PART 13 – PETITIONS SCHEME

1. Introduction

1.1. The Council welcomes petitions from Medway residents and recognises that petitions are one way in which people can let the Council know their concerns.

1.2. The Council will treat something as a petition if it is identified as being a petition, or if it seems that it is intended to be a petition and a reasonable person would regard it as such, on the basis that it is requesting the Council to take action on something for which the Council is responsible for and contains at least two signatures. The Council reserves the right to make this judgement and may decide to determine a matter under another procedure or take no action (please see section 2 below).

2. What are the guidelines for submitting a petition?

2.1. Petition organisers (who must be a Medway resident) are advised to use the petition template available on the Council website for paper petitions to ensure compliance with this Scheme: https://www.medway.gov.uk/info/200849/have_your_say/261/petitions.

2.2. There are two methods for submitting e-petitions using either the Council's website or a third-party website, including but not limited to change.org. Further information is set out in section 3 below.

2.3. All petitions submitted to the Council must include:

2.3.1. a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take.

2.3.2. the name, address and signature of any person supporting the petition, which the Council may choose to verify, must be included on a paper petition. For e-petitions, please refer to Appendices 1 and 2.

2.4. Petitions must be accompanied by contact details, including an address, email address and telephone number, for the petition organiser. This is the person the Council will contact to explain how the Council will respond to the petition. The contact details of the petition organiser will not be placed on the council's website. If the petition does not identify a petition organiser, the Council will contact the first signatory to the petition to agree who should act as the petition organiser.

2.5. Petition organisers are advised of the following restrictions to the Council's Petition Scheme:

2.5.1. If the petition applies to a planning or licensing application, or is a statutory petition (for example, seeking a referendum on whether the area should have an elected Mayor), or is on a matter where there is already an existing right of

appeal, for example, council tax banding and non-domestic rates, then other procedures will apply and the petition organiser will be advised accordingly.

2.5.2. The Council will not consider a petition which raises substantially the same issues as any other petition submitted in the past twelve months and the petition organiser will be advised accordingly.

2.5.3. The Council will not accept the petition if the petition is about something for which the Council has no responsibility for, and the petition organiser will be advised accordingly.

2.5.4. The Council will not take action on any petition which it considers to be vexatious, abusive or otherwise inappropriate and the petition organiser will be advised accordingly.

2.5.5. The Head of Democratic Services has delegated authority to apply the restrictions set out above.

3. How to submit a petition

3.1. Petitions can be submitted in four ways:

3.1.1. Paper petitions can be sent to:

Head of Democratic Services
Medway Council
Gun Wharf
Dock Road
Chatham
Kent ME4 4TR

3.1.2. Petitions can also be presented at a meeting of the Full Council, or the petition organiser can ask a Councillor to present the petition on their behalf at these meetings. Please note that petitions can be submitted at Full Council meetings four times a year (petitions cannot be submitted at Budget Council in February or Annual Council in May). Dates and times can be found on the Council's website. Contact details for all Medway Councillors can be found on the Council's website.

3.1.3. E-petitions can be created, signed and submitted online via the Council's website.

3.1.4. E-Petitions can be submitted using a third-party/external website.

3.2. Detailed information relating to e-petitions hosted on the Council's website are set out in Appendix 1. This includes information for the petition organiser and those who wish to sign the e-petition.

3.3. Detailed information relating to e-petitions submitted using a third-party/external website are set out in Appendix 2.

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

4.1. An acknowledgement will be sent to the petition organiser usually within five working days of receiving the petition. The subject of the petition will be published on the Council's website and relevant Councillors, including those of any wards affected will be informed.

4.2. Unless the thresholds set out in paragraphs 4.6 and 4.7 below are reached, the lead petitioner will receive a response from the relevant Director, usually within ten working days of receipt of the petition by the Council. This will explain the action the Council proposes to take on the issues highlighted in a petition.

4.3. In the case that the petition organiser receives a response to the petition from a Director and the petition organiser considers that the Council has not dealt with the petition properly, the petition organiser has the right to request that the relevant Overview and Scrutiny Committees reviews the steps that the Council has taken or is proposing to take in response to the petition. The petition organiser must notify the Head of Democratic Services within 10 working days of receiving a final response if they wish to request a review setting out reasons why they consider the Council's response to be inadequate.

4.4. The relevant Overview and Scrutiny Committee will consider this request at its next available meeting. The petition organiser (or their nominated representative) will be invited address the Committee for up to five minutes and the issue will be debated by the Committee. Should the Committee determine the Council has not dealt with the petition adequately, it may use any of its powers to deal with the matter. These powers include requesting officers to undertake further action, instigating an investigation, making recommendations to the Cabinet or arranging for the matter to be considered at a meeting of the Full Council.

4.5. To ensure that the public know what the Council is doing in response to the petitions it receives, details of petitions including a summary of responses will be published on the Council's website, excluding personal information.

4.6. If a petition has received signatures equating to 5%* or more of Medway's population it will be debated by the Full Council. 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 next available meeting, excluding the Budget and Annual Council meetings. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 20 minutes. The Council will decide how to respond to the petition at this meeting. Where the issue is one on which the Cabinet or decision making committee 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.

4.7. If a petition contains at least the number of signatures equating to 2**%*** of Medway's population, (but below 5%*) a report will be submitted to the next available meeting of the relevant Overview and Scrutiny Committee. The relevant senior officer(s) will be asked to attend the meeting and the Committee may also decide to invite the relevant Cabinet Member(s) to attend the meeting. In addition, where petitions relate to specific ward issues, the local ward Councillor(s) shall be informed of the report and meeting. The petition organiser will be given five minutes to present the petition at the meeting. The Committee will decide how to respond to the petition at this meeting (noting that overview and scrutiny committees have no decision making powers). Where the issue is one on which the Cabinet, full Council or decision making committee is required to make the final decision, the Committee 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.

*The latest population information can be found on the Council's website: https://www.medway.gov.uk/info/200138/your_council/1820/medway_area_profiles

Appendix 1

Guidance for using the Council's e-petition platform

1.1. An e-petition can be created and hosted on the Council's website here.

1.2. The guidelines for submitting an e-petition apply as set out in paragraph 2 of the Petition Scheme, excluding paragraph 2.3.2.

1.3. When you create (and/or sign an e-petition) you will need to register on the Council's website by providing your name, a valid postcode, postal address and email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid.

1.4. Once this step is complete you will be able to create and/or sign an e-petition.

1.5. By creating an e-petition you will become the petition organiser. As the petition organiser you will need to provide us with your contact details and decide how long you would like your petition to be open for signatures. You will also be able to set how long the e-petition runs for, up to a maximum of 12 months.

1.6. When you create an e-petition, it may take up to five working days before it is published online. This is because the Council has to check that the content of your petition is suitable before it is made available for signature.

1.7. You will receive an acknowledgement stating that your e-petition is live on the Council's website and you can then publicise your e-petition accordingly.

1.8. People visiting the e-petition will only be able to see your name in the list of those who have signed it whilst the e-petition is live, thereafter, only information relating to the total number of signatures will be visible on the Council's website

1.9. If the Council does not publish your petition for some reason, the Council will contact you within this timeframe to explain why. You will be able to change and resubmit your petition if you wish.

1.10. When an e-petition has closed for signatures, it will automatically be treated as a petition in the same way as a paper petition and you will not need to take any further action at this stage.

1.11. The Council will display all e-petitions currently available for signature on the Council's website.

1.12. If you experience any difficulties in creating and/or signing an e-petition on the Medway Council website, please contact democratic.services@medway.gov.uk.

Appendix 2

Guidance for submitting an e-petition hosted on a third-party/external website

1.1. There are a number of third-party/external websites which can be used to create and manage an e-petition, including but not limited to change.org and GoPetition.

1.2. Medway Council will accept a petition from a third-party/external website subject to compliance with the guidelines for submitting an e-petition as set out in paragraph 2 of the Petition Scheme, excluding paragraph 2.3.2.

1.3. Once an e-petition has closed for signatures, petition organisers must provide all relevant information when submitting the petition to the Council and ensure that their contact information is included, as specified in paragraph 2.4 of the Petition Scheme. E-petitions to be submitted under this category must be sent to democratic.services@medway.gov.uk