

## **PART 4.5 - PETITION SCHEME**

### **1. FOLKESTONE AND HYTHE DISTRICT COUNCIL'S PETITION SCHEME**

- 1.1** The Council welcomes petitions and recognises that petitions 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.
- 1.2** This acknowledgement will set out what the Council plans to do with the petition. 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.
- 1.3** Paper petitions should be sent to:  
Head of Paid Service  
Folkestone and Hythe District Council  
Civic Centre  
Castle Hill Avenue  
Folkestone,  
Kent CT20 2QY
- 1.4** or be created, signed and submitted online, via the Council's website, under 'Petitions'.
- 1.5** Petitions can also be presented to a meeting of the Council. The dates and times of Council meetings can be found under committee meeting dates on the Council's website.
- 1.6** To present a petition to the Council, please contact the Council's Committee Services section, at least 15 working days before the meeting, to discuss the process.
- 1.7** If a petition has 250 signatures and is not a petition concerning a matter mentioned in paragraph 3.3 below, the Council will, if presented to full Council, make one of the following decisions on the petition; namely to:
- a) Note the petition and take no further action;
  - b) Refer the petition to the Cabinet or the Overview and Scrutiny Committee, as the case may be, for their observations before deciding whether to examine the issues raised by the petition;
  - c) Agree to examine the issues raised by the petition, by debate, at the meeting or a future meeting;
  - d) Agree to examine the issues raised by the petition, as part of a future scrutiny programme.

### **2. GUIDELINES FOR SUBMITTING A PETITION**

- 2.1** Petitions submitted to the Council must include:

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

**c) At least 250 valid signatures.**

- 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 we will respond to the petition.
- 2.3** A signatory to a petition must either live or work, or study, in the district, or meet one of the criteria for election to the District Council.
- 2.4** The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, the Council will contact signatories to the petition, to agree who should act as the petition organiser.
- 2.5** Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. Petitions, for example, that target individuals, or relate to legal proceedings, are therefore unlikely to be accepted. In the period immediately before an election, or referendum, the Council may need to deal with a petition differently. If this is the case, the Council will explain the reasons and discuss the revised timescale which will apply. 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, the Council will write to the petition organiser to explain the reasons.
- 2.6** A petition must be received at least ten clear working days before a meeting of full Council if it is to be considered, or received, at this meeting. In some cases it may not be possible to place the petition on the agenda but the Council will endeavour to do so, where possible.

### **3. WHAT THE COUNCIL DOES AFTER RECEIVING A PETITION**

- 3.1** An acknowledgement is 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 it will contact the petition organiser next. It will also be published on the Council's website.
- 3.2** If the Council are able to do what is requested in the petition, the acknowledgement may confirm that the Council have taken the action requested and the petition will be closed. If the petition has enough signatures to be presented to Council, then the acknowledgment will confirm this and inform the petition organiser when and where the Council meeting will take place. If the petition needs more investigation, the Council will inform the petition organiser of the steps the Council plans to take.

- 3.3** If the petition applies to a planning or licensing application, 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 and the petition will not be received or considered by the full Council meeting. Further information on all these procedures, and how the public can express their views, is available on the Council's website.
- 3.4** If a petition contains fewer than 250 signatures (and does not concern a matter referred to in paragraph 3.3 above) the decision on how to respond to the petition shall be made by the relevant head of service, in consultation with the relevant portfolio holder.
- 3.5** The Council will not take action on any petition which it considers to be vexatious, abusive or otherwise inappropriate, and will explain the reasons for this in its acknowledgement of the petition.
- 3.6** To ensure that people know what the Council is doing, in response to the petitions it receives, the details of all the petitions, submitted to the Council, will be published on its website, except in cases where this would be inappropriate. Whenever possible, the Council will also publish all correspondence relating to the petition (all personal details will be removed). When an e-petition is signed, the signee can elect to receive this information by email. The Council will not send the signee anything which is not relevant to the e-petition that has been signed, unless the signee chooses to receive other emails from the Council.

#### **4. HOW THE COUNCIL RESPONDS TO PETITIONS**

- 4.1** The Council's 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:
- a) Taking the action requested in the petition;
  - b) Considering the petition at a Council meeting;
  - c) Holding an inquiry into the matter;
  - d) Undertaking research into the matter;
  - e) Holding a public meeting;
  - f) Holding a consultation;
  - g) Holding a meeting with petitioners;
  - h) Referring the petition for consideration by the Council's Overview and Scrutiny Committee;
  - i) Calling a referendum;

- j) Writing to the petition organiser, setting out our views about the request in the petition.

The Overview and Scrutiny Committee is a committee of councillors who are responsible for scrutinising the work of the Council: in other words, the Overview and Scrutiny Committee has the power to hold the Council's decision-makers to account.

- 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.

If the petition is about something over which the Council has no direct control (for example the local railway or hospital) it 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 the petition. If the Council is not able to do this, for any reason (for example, if what the petition calls for conflicts with Council policy), then it will set out the reasons for this to the petition organiser.

More information on the services, for which the Council is responsible, can be found at: [www.folkestone-hythe.gov.uk/petitions](http://www.folkestone-hythe.gov.uk/petitions).

- 4.3** If a petition is about something that a different Council is responsible for, the Council 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, the Council will always notify the petition organiser of the action it has taken.

## **5. PRESENTATION OF PETITION**

If a petition contains 250, or more, signatures the petition organiser may present the petition to the full Council. The Council will endeavour to receive the petition at its next meeting, though, on some occasions, this may not be possible. The petition organiser will be given five minutes to present the petition at the meeting.

## **6. E-PETITIONS**

- 6.1** The Council welcomes e-petitions which are created and submitted through its website at [www.folkestone-hythe.gov.uk/petitions](http://www.folkestone-hythe.gov.uk/petitions). E-petitions must follow the same guidelines as paper petitions.

- 6.2** The petition organiser will need to provide the Council with their name, postal address and email address. The petition organiser will also need to decide how long they would like the petition to be open for signatures. Most petitions run for six months, but can run for a shorter or longer timeframe but up to a maximum of 12 months.

- 6.3** When an e-petition is created, it may take five working days before it is published online. This is because the Council has to check that the content of the petition is suitable before it is made available for signature.
- 6.4** If the Council feels it cannot publish the petition for some reason, it will contact the petition organiser, within this time, to explain. Following this, the e-petition will be able to be changed and resubmitted. If this is not done 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.
- 6.5** When an e-petition has closed for signature, it will automatically be submitted to the Head of Paid Service. In the same way as a paper petition, an acknowledgement will be sent, within 10 working days. If the petition organiser would like to present the e-petition to a meeting of the Council, they can contact the Committee Services section, within 10 working days of receipt of the acknowledgement.
- 6.6** 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 the website.

## **7. HOW TO 'SIGN' AN E-PETITION**

- 7.1** All the e-petitions, currently available for signature, are on the Council's, website under 'Petitions'.
- 7.2** When an e-petition is signed, the signee will be asked to provide their name, postcode and a valid email address. When this information has been submitted, an email will be sent to the email address provided. This email will include a link, which must be clicked on in order to confirm the email address is valid. Once this step is completed, the signee's 'signature' will be added to the petition. People visiting the e-petition will be able to see all the names, in the list of those who have signed it, but contact details will not be visible.