

Petition Scheme

Ryedale District Council welcomes correspondence from the public. This policy sets out how the Council will respond to your correspondence.

1. Contact Address

The authority deals with correspondence in the form of letters, faxes, e-mails and telephone calls.

If you wish to communicate with the authority, you may know the name of the individual Councillor or officer, or the section of the Council that you wish to correspond with, and you are welcome to use their individual addresses. However, the authority's general contact addresses are as follows –

1.1 Letters and personal visits –

Ryedale District Council
Ryedale House
MALTON
North Yorkshire
YO17 7HH

1.2 Telephone – 01653 600666 (Switchboard)

The switchboard operates during normal office hours from 8.30am to 5.00pm Monday – Thursday and 8.30am to 4.30pm Fridays, except public and bank holidays. Outside normal office hours, a voicemail facility is available. Emergency out-of-hours telephone numbers are provided as follows -

1.3 Fax – 01653 696801

1.4 E-mail – democraticservices@ryedale.gov.uk

2. Petitions

The Council particularly welcome petitions as one way in which you can let your concerns be known. Set out below is how the authority will respond to petitions.

2.1 What is a petition?

2.1.1 A petition is a formal written request signed by many people appealing in this case to a local authority for some action in respect of a particular cause.

2.1.2 The Council treat as a petition any communication which is signed by or sent to us on behalf of a number of people who live, work or study in the District of Ryedale.

2.1.3 From December 2010 you will be able to submit and sign a petition on the Council's website and further guidance will be published about this nearer the time.

2.2 What should a petition contain?

A petition should include –

- 2.2.1 A clear statement of your concerns and what you want the authority to do. This must relate to something which is the responsibility of the authority, or over which the authority has some influence. Where a petition relates to a matter which is within the responsibility of another public authority, the Council will ask the petition organiser whether s/he would like the petition redirecting to that other authority. Where a petition relates to a matter over which the authority has no responsibility or influence, the petition will be returned to the petition organiser with an explanation for that decision;
- 2.2.2 The name and contact details of the “petition-organiser” or someone to whom you would like any correspondence about the petition to be sent. Contact details may be either a postal address or an Email address;
- 2.2.3 The names of at least 100 petitioners (which can include the petition organiser) who live, work or study in the District of Ryedale. Where the petition is in paper form, this should include an actual signature from each petitioner. Where the petition is in electronic form, a list of the names of the petitioners will suffice. You should include the addresses of petitioners. If you want your petition to be debated at a meeting of the Council (“[A Petition for Debate](#)”), or to trigger a public meeting of an Overview and Scrutiny Committee at which a specific officer will be required to report (“[A Petition to hold an Officer to Account](#)”), your petition will need to contain a higher number of signatories or petitioners (see below);
- 2.2.4 If you are submitting the petition in response to our consultation on a specific matter, please identify the matter which it relates to, so that the Council can ensure that your petition is considered along with original matter.

2.3 **Who should you send a petition to?**

Where you submit a petition in response to consultation by the authority, please address it to the return address set out in the consultation invitation. This will ensure that it is reported at the same time as the matter to which it relates is considered.

The Council have nominated a Petitions Officer, who is responsible for receiving, managing and reporting all other petitions sent to the authority. Please address petitions to –

The Petitions Officer
Democratic Services
Ryedale District Council
Ryedale House
MALTON
North Yorkshire
YO17 7HH

The Petitions Officer will ensure that your petition is acknowledged to the petition organiser and entered on the authority’s petitions website and that the website is regularly up-dated with information on the progress of your petition. The Petitions Officer can also provide you with advice about how to petition the authority or the progress of your petition, at either of the above address or by telephone at 01653 600666.

2.4 **Types of Petition – How will the Council respond to Petitions?**

The response to a petition will depend on what a petition asks for and how many people have signed it, but in general terms 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
- Calling a referendum
- Writing to the petition organiser setting out our views about the request in the petition
- Referring the petition for consideration by the Council's Overview and Scrutiny Committee. 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.

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

There are five different types of petition, as set out below. How the Council deal with a petition depends on which type of petition you submit.

2.4.1 Ordinary Petitions

These are petitions which do not come within any of the following specific types and should contain at least 100 signatures or petitioners. Please note that;

- (i) petitions which raise issues of possible Councillor misconduct will be taken as complaints arising under the Local Government Act 2000 and will be reported to the Standards Initial Assessment Sub-Committee, rather than considered under this Petitions Procedure;
- (ii) petitions which relate to a matter where there is already an existing right of appeal, such as Council Tax banding and non-domestic rates, other procedures apply rather than the Petitions Procedure. Further information on all these procedures and how you can express your views is available on the Council's website.

2.4.2 Consultation Petitions

These are petitions in response to an invitation from the authority for representations on a particular proposal or application, for example on planning or licensing applications. Consultation petitions which are received by the response date in the consultation invitation will be reported to the Officer or Committee which will be taking the decision on the application or proposal.

2.4.3 Statutory Petitions

Particular Acts of Parliament require the Council to consider petitions, for example a petition for a review of Parish Councils, or a petition for a directly-elected Mayor. Where you submit a petition under such a specific statute, the Council will report it to the next available meeting of the Council in accordance with the statutory requirements.

2.4.4 Petitions for Debate

If you want your petition to be reported to and debated at a meeting of the Council, it must contain at least 2,675¹ signatories or petitioners (this is reduced to 1000 signatories or petitioners where the petition relates to a local issue, affecting no more than 2 electoral wards within the authority's area).

2.4.5 Petitions to Hold an Officer to Account

If you want your petition to be considered at a meeting of an Overview and Scrutiny Committee, where an officer, identified either by name or by post title, will be required to answer questions on the conduct of a particular matter, your petition should contain at least 1,605 signatories or petitioners (this is reduced to 500 signatories or petitioners where the petition relates to a local issue, affecting no more than 2 electoral wards within the authority's area). The authority has determined that such petitions must relate to the Chief Executive, the Deputy Chief Executive, the Section 151 Officer, the Head of Human Resources or a Service Lead of the authority. Please note that where the petition raises issues of competence or misconduct, the petition will be referred to the Chief Executive (or to the Head of Human Resources in respect of the Chief Executive) and will be considered under the authority's Disciplinary Procedures, and not under this Petitions Procedure.²

2.5 The Petitions Website

2.5.1 The authority will maintain a petitions website. When a petition is received, within 5 working days the Petitions Officer will open a new public file within the website and will put in that file the subject matter of the petition, its date of receipt and the number of signatories or petitioners. The petition organiser's name and contact details will only be included on the website if s/he so requests.

2.5.2 As soon as it is decided who the petition will be considered by within the authority, and when that consideration will occur, this information will be entered on the website at the same time as it is sent to the petition organiser. Once the petition has been considered, the authority's decision will be notified to the petition organiser and put on the website within 5 working days of that consideration.

2.5.3 Petitions are presented on the petitions website in the order in which they are received, but the website can be searched for key-words to identify all petitions relating to a particular topic. All petitions are kept on the website for 2 years from the date of receipt.

2.6 The role of Ward Councillors

2.6.1 When a petition is received which relates to a local matter (particularly affecting specific electoral wards), the Petition Officer will send a copy of the petition to each relevant

¹ The number of signatories or petitioners required for Petitions for Debate, and for Petitions to Hold an Officer to Account have been set by the authority to try to ensure that matters of genuine concern can be brought to the authority's attention. These requirements will be reviewed periodically in the light of the number of petitions received, to ensure that the requirements are not excessive.

² Note that the Local Democracy, Economic Development and Construction Act 2009 makes no provision for handling petitions which raise issues of officer or member misconduct or officer competence, but in practice such petitions cannot be handled under the Petitions Procedure and must be handled under the procedures appropriate to such matters.

Ward Councillor at the same time as acknowledging receipt of the petition to the petition organiser.

- 2.6.2 When the petition is reported to the person or body within the authority who can take a decision on the matter to which it relates, the relevant Ward Councillor will be invited to attend and to address the decision-taker for no more than 3 minutes (or 3 minutes each), immediately after the petition organiser.

2.7 What happens when a petition is received?

- 2.7.1 Within 2 working days of receipt, the Petitions Officer will acknowledge receipt to the petition organiser.

- 2.7.2 In some cases, the Petitions Officer may be able to resolve the petitioners' request directly, by getting the relevant officer to take appropriate action. For example where the petition relates to fly-tipping and the authority can arrange for it to be cleared up directly. Where this is done, the Petitions Officer will ask the petition organiser whether s/he considers that the matter is resolved.

- 2.7.3 Unless the matter has been resolved to the satisfaction of the petition organiser, the Petitions Officer will within 5 working days of receipt of the petition provide a substantive response to the petition organiser setting out who the petition will be reported to for consideration, when and where that will take place and inviting the petition organiser to attend that meeting and to address the meeting for up to 3 minutes on the issue covered by the petition. The invitation to the petition organiser to address the meeting is in addition to any other public speaking rights at that meeting.

- 2.7.4 Whilst the Council is committed to dealing with petitions promptly, a petition will normally need to be received at least 10 working days before a relevant meeting if it is to be reported to that meeting. Where it is necessary to undertake a significant amount of work to collect information and advice to enable the matter to be properly considered, it may be necessary for the Petitions Officer to decide that the petition will be held over until the following meeting of the relevant body.

- 2.7.5 At the same time as responding to the petition organiser, the Petitions Officer will notify party groups' spokespersons and Ward Councillors of receipt of the petition.

- 2.7.6 Within 5 working days of receipt of a petition, the Petitions Officer will open a new public file for the petition on the authority's petitions website, setting out the subject matter of the petition, the date of receipt and the number of petitioners. The petition organiser's name and contact details will only be included on the website if s/he so requests.

- 2.7.7 At each stage of the consideration of the petition, within 5 working days of any decision, the Petitions Officer will ensure that the petitions website is updated to ensure that petitioners can track progress of their petition.

- 2.7.8 The process after this stage differs for the various types of petitions – see below.

2.8 What happens to a Consultation Petition?

- 2.8.1 Consultations Petitions are submitted in response to an invitation from the Council to submit representations on a particular proposal or application, such as a planning or licensing application or a proposed traffic regulation order.

2.8.2 The petition will be reported to person or body who will take the decision on the proposal or application at the meeting when they are to take the decision on that application or proposal. The Council's Constitution defines who will take different types of decision, as set out in the Scheme of Delegations and the terms of Reference of Committees and Sub-Committees. Except where applications may be determined under the Scheme of Officer Delegation, planning applications are determined by the Planning Committee and Licensing applications are determined by the Licensing Committee or Licensing Sub-Committee. So where a petition has been received objecting to the grant of planning permission, the petition would be reported to the decision maker.

2.9 What happens to a Statutory Petition?

2.9.1 Particular Acts of Parliament require the Council to consider petitions, for example a petition for a review of Parish Councils, or a petition for a directly-elected Mayor. Where you submit a petition under such a specific statute, the Council will report it to the next available meeting of the Council in accordance with the statutory requirements.

2.10 What happens to Petitions for Debate?

2.10.1 Petitions for Debate will be reported to the next convenient meeting of Council. Petitions will not be considered at the Annual Meeting of Council or at Extraordinary Meetings of Council which are not convened to consider the subject matter of the petition.

2.10.2 As set out below, the petition organiser will be invited to address the meeting for up to 3 minutes on the subject of the petition.

2.11 What happens to a Petition to Hold an Officer to Account?

2.11.1 Petitions to hold an officer to account will be reported to the next convenient meeting of the relevant Overview and Scrutiny Committee.

2.11.2 In advance of the Committee meeting, the petition organiser will be invited to submit a list of questions which s/he would like put to the officer at the meeting. These questions will be provided to the Chairman of the Committee, who will decide whether they are appropriate, and to the officer concerned, in advance of the meeting.

2.11.3 At the meeting, the Chairman will invite the petition organiser to address the Committee for a maximum of 3 minutes on the issue, and the relevant officer will then be required to report to the Committee in relation to the conduct of the subject matter of the petition. Members of the Committee may question the officer, and the Chairman may invite the petition organiser to suggest questions for him/her to put to the officer.

2.12 What happens to an Ordinary Petition?

2.12.1 The Petitions Officer will arrange for each Ordinary petition to be reported to the next convenient meeting of the Council or of a Committee which has the power to take a decision on the matter.

2.13 At the meeting, when the matter to which the petition relates is considered:

2.13.1 Petitions which do not relate to an ordinary item of business will be considered before the normal business of the meeting, and will be considered in the order in which they were received, unless the Chairman at the meeting determines otherwise. A maximum

of 15 minutes will be allowed at each meeting for considering such petitions and any petitions not reached in the time allowed will be referred to the relevant Committee for consideration or deferred until the next meeting.

2.13.2 Any petitions relevant to particular items of business, such as petitions relating to planning applications or licensing applications, will be taken together with that item of business, in the normal order of business.

2.13.3 The Chairman of the meeting may invite a relevant officer to set out the background to the issue before inviting the petition organiser to address him/her for up to 3 minutes. The Chairman may then ask questions of the petition organiser, and will then invite any relevant Ward Councillors present to address him/her on the matter for up to 3 minutes (each). The Chairman will then invite a relevant officer(s) to advise the meeting, after which the matter will be open for debate among members of the decision-making body. The Committee will then make a decision. That decision may be a determination of the matter, or may be a decision to refer the matter for investigation and report back, or to refer it up to a meeting of Council, or a Committee of the Council for determination. The Petition Organiser will receive written confirmation of this decision.

2.13.4 At each stage, the Petitions Officer will enter the relevant information on the website at the same time as it is sent to the petition organiser.

2.14 Appeal to an Overview and Scrutiny Committee

2.14.1 If the petition organiser is not satisfied with the outcome of the authority's consideration of his/her petition, he/she may appeal to an Overview and Scrutiny Committee by notifying the Petitions Officer of his/her intention to appeal within 20 working days of being notified of the authority's decision on the 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.

2.14.2 Within 5 working days of receipt of intention to appeal, the Petitions Officer will determine which is the most appropriate Overview and Scrutiny Committee meeting date and will notify the petition organiser of the time, date and place of the next convenient meeting of that Overview and Scrutiny Committee and will invite the petition organiser to attend the meeting and to address the Committee for up to 3 minutes on why he considers that the authority's decision on the petition is inadequate.

2.14.3 At that meeting, the Overview and Scrutiny Committee will invite the petition organiser and Ward Councillors to make their representations and to explain why s/he considers that the Council's response was insufficient.

2.14.4 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 it has 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 and arranging for the matter to be considered at a meeting of the Full Council. Once the appeal has been considered the Petition Organiser will be informed of the results within 5 working days.

2.15 The role of the Petition Organiser

- 2.15.1 The petition organiser will receive acknowledgement of receipt of the petition within 2 working days of its receipt by the authority.
- 2.15.2 Where the petition is not accepted for consideration (see Paragraph 3.16 below for grounds for rejection of petitions), the petition organiser will be advised by the Petitions Officer of the rejection and the grounds for such rejection.
- 2.15.3 Where the petition is accepted for consideration, the petition organiser will be advised by the Petitions Officer within 5 working days of receipt by the authority as to who the petition will be considered by, and the date, time and place of the meeting at which it will be considered, and will be invited to address the meeting for up to 3 minutes. The meeting may then ask the petition organiser questions on the subject matter of the petition.
- 2.15.4 The petition organiser may nominate another person to address the meeting and to answer any questions on the matter.
- 2.15.5 The petition organiser will be regularly informed by the Petitions Officer of any decisions in respect of the petition and will be formally notified of the outcome of the petition's consideration within 5 working days of such decision.
- 2.15.6 The petition organiser may notify the Petitions Officer of his/her intention to appeal to an Overview and Scrutiny Committee against the decision of the authority relating to the petition within 20 working days of being notified of that decision, and may attend and address the meeting of the Overview and Scrutiny Committee for up to 3 minutes as to why he/she considers that the authority's decision on the petition was inadequate.

2.16 Petitions which will not be reported

- 2.16.1 Duplicate Petitions - Where more than one petition is received in time for a particular meeting, each supporting the same outcome on one matter, each petition organiser will be treated as an independent petition organiser, but only the petition organiser of the first petition to be received will be invited to address the relevant meeting.
- 2.16.2 Repeat Petitions - Where a petition will not normally be considered where they are received within 6 months of another petition being considered by the authority on the same matter.
- 2.16.3 Rejected Petitions - Petitions will not be reported if in the opinion of the Petitions Officer, they are rude, offensive, defamatory, scurrilous or time-wasting, or do not relate to something which is the responsibility of the authority, or over which the authority has some influence.