

Dacorum Borough Council

Local Petitions Scheme 2010

Dacorum Borough Council and its partners recognise the value of citizens communicating their needs and concerns about issues in their local area. Petitions have a long tradition and can be useful in suggesting levels of support for various propositions. The Council has, therefore, introduced this scheme to assist in the effective use of petitions in appropriate circumstances, and Council staff will offer advice and assistance to interested persons as to how best to make use of the scheme in order to achieve their aims.

A INTRODUCTION

1. This is the petitions scheme for the Dacorum Borough Council ('the Council') made under Section 11 (1) of the Local Democracy, Economic Development and Construction Act 2009, ('the Act').
2. The scheme was approved at the full meeting of the Council on 14 July 2010 and is available to view on the Council's website at :- (www.dacorum.gov.uk.)
3. The Council may revise the scheme in line with the legislation and associated guidance and will review its operation within 3 years.
At that time, or in anticipation of any other revision to the scheme, the Council commits to consult widely and in particular to consult such other local service providers as may be affected by the operation of the scheme. Updates specifying the contact details of Council staff responsible for various provisions of the scheme will not require a formal revision.
4. The purpose of the scheme is to establish a clear process for petitions submitted to the Council to be handled in accordance with Sections 10 – 22 of the Act.

The scheme sets out:

- how people who live, work or study in Dacorum can organise or sign a petition and secure a statutory response
 - how specific responses can be triggered by achieving prescribed levels of signatory support
 - who will do what and to what performance standards
 - how Petition Organisers can seek a review of the Council's response
 - how the Council will monitor the effectiveness of the scheme
5. The Council officer responsible for the scheme, and its operation, is the Scheme Administrator, whose name and contact details are Jim Doyle, Group Manager

(Democratic Services), Civic Centre, Marlowes, Hemel Hempstead, Herts, HP1 1HH.

Telephone: 01442 228222; E-mail jim.doyle@dacorum.gov.uk.

6. The Council will encourage use of the scheme, both within the public sector and voluntary organisations who are delivering local services and also beyond in the wider community.
A summary version of the scheme, 'How to petition your Council' is obtainable in leaflet form, available to the general public.

B ABOUT PETITIONS in DACORUM.

1. The Council, and its partners recognise that petitions are one of the methods by which citizens can communicate to the Council their needs and concerns about issues in their local area. Petitions can be an effective way of expressing levels of support for various propositions and therefore the Council will encourage their use in appropriate circumstances. Council staff will provide advice and assistance to interested persons as to how best to make use of this scheme. Such advice and assistance may be provided by the different departments of the Council, but enquiries should, in the first instance be directed to the Member Support Service Unit, Civic Centre, Marlowes, Hemel Hempstead, Herts, HP1 1HH.
Telephone: 01442 228222; E-mail: petitions@dacorum.gov.uk.

2. 'Early resolution' or 'mediation' provision.

The Council places importance on the opportunity offered by petitions, to seek solutions and agreements to issues identified by Petition Organisers. If this can be accomplished before the period set aside for the petition, then the Council may seek agreement with the Petition Organiser to withdraw the relevant petition.

3. Petitions to the Council should be about matters relating to one of its functions. However, the Council will also consider petitions relating to improvements to 'the economic, social or environmental well-being' of Dacorum, or any part of it, to which the Council or any of its partner authorities could contribute.
4. Potential Petition Organisers who need advice as to whether it would be appropriate to address a petition to the Council or to Hertfordshire County Council will be offered guidance. At first instance, the relevant contact point should be the person specified in Paragraph A5.

C SUBMISSION of PETITIONS

1. Petitions may be submitted to the Council in the following ways:-

- On paper
 - In person
 - Electronically, through the Council's own ePetition facility (available from December 2010)
 - Electronically by e-mail (here each sheet of signatures has to be scanned in full as an exact replica of the original copy. Original copies must be retained for one year).
2. In every case, a Petitions Organiser must identify his or her self and provide such details as will assist the Council or other service providers to make contact to discuss the petition.
If the lead signatory wishes to relinquish their role then another signatory can, and must, be elected as lead signatory
 3. The Council will formally acknowledge and respond to such Petitions as meet the criteria shown in Paragraph 6 of this Section.
 4. For ePetitions, the Council will issue a formal acknowledgement within **5 working days** of its initial submission. Note that during this period, the ePetitions Facility Administrator will act a 'moderator' and establish that there are no problems that might prevent the system from hosting the petition. If there are difficulties, the Facility Administrator or the Scheme Administrator will contact the Petition Organiser and use their best endeavours to resolve matters so that the petition can be open for signatures. Where such a dialogue occurs, the formal acknowledgement will be sent within **5 working days** of the resolution of the difficulty.
 5. For all other petitions, the Council will also issue a formal acknowledgement within **5 working days** of its receipt.
In all cases, formal acknowledgements will indicate how the Council proposes to handle the issue, and where appropriate, to outline what it may be possible for the Council to do in response.
 6. To be a valid petition, and trigger the provisions of the statutory 'duty to respond', a petition must:-
 - Be initiated by a Petition Organiser whose details have been supplied to the Council
 - Relates to the Council's functions or to wider economic, social or environmental issues applicable to Dacorum
 - Not be vexatious or abusive
 - Not related to matters excluded from the scheme. These include any matter relating to individual planning or licensing decisions, for which other established processes exist.
 - Obtain a minimum of 50 valid signatories, including verifiable details that they live, work or study in the Council area. Signatures from others (tourists for example) may be considered valid if relevant to the issue of the petition

- Not be a duplicate or near-duplicate of a similar petition received or submitted under 12 months ago
7. To ensure the Council understands the level of local support for a petition, it reserves the right to seek to verify each signature appended to a petition. This can be significant when establishing whether a petition has obtained the requisite number of signatures to trigger specific processes.
In the case of ePetitions, the Council requires signatories to append their email addresses and their postcodes. Failure to provide this information may lead to the signature not being counted (but these need not always be published on the website).
Unless otherwise agreed following discussions with the Petition Organiser, an ePetition will remain open for signatures for 90 days.
 8. As each petition is received, or created online, the Council will log each one, and publish details on its website. For any petition relating specifically to a Council Ward or Wards, the relevant elected member will be formally notified and asked for comments.

D. RESPONDING TO PETITIONS

1. Upon receipt or submission, the Council will assign the petition to a Responding Officer, who will take responsibility for investigating the issue and advise on the action to be taken by the Council.
The name of the Responding Officer will be notified to the Petitions Organiser at the time of the acknowledgement.
2. Among the actions the Council will undertake are one or more of the following:-
 - Taking the action requested in the petition
 - Considering the petition at a Council meeting
 - Holding an inquiry
 - Commissioning relevant research
 - Organising a public meeting
 - Mounting a wider public consultation
 - Meeting with the Petition Organiser or representatives of the signatories
 - Providing a written response outlining the Council's views on the subject
 - Referring the issue to one of the Council's Overview and Scrutiny Committees, or
 - Referring the issue to one of the Council's relevant ordinary Committees
 - Consulting statutory partners and local service providers
 - Instituting discussions with the voluntary and community sectors
 - Make representations to commercial or other interests

3. Under normal circumstances, the Council will expect to provide the Petition Organiser with a response detailing which of the actions specified in D2, or any other initiatives it intends to take, within 28 days of receipt of a paper petition. In the case of ePetitions, which will be expected to remain open for some time, the response will be within 28 days of the closing date for signatures, or a date requested by the Petition Organiser, whichever is the earlier.
4. If a Petition has, or acquires 1,000 valid signatures, the issue will be debated at a meeting of the full Council (i.e. a meeting to which all the elected members are summoned to attend).
At the full Council meeting, the Petition Organiser, or someone nominated on his or her behalf, will have the right to speak about the petition, normally for up to 2 minutes. Reasonable advance notice will be provided to ensure that any preparation can be undertaken in time
The Mayor will decide upon the amount of time to allow for the debate on the petition, and will take account of the degree of public interest in the issue, the level of support given to the petition and the number of elected members wishing to express their views on the subject.
The Council accepts that it will not normally be sufficient for such a meeting merely to 'take note' of the petition, and that there should be a decision taken as to what other steps (including, but not restricted, to the actions specified in Paragraph D2) should also be taken as a response.
The Petitions Organiser will be formally notified in writing of the decision taken at the Council meeting. This will take place within 5 working days.
5. Petitions may request that a 'senior Council officer' be required to appear and give evidence on an issue for which he or she is responsible. If such a petition has, or acquires 1,000 valid signatures, the Council will refer the matter to the relevant Overview and Scrutiny Committee, though it reserves the right to substitute a more appropriate person for the name referred to in the petition. A 'senior Council officer' is an officer at Chief Officer or Assistant Director level.
6. The Petition Organiser will be given reasonable notice of the meeting and, although able to attend, will not normally be able to participate in the meeting. The Chair of the meeting will normally be prepared to consider suggested lines of questioning from the Petition Organiser or signatories
7. If in the opinion of the Council, an issue raised in a petition seeking to call a senior Council officer to account would be better considered through the attendance of relevant senior officers from a partner authority, the Council may, at its discretion request that such an individual be invited to give evidence to the Overview and Scrutiny Committee.
Following the meeting at which the senior Council officer appears and gives evidence, the Overview and Scrutiny Committee will prepare a report and/or make recommendations. These will be sent to the Council's Chief Executive and

to the Leader of the Council, and a copy sent to the Petition Organiser. Unless the issue raises matters of confidentiality, the Council will normally publish this document on the Council's website.

8. References to 'threshold' numbers of signatures in paragraphs C6, D4 and D5 confer a clear entitlement under the provisions of the scheme. However, the Council accepts that there are situations where issues may be of considerable significance to a small number of stakeholders, and where the absolute number of signatures for a petition may be less appropriate a measure of relevant support.
In these circumstances the Scheme Administrator is authorised to substitute for the thresholds in the paragraphs referred to above, revised numbers that take account of the specifics of the case. When this occurs, the entitlements operate as for the rest of the scheme
8. At the end of the process of considering the petition, the relevant Chief Officer will formally write to the Petition Organiser with a formal response. This communication will normally outline the steps taken by the Council to consider the issue and will refer to the involvement (where applicable) of the Council's elected members.
In the case of an ePetition the response will be distributed by email to all of the petition signees.
A copy of the response to all petitions will be posted to the publicly accessible website and available to view for a period of 6 months from closing the petition. For ePetitions this will include the names of signees.
The letter will also identify the Responding Officer who handled the issue and highlight his or her involvement where appropriate.
This formal response will be despatched within 90 days of receipt or submission of a petition, and a copy will be published both on the Council website and easily accessible from the relevant pages of the ePetitions facility

E REVIEWING THE RESULTS

1. If a Petitions Organiser is not satisfied with the Council's formal response to the petition, he or she may request a review
Such a request should be made in writing within 28 days of the despatch of the formal response to the Petitions Organiser and must provide the reasons underlying the review.
2. Upon receipt of such a request the Scheme Administrator will identify a Reviewing Officer from among the senior Council officers. This senior officer will be given wide scope to reconsider whether the Council should, in all the circumstances take additional steps to respond to the petition. This will normally include reference to the Overview and Scrutiny Committee which will itself consider the adequacy of the initial response.

On some occasions, such as where the initial response took the form of the Overview and Scrutiny Committee taking evidence from a senior Council officer, it may be inappropriate for the same Committee to review the issue. In consultation with the Scheme Administrator, the Reviewing Officer will ensure that a suitable alternative process is followed to engage elected members in reviewing the petition.

At the end of the process of reviewing the petition, the Council's Chief Executive will formally write to the Petition Organiser to inform him or her of the results of the review. This communication will normally outline the process followed to establish whether the initial response had been adequate and outline any additional steps taken by the Council as part of the review. It will also refer to the involvement (where applicable) of the Council's elected members.

The letter will also identify the Reviewing Officer who handled the issue and highlight his or her involvement where appropriate.

This review response will be despatched within 28 days of receipt of the request for review, and a copy will be published both on the Council website and easily accessible from the relevant pages of the ePetitions facility.

F REPORTING

1. The Council will report progress in addressing issues raised through petitions by updating the ePetitions system regularly, and by ensuring that the status of each petition is accurately shown.
2. In addition, the Council will prepare an annual summary detailing all petitions submitted, the signatures each attracted, and the Council's formal response to each. This report will be presented to the Resources Overview and Scrutiny Committee each year and published on the Council's website.