

Bury Council Petition Arrangements

These petition arrangements enable members of the public to have direct influence on the political process and to raise concerns that are important to them.

Members of the public can submit petitions on the following:-

- Issues relating to the Council's responsibilities.
- Issues which affect the borough of Bury or its communities, as long as the Council is in a position to exercise some degree of influence.
- Anything relating to an improvement in the economic, social or environmental well-being of the borough to which any of the Council's partners could contribute.

The Council will respond to all the petitions it receives. We will be as flexible as we can when handling your petition so that it is considered quickly and in the most appropriate way.

Essentially there are three types of petitions:

- **“Ordinary” petitions**

These must be signed by at least 50 people but the Council will use its discretion where there are fewer than 50 signatories in cases where there is clear local support for action (e.g. where the residents of a small community have petitioned for traffic calming measures)

- **Petitions requiring debate**

Petitions which contain 2500 signatures or more will be debated by the full council

- **Petitions to hold council employees to account**

Petitions which call for evidence from a senior council employee and have at least 1,500 signatures will trigger that response.

1. Submitting a petition

Petitions can be sent or presented to the council offices. The petition organiser will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition.

A petition is defined as a communication in writing which is signed by the appropriate number of qualifying persons. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions can be delivered to: Democratic Services
Bury Council
Knowsley Street
Bury, BL9 0SW

If you wish to present your petition to a particular meeting, please contact Democratic Services on 0161 253 5041 at least 10 working days before the meeting and they will talk you through the process.

Petitions submitted to the council must include a clear and concise statement covering the subject of the petition. It should state:-

- What action the petitioners wish the Council to take
- The name and address and signature of any person supporting the petition (the address can be an address where a signatory lives, works or studies within Bury)

Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact the first signatories to the petition to agree who should act as the petition organiser.

Petitions must include a signature and the signatory's name and address. This can be an address where the signatory lives, works or studies within Bury.

Before submitting a petition you should first check with your local councillor or with the Council so see if the Council is already acting on your concerns and that the Council is the most appropriate body to receive your petition as sometimes your petition may be more appropriate for another public body.

2. Who can submit a petition?

Anyone who lives, works or studies in Bury (including under 18s) can sign or organise a petition.

3. Are there any petitions which the Council cannot accept?

We believe that the vast majority of petitions we receive will be accepted but in certain circumstances petitions may not be accepted, including:-

- If the petition applies to a planning application, certain licensing matters, 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 or a separate complaints process.
- Any petition which we consider to be vexatious, abusive or otherwise inappropriate. We will explain the reasons for this in our acknowledgement of the petition.
- Where a person or organisation (or someone on their behalf) has submitted a petition which is the same or substantially the same as one submitted within the previous 12 months.

If we decide that a petition is not acceptable then we will let the petition organiser know our reasons.

If a petition relates to the responsibilities of one of our partners then, within 10 working days of its receipt, the petition will be forwarded to that authority/organisation for them to deal with, unless the petition relates to an improvement in the economic, social or environmental well-being of the Borough. In those cases the petitions will be considered under the Council's arrangements.

It may be inappropriate for the Council to deal with certain petitions during periods when it is subject to restrictions immediately before elections or referendums. In

these circumstances, the petition organiser will be informed of the date when the petition will be considered, or when material relating to it will be published on the Council's website.

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

We will acknowledge the petition within 10 working days of receiving it and let the petition organiser know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on the Bury Council website.

If the petition needs more investigation, we will tell you the steps we plan to take.

In the majority of cases the petition will be considered by the appropriate Cabinet Member or Local Area Partnership.

Depending on the subject matter your petition may be submitted to the Council, the Cabinet, a Local Area Partnership or the Council's Scrutiny Committee (Internal)*. There are two exceptions to this:-

- If your petition contains more than 2500 signatures then it must be debated by the Council.
- If your petition is asking for a senior council employee to give evidence at a public meeting then it will be considered by the Council's Committee (Internal), provided it contains at least 1,500 signatures.

**The Scrutiny Committee (Internal) is a committee of councillors who are responsible for scrutinising the work of the council – in other words, the scrutiny committee has the authority to hold the Council's decision makers to account.*

5. Full Council debates

If a petition contains more than 2500 signatures it will be debated by the full Council unless it is a petition asking for a senior Council employee to give evidence at a public meeting. 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 its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

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 15 minutes. The council will decide how to respond to the petition at this meeting and this could include:-

- taking action as requested in the petition;
- not taking the action requested for reasons put forward in the Council debate;
- referring the issue to the Leader/Cabinet
- commissioning further investigation into the matter.

The petition organiser will receive written confirmation of this decision which will also be published on the Bury Council website.

6. Evidence from senior Council employees

Your petition may ask for a senior Council employee to give evidence at a public meeting about something for which they are responsible as part of their job. For example, your petition may ask a senior Council employee to explain progress on an issue, or to explain the advice given to elected members to enable them to make a

particular decision. The petition must relate to the employee's job, it cannot relate to their personal circumstances or character.

If your petition contains at least 1,500 signatures, the relevant employee will give evidence at a public meeting of the council's Scrutiny Committee (Internal). This will happen within 30 days of the petition being accepted.

Only the following senior employees of the Council can be called to give evidence

- Chief Executive
- Deputy Chief Executive
- Assistant Chief Executive
- Executive Director Environment and Development Services
- Executive Director Children and Young People's Service
- Executive Director of Adult Social Services

The Scrutiny Committee (Internal) may decide that it would be more appropriate for another member of staff to give evidence instead of any person named in the petition – for instance if the person has changed jobs. The Committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting the Head of Democratic Services up to three working days before the meeting.

After the meeting, the Committee will submit a report to the Leader or appropriate Cabinet Member. The petition organiser will receive a copy of this report.

7. How will the Council respond to petitions?

Our 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:-

- 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;
- carrying out consultation;
- holding a meeting with the petitioners;
- referring the petition for consideration by the council's Scrutiny Committee (Internal);
- writing to the petition organiser setting out our views about the request in the petition.

To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on the Bury Council website. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

If your petition is about something over which the Council has no direct control (for example a local hospital) we will consider making representations on behalf of the community to the relevant body. Through Team Bury, the Council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then we will set out the reasons for this to you.

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. It might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify you of the action we have taken.

8. Right of Review

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Overview Management Committee review the steps that the council has taken in response to your petition.

The Overview Management Committee will 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 decide that the Council 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 Leader/Cabinet or 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 seven days. The results of the review will also be published on the Bury Council website.

9. Is there anything else I can do to have my say?

Bury Council will try to identify and solve problems at an early stage. We welcome any feedback as this helps us to review and develop the services Bury Council provides. We recognise that petitions are just one way in which people can let us know about their concerns. There are a number of other ways in which you can have your say including

- Writing to the appropriate Head of Service or Executive Director
- Attending one of the Council's Local Area Partnerships to raise an issue of local concern
- Contacting your local councillor
- Making a suggestion and submitting a complaint through the Council's comments/complaints/suggestions system. This can be done in writing or online at:- www.bury.gov.uk

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