



Oversight and Governance

Chief Executive's Department
Plymouth City Council
Ballard House
Plymouth PL1 3BJ

Please ask for Hannah Whiting
T 01752 668000

E
democraticsupport@plymouth.gov.uk

www.plymouth.gov.uk

Published 06 September 2023

AUDIT AND GOVERNANCE COMMITTEE – SUPPLEMENT PACK

Tuesday 5 September 2023
3.30 pm
Warspite Room, Council House

Members:

Councillor Allen, Chair

Councillor Finn, Vice Chair

Councillors Annette Benny, Dr Mahony, Raynsford and Stevens and Independent Member Mrs Benny.

Please see the attached supplement pack containing the revised 'Proposed Petition Scheme' as discussed during the meeting.

You can watch any of our webcast meetings on [YouTube](#). For further information on attending Council meetings and how to engage in the democratic process please follow this link - [Get Involved](#)

Tracey Lee

Chief Executive

Audit and Governance Committee

5. Proposed Petition Scheme:

(Pages 1 - 4)

PLYMOUTH CITY COUNCIL

PETITION SCHEME

I. SUBMITTING A PETITION TO THE COUNCIL

- 1.1. Plymouth City Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. 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.
- 1.2. Paper petitions are those prepared in the traditional way: a petition organiser creates a paper document that includes a proposed action. Residents physically write their name, address and signature on this document to show their support of the proposed action.
- 1.3. To help you organise paper petition, the Council has prepared a guide which is available on our website.
- 1.4. Paper petitions can be sent to the Democratic Services Team.
- 1.5. e-Petitions are created, signed, and submitted entirely online. **E-petitions created or submitted through third party websites will not be accepted.** If you wish to start an e-petition, please use the Council e-petition system {LINK}

2. GUIDELINES FOR SUBMITTING A PETITION

2.1. Petitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition. This should state what action the petitioners wish the Council to take.
- The names and signatures of each person supporting the petition, together with the full addresses (including postcode) at which they live, work or study in Plymouth.
- 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 published.
- If the petition does not identify a petition organiser, we will contact the first listed signatory to the petition to agree who should act as the petition organiser.

3. Scope of Petition

3.1. The Monitoring Officer may reject a petition if it:

- is not about a matter for which the local authority has a responsibility or which affects the City;
- is defamatory, frivolous; offensive; vexatious, abusive or otherwise inappropriate;
- is substantially the same as a petition which has been put at a meeting of the Council in the past 6 months;
- requires the disclosure of confidential or exempt information; or
- seeks to pursue or further a complaint against the Council, where other channels already exist for the determination of complaints.

3.2. In addition, there are some circumstances where petitions will not be dealt with under this Scheme. These include any matters relating to planning or licensing applications; where a separate consultation process is active; or other circumstances which, in the

opinion of the Monitoring Officer would mean the petitions would better be dealt with using a different Council procedure.

- 3.3. The Council may seek to verify the authenticity of each entry on a petition by reference to existing information such as (where appropriate) the current electoral register or other relevant records. Entries which cannot be verified may not be counted for the purposes of determining whether a petition has exceeded a threshold set out in this scheme.
- 3.4. In the period immediately before an election or referendum, when certain legal restrictions apply, we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.
- 3.5. 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, we will write to you to explain the reasons.

4. ACTION BY THE COUNCIL ON RECEIPT OF A PETITION

- 4.1. An acknowledgement will be sent to the petition organiser within 10 working days of us receiving the petition. This will let them know what we plan to do with the petition and when they can expect to receive a formal response to it. If the petition needs more investigation, we will tell the petition organiser the steps we plan to take.
- 4.2. If we can do what the petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed.
- 4.3. All petitions submitted with 25 or more signatures will receive a formal response from the relevant Director within 28 days of receipt. This will usually be the quickest way of addressing the issue.
- 4.4. If however, the petition meets the requirements to be debated at a meeting of Councillors under the provisions of this scheme, the petition will receive a formal response within 28 days from the meeting. If you request this option, the relevant Director may still write to you. You may choose not to proceed with presentation at a meeting if you feel their response resolves the matter.
- 4.5. The acknowledgment will confirm when and how your response will be sent and tell you when and where the meeting will take place (if applicable and if known at that stage).
- 4.6. To ensure that people know what we are doing in response to the petitions we receive, the details of all petitions submitted to the Council will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

5. DEBATE BY ELECTED COUNCILLORS

- 5.1. Subject to your petition containing sufficient signatures as set out below the petition will be presented to a meeting of Councillors at your request. There are several ways in which this can be done.

Debate at a Council Meeting

- 5.2. If your petition includes the names, addresses and signatures of 5000 persons who live, work or study in Plymouth a debate will be held about the petition at a full Council meeting.

Officer evidence to the Overview and Scrutiny Committee

- 5.3. If your petition includes the names, addresses and signatures of at least 2500 persons who live, work or study in Plymouth, you may request that a relevant senior officer give evidence at a public meeting of one of the Council's Overview and Scrutiny Committee.
- 5.4. For example, you may request that a senior officer explain progress on an issue, or the advice given to councillors to enable them to make a particular decision. The senior officers who may be called to give evidence under this procedure include the Head of the Paid Service (Chief Executive) and any of the Council's statutory or non-statutory Chief Officers (Directors).
- 5.5. You should be aware that the Overview and Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The Committee will also call the relevant Cabinet Member(s) to attend the meeting. Committee members will ask the questions at this meeting.

General guidance on requesting your petition be debated

- 5.6. When determining whether a petition has met or exceeded a threshold set out in this scheme, the Council will only count signatories for which a local connection (i.e. that the signatory either lives, works or studies in Plymouth) can be evidenced from the information supplied. There is a risk that petitions created and/or submitted via third party e-petition websites may not satisfy this criterion so it is strongly recommended that e-petitions are created via the Council's own e-petition facility [\[link\]](#)
- 5.7. Similar petitions: In the event that 2 or more petitions which are substantially the same are received from different petition organisers, the Monitoring Officer may aggregate the number of valid signatures in each petition for the purpose of determining whether the threshold to trigger a Council debate of the matters raised has been reached if that is the wish of the petition organisers.

6. PETITIONS ON NON-COUNCIL FUNCTIONS

- 6.1. If your petition is about something over which the Council has no direct control (for example the local railway or hospital) it is unlikely you will be able to present it to a Council meeting, but we 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 may liaise 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.
- 6.2. If your petition is about something that a different authority is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other authority, but could involve other steps. In any event we will notify you of the action we have taken.

This page is intentionally left blank