above by the Petitions Officer.

6.5 In all cases the Council will advise the Petition Organiser of the action it has taken and will publish the outcome on the City Council website (www.coventry.gov.uk).

6.6 In relation to other petitions (Rule 10) where a petition is not either sponsored or organised by a Councillor, the appropriate Cabinet Member or Chair will decide the process by which the petition will follow provided that it is agreed in writing by the Petition Organiser. In the absence of written agreement by the Petition Organiser, then the petition will be referred via the formal process to the appropriate City Council body.

7. **A Petition Requiring Full Council Debate**

7.1 If a petition is supported by 15,000 or more people it will be debated by a Full Council meeting when all Councillors can attend. The Council will endeavour to consider the petition at its next available meeting, although on occasions this will not be possible and the matter will be passed to the next Full Council meeting.

7.2 The Petition Organiser and Sponsoring Councillor(s) will each be allowed 3 minutes to present the petition at the Full Council meeting and the petition will then be discussed by Councillors – there is no time limit set for this.

7.3 The Council will decide how to respond to the petition at this meeting and may take any of the actions described at Rule 6.2.

8. **Petitions Requiring Attendance by a Senior Council Officer**

8.1 If a petition asks 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, the petition must contain at least 10,000 signatures. Those senior officers that can be called to give evidence are as follows:-

- Chief Executive
- Executive Director, Resources
- Executive Director, People

- Executive Director, Place
- Director of Public Health
- The Monitoring Officer

8.2 Only these officers can be called to give evidence under this section of the petition scheme.

8.3 If a petition has the requisite number of signatures, the Council's Scrutiny Coordination Committee will decide which of the Council's Scrutiny Boards the senior officer will be asked to attend before. The Scrutiny Co-ordination Committee may decide that it is better for a different officer to give evidence and may also decide to call the relevant Councillor to attend the meeting.

8.4 Scrutiny Board members will ask the questions at the meeting, but the Petition Organiser may suggest questions to the Chair of the Committee by contacting the Petitions Officer up to three working days before the meeting.

9. **Petitions which relate to matters by Planning Committee and Licensing and Regulatory Committee**

9.1 Petitions relating to planning, licensing or regulatory matters will be referred to the respective Committee by the Petitions Officer and proceed in accordance with the rules of procedure relating to that Committee.

9.2 In the case of a petition that relates to a particular application, the petition will be considered at the same time as the application rather than within a period of two months. Any petition relating to a planning or licensing issue, for which an application has not been received within a 12 month period and where there is no on-going process, will automatically be considered by the relevant Cabinet Member and the petition put on file in planning or licensing for future reference.

9.3 In relation to the receipt of petitions to Planning Committee, only those petitions received by 12.00 noon on the day before the meeting will be treated as a petition, with the Petition Organiser (including any Councillor presenting the petition) and the applicant (or their agent/representative) being invited to attend and speak at the meeting; and that any 'petition' received after this deadline be treated as a 'late representation' and summarised by the Development Manager on the 'late representations report' which is tabled at the meeting.

9.4 At Planning Committee, in line with the public speaking scheme, the length of the Petition Organiser's speech will be limited to three minutes. In addition, the applicant (or their agent/representative) will have the right of reply when a petition is presented in respect of a Planning Application. The Chair of the Planning Committee will have the discretion to ensure that any right of reply by an applicant (or their agent/representative) in response to a petition spokesperson's speech (which is limited to three minutes) will be of a proportionate amount of time.

10. Other Petitions

- 10.1 If a petition has at least 5 but less than 15,000 signatures on it, the Petitions Officer will review the content of the petition and decide whether the petition should be addressed to Full Council, Cabinet or Cabinet Member.
- 10.2 If the Petition has been presented by a Councillor as the Petition Organiser or Sponsor, then the Councillor will be able to present the Petition to a City Council body, unless the Councillor has agreed that the petition may be dealt with or responded to without the need for formal consideration by a City Council body.
- 10.3 Petitions can be presented to Full Council by a Councillor but will not be debated by them. Instead Full Council will refer the petition to the relevant Cabinet, Cabinet Member or Committee to deal with the matter.
- 10.43 The Petitions Officer will notify the Petition Organiser which Cabinet/ Cabinet Member/ Committee the matter has been referred to and, if the petition is to be formally considered by a City Council body, -advise them of the date of the meeting when the matter will be considered. The Petitions Officer will also notify the relevant Ward Councillor/s. If the Petition Organiser is a Councillor, he or she will not be entitled to vote at any meeting unless she/he is a member of the Cabinet or Committee or the Cabinet Member concerned.
- 10.45- The Petition Organiser (including any Councillor as Petition Organiser) may attend this meeting and speak about the petition. Only the Petition Organiser is entitled to speak and they should confirm their attendance to the Council at least 3 working days before the meeting.
- 10.65 Where more than one petition is presented in relation to a particular item the Petitions Officer will endeavour to ensure that all petitions are dealt with at the same meeting. In the event that petitions have an "opposing" viewpoint, the Petitions Officer will invite each Petitioner Organiser to nominate a spokesperson. Each spokesperson will be entitled to attend the meeting and speak about the petition. If a spokesperson is unable to attend, for any reason, the meeting will still consider the petition.
- 10.76 Where a petition is referred by the Petitions Officer to the Cabinet, appropriate Cabinet Member or appropriate City Council Committee, no discussion will take place on this matter in the City Council, except that the Councillor presenting a petition will be allowed to speak in full Council for not more than two minutes to explain the purpose of the petition.
- 10.87 The Cabinet, appropriate Cabinet Member or relevant Committee will decide how to respond to each petition and may take any of the actions described at paragraph 6.2.

11. **Withdrawing a Petition**

- 11.1 The Petition Organiser may request, in writing, the withdrawal of a petition. Such requests will be considered by the Petitions Officer on their merits, but in general it should be assumed that the Council will process all valid petitions received.
- 11.2 Where the Petitions Officer is minded to permit the Petition Organiser to withdraw a petition, the Chair of the body to which the petition would have been presented shall be consulted. In the absence of agreement, the matter should be referred by the Petitions Officer to the Leader of the Council and the Leader of the main opposition group for adjudication and, where there is no consensus, the matter should be decided by the Leader.

12. **Petitions – Right of request to review**

- 12.1 If the Petition Organiser considers that the Council has not responded to a Petition in line with this Scheme (except those petitions which are dealt with by the Planning, Licensing and Regulatory Committees) he or she has the right to request the Council's Scrutiny Co-ordination Committee to review the steps that the Council has taken in responding to the petition (not the outcome or decision). If a Petition Organiser wishes to operate his or her right to request a review they should write to the Council's Scrutiny Officer no later than 14 days after the Council notifies them of the outcome of the petition. The letter should set out the reasons why the Petition Organiser considers a review should be conducted.
- 12.2 The request will be considered by the Chair of Scrutiny consulting with the Scrutiny Officer. If it is felt that there is sufficient case to warrant a review the matter should then be referred to the Council's Scrutiny Co-ordination Committee for consideration. The Scrutiny Officer will arrange for the matter to be considered by the next available meeting of the Council's Scrutiny Co-ordination Committee and will notify the Petition Organiser of the date of this meeting.
- 12.3 If the Council's Scrutiny Co-ordination Committee considers the Council has not dealt with the petition in accordance with this scheme, it may use any of its powers to deal with the matter. This includes instigating an investigation, making recommendations to the Council's Cabinet or arranging for the matter to be considered at a meeting of Full Council.
- 12.4 Once the request has been considered the Petition Organiser will be informed of the results within 5 working days. The outcome of the request for a review will also be published on the Council's website as part of the Petitions register.