
Kirklees Council Petitions Scheme

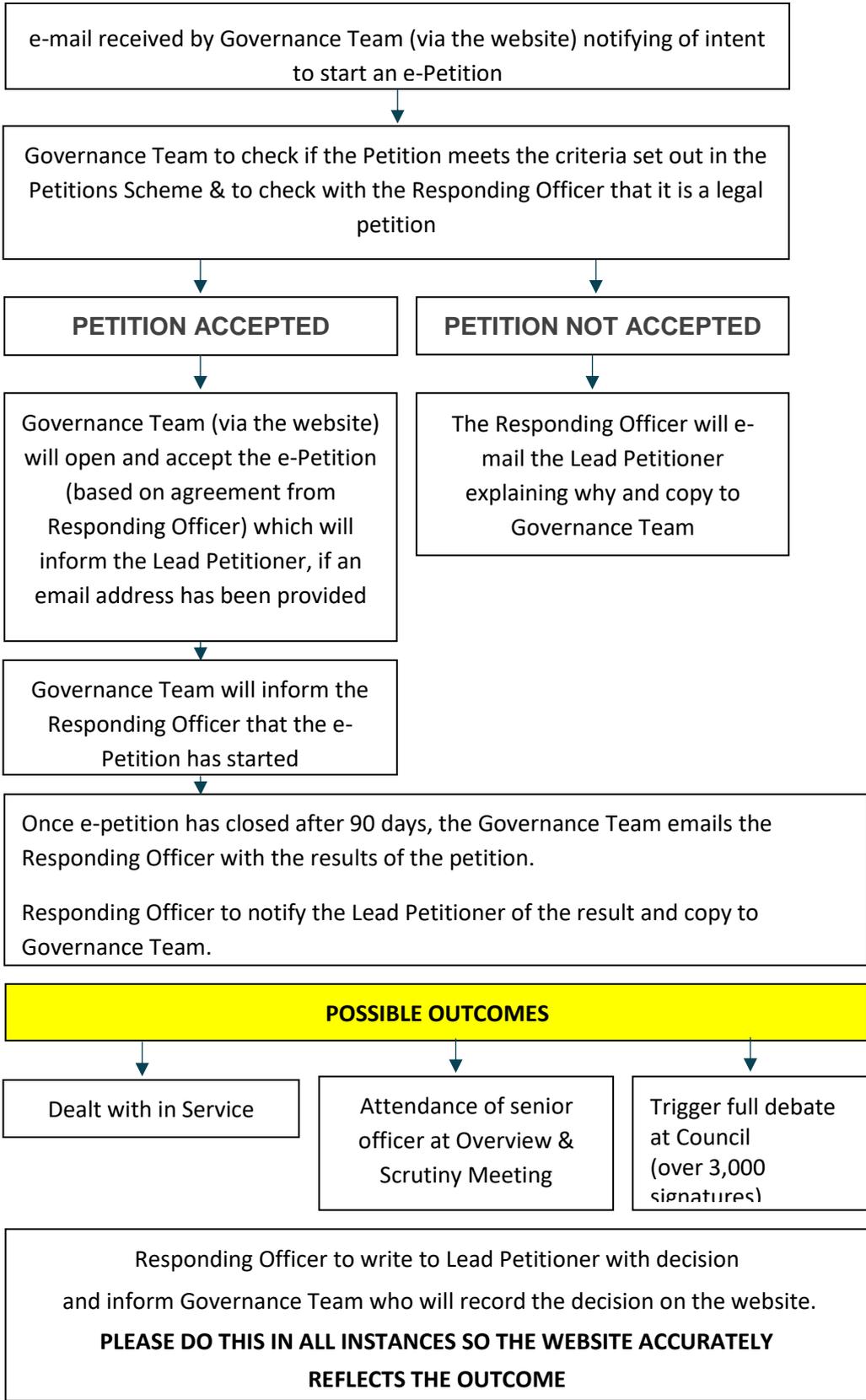
Guidance for the Public

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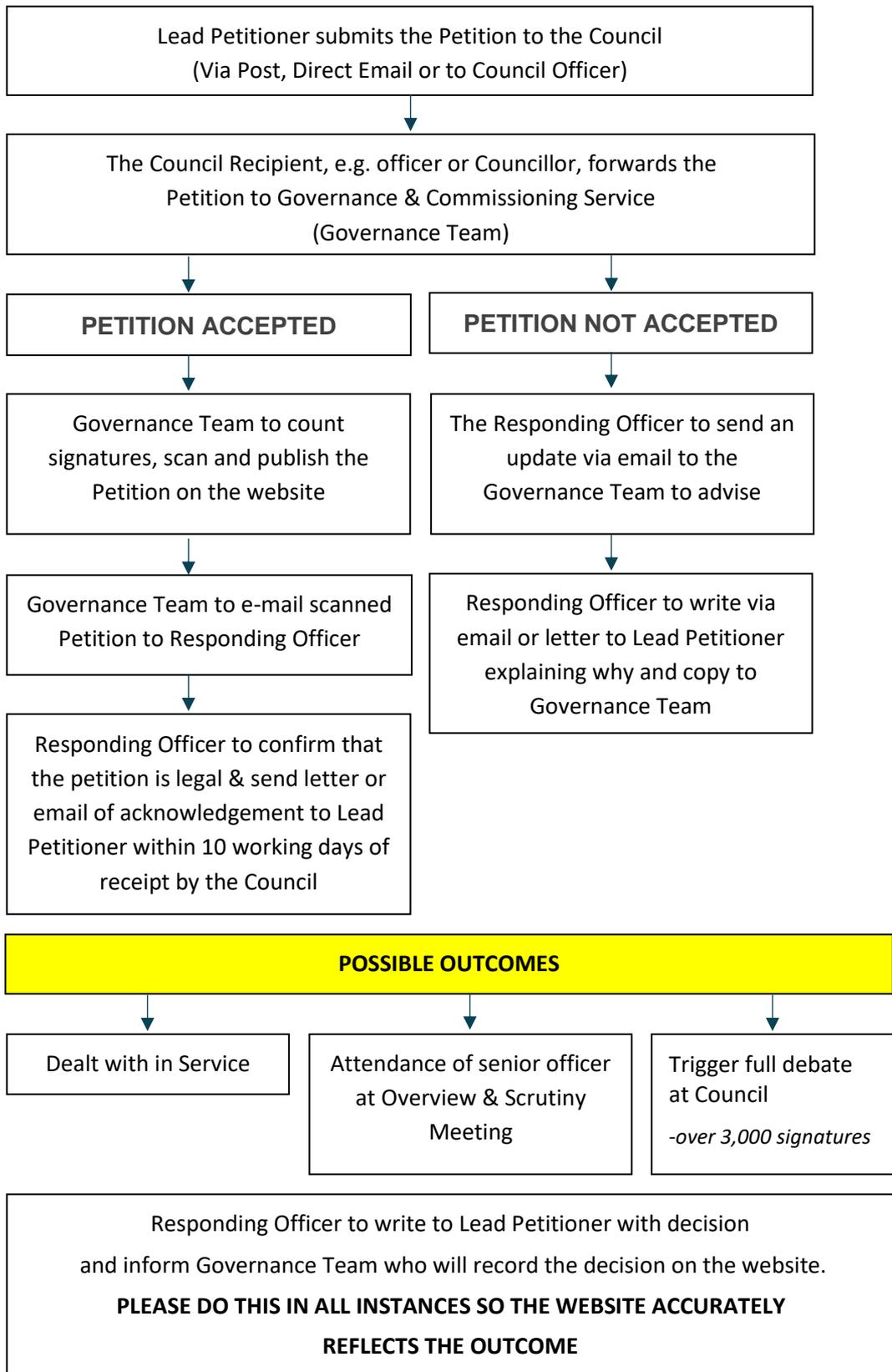
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Flowcharts

Petitions Process Flowchart – e-Petition



Petitions Process Flowchart – Paper-Petition



1. Petitions – what is the process?

A petition is a request for Kirklees Council to consider an issue or concern or to take a particular course of action. Petitions set out a particular view point and can be a useful tool to demonstrate that a view is shared by others. Kirklees Council welcomes petitions as one of a variety of ways in which people can let us know their concerns.

This document sets out the guidelines for submitting a petition and what you can expect from the petitions process.

To fall in with the requirements of the scheme, the petition must relate to a function of the authority and partner organisations, to 'an improvement in the economic, social or environmental well-being of the authority's area to which any of the authority's partner authorities could contribute'. A petition can also be about issues which involve neighbouring authorities where there is a direct impact on people in Kirklees.

All petitions sent or presented to the Council 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.

Petitions can currently be submitted in paper format or can be scanned and sent electronically. There is also a Kirklees Council [ePetition](#) facility available (this is a method of starting a petition and gathering signatures online).

The Council will accept e-Petitions generated from third party facilities, but only if they meet the petitions criteria set out in this scheme - including, for example, by providing sufficient information to enable the Council to verify signatures in support of the petition

Paper petitions can be sent to:

Governance and Commissioning Service, PO Box 1720 Huddersfield, HD1 9EL

Scanned petitions or links to valid third party e-Petitions can be e-mailed to:

petitions@kirklees.gov.uk

2. Other ways to make your views known

Kirklees Council values petitions and this document sets out a clear commitment about how we will respond to the petitions we receive. Petitions are not, however, the only - or necessarily the easiest or quickest - way to resolve an issue or to make your views known.

You can also:

- Contact the relevant Council service [directly](#)
- Contact the Complaints Service via the [Council's Complaints Process](#)
- Contact your [Local Councillors](#) if you have a concern which relates to your local area or neighbourhood
- Contact the Overview and Scrutiny Management Committee to request a review of a service or policy.

3. Principles of Kirklees Councils Petitions Scheme

Key principles we will adhere to within our Petitions Scheme include:

- If we are aware that a petition is being organised, we will seek to explore concerns at an early stage wherever possible, to see if the issue can be resolved without the need to go through a more time-consuming process.
- We will encourage a discussion with petitioners and communities in an attempt to resolve the issue or concern. This might include exploring alternative resolutions to the issue which hadn't been previously considered by the petitioners.
- We will deal with petitions in a professional manner and respond to Lead Petitioner within the agreed timescales set out in this scheme
- Except for petitions intended to trigger a Full Council debate or to call a senior officer to account (see Section 8), we will ensure that your petition is directed to the individual, agency, or decision-making body most appropriate to respond to or resolve the issue.
- We will ensure petitioners receive feedback on the outcome of issues they have raised whether they are directly handled by a Council service or a partner organisation.
- We will encourage feedback on the peoples' experience of using the Petitions Scheme and seek to use this to revise and improve the scheme in the future

4. Are there any issues which the Council will not consider in a petition?

The Council will not accept a petition which:

- is abusive, vexatious, libelous or otherwise inappropriate
- might lead to the Council acting illegally
- relates to an identifiable person (except in the case of a petition to call a senior Council officer to account.
- relates to an issue which is clearly outside the control or reasonable influence of the Council (e.g. petitions on national issues)
- clearly supports the financial interests of the person submitting the petition
- refers to a matter which is already the subject of legal proceedings
- is submitted from employees about terms and conditions of employment or relates to internal management issues
- duplicates or is substantially similar to a petition received less than 12 months ago, unless there has been a material change in circumstances

Petitions made under other enactments, such as petitions under the Local Government Act 2000 asking for referendum on whether the area should have an elected mayor, will be dealt with according to the procedures set out in those enactments. If such a petition fails to meet the requirements of the enactment in question, for example a petition under the 2000 Act does not achieve the requisite number of signatures, it will then be dealt with through this Petitions Scheme in exactly the same manner as any other petition.

This Petitions Scheme does not apply to certain matters, where there are already existing processes for communities to have their say. The following matters are therefore excluded from the scope of this Petitions Scheme:

- Any matter relating to a planning decision, including about a development plan document or the community infrastructure levy
- Any matter relating to an alcohol, gambling or sex establishment licensing decision
- Any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment
- Any matter relating to proposed traffic schemes, including proposed parking restrictions, traffic calming, speed limits, etc will not follow the petition process. These will be considered as part of the legal Traffic Regulation Order process.

In the period immediately before an election or referendum 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.

5. What are the guidelines for submitting a petition?

Petitions submitted to the Council must include the following, also please see [Appendix A](#) - signature collection form at the end of this document.

- **A clear and concise statement covering the subject of the petition.** It should state what action the petitioners wish the Council to take. People need to know what they are signing and therefore the petition should state clearly what it is about or what you think is wrong and what you would like to happen. It should be capable of being read in a few moments to enable people signing a petition to read it first. The petition should state that it is directed to Kirklees Council.
- **The name, address and signature of any person supporting the petition.** This is so we can verify that they live, work, or study in the Kirklees area. Signatures from others, for example, tourists, may be considered valid if relevant to the issue of the petition.

Petitions should be accompanied by –

- Contact details, including an address, for the Lead Petitioner. This is the person we will contact to explain how we will respond to the petition. The contact details of the Lead Petitioner will not be placed on the website or in the public domain. If the petition does not identify a Lead Petitioner, we may contact signatories to the petition to agree who should act as the Lead Petitioner.
- Anyone who lives, works or studies in the Kirklees Council area, including under 18's, can sign or organise a petition and trigger a response. To ensure the Council understands the local level of support for a petition, it reserves the right to seek to verify each signature submitted as part of a petition. This may be particularly significant when establishing whether a petition has obtained the required number of signatures to trigger a specific process (see later).
- In the case of e-Petitions, the Council requires a valid email address (one email address per person), address including the postcode and telephone number for each person supporting the petition; failure to provide this information may lead to a signature not being counted.

- Unless otherwise agreed, following discussions with the Lead Petitioner, an e-Petition will remain open for signatures for up to 90 days.

6. How can I submit a petition?

Paper petitions may be submitted to the Council in the following ways:

By post to the : Governance and Commissioning Service, PO Box 1720 Huddersfield, HD1 9EL

By email to: petitions@kirklees.gov.uk – in this case each sheet of signatures should be scanned in full as an exact replica of the original copy.

E-Petitions may be submitted: through the Council's e-Petitions facility (see [Petitions Guidance for the Public](#) for more information).

The Council will allow a combined paper and e-Petition providing there are no duplicate signatories and the date of receipt is when the final submission is made.

An e-Petition is a method of starting a petition and gathering signatures. This allows petitions and supporting information to be made available to a potentially much wider audience than a traditional paper-based petition.

For further details about the scheme members of the public can visit the [Kirklees Councils e-petitions facility](#)

7. E-Petitions – what is the process

An e-Petition is a method of starting a petition and gathering signatures. This allows petitions and supporting information to be made available to a potentially much wider audience than a traditional paper-based petition. For further details about the scheme or to submit an e-petition please visit the [Kirklees Councils e-petitions facility](#)

Or

Via an independent online e-Petition system and not via the Council's facility, however a link to the external e-Petition must be sent electronically to petitions@kirklees.gov.uk - in this case the Lead Petitioner must ensure that the petition meets the submissions criteria set out in this scheme - including, for example, a valid email address (one email address per person), a postcode and house number for each person supporting the petition to enable the Council to verify signatures to the petition.

The Council will allow a combined paper and e-Petition providing there are no duplicate signatories and the date of receipt is when the final submission is made.

8. How will the Council respond to a petition?

Once the Council has received a petition it will –

- Assign it to a responding officer, who will take responsibility to investigate the issue and will advise on the action to be taken by the Council. The name of the responding officer will be given to the Lead Petitioner at the time of the acknowledgment.
- The Responding Officer will send an acknowledgement to the Lead Petitioner within 10 working days of receiving a valid petition. It will let you know what we plan to do with the petition and when you can expect to hear from us again.
- If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council debate then the acknowledgment will confirm this and tell you when and where the meeting will take place.
- If the petition needs more investigation, we will tell you the steps we plan to take.
- If the petition applies to a planning or licensing application, is a statutory petition on a matter where there is already an existing right of appeal, such as Council tax banding and non-domestic rates, other procedures apply. In our acknowledgement to you, we will explain these procedures and how you can express your views.
- If the petition is approved for collection of signatures we will provide a link you can use to promote to your contacts or on social media.

Our response to a petition will depend on what a petition asks for, but may include one or more of the following:

- Taking the action requested in the petition
- Considering the petition at a Council meeting
- Referring the issue to your local ward Councillors
- Referring the issue to the Council's Overview & Scrutiny Committee*
- Referring the issue to the Councils Cabinet**
- Referring the issue to another relevant Committee
- Holding an Inquiry
- Commissioning relevant research
- Organising a public meeting
- Mounting a wider public consultation
- Meeting with the Lead Petitioner or representatives of signatories
- Providing a written response outlining the Council's views on the subject
- Consulting statutory partners and local service providers
- Instigating discussions with the voluntary and community sectors
- Make representations to Commercial or other Interests

** Overview & Scrutiny Committee is an important and specialist role for all Councillors who are not part of the Cabinet arrangements. Overview and Scrutiny provides processes which enable them to review and challenge decisions, policies and services, inform decision making and offer recommendations for the Cabinet and other agencies to consider.*

*** Cabinet is the executive decision-making body within the Council's structures, which is chaired by the Leader of the Council's and is responsible for taking most of the day to day decisions within agreed budgets and policies.*

Our response will be guided by what is most appropriate for the issue. If a decision is required, then we will seek to refer the issue to whatever body is best placed to make it.

For example, certain decisions can only be taken by Cabinet; others might require a decision of the Full Council; other issues are best resolved more locally and may be best dealt with at, for example, another relevant committee.

If the concern is a local, ward-based issue, then the presumption will be to refer the matter to your local Councillors to take up on your behalf. As a matter of course, local Councillors will be formally notified of all valid petitions which relate to their constituents. We will publish details of petitions received and the final response / outcome of the petition on the Council's website.

Full Council Debates

If a petition contains more than 3000 signatures it will be debated by Full Council unless it is a petition asking for a senior Council officer to give evidence at a public meeting or is resolved before the meeting to the Lead Petitioner's satisfaction. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. You will be given notification by your Responding Officer of the date to which your petition will be submitted. At the meeting the Lead Petitioner 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. They may decide to take the action the petition requests (if it is within their power to do so), not to take the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant service. The Lead Petitioner will receive written confirmation of this decision.

This confirmation will also be published on our website.

Officer Evidence

Your petition may ask for a Senior Council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a Senior Council officer to explain progress on an issue, or to explain the advice given to elected Councillors to enable them to make a particular decision.

If your petition is accepted on this basis the relevant Senior Officer will give evidence at a public meeting of the Council's Overview and Scrutiny Management Committee or panel.

The senior staff that can be called to give evidence are members of the Council's Executive Management Group:

- Chief Executive
- Adults and Health
- Children's Services
- Corporate Strategy Commissioning and Public Health
- Environment and Climate Change
- Growth and Regeneration

You should be aware that the Overview and Scrutiny Management 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 it falls in another officers area of responsibility. 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 Governance and Commissioning Service
Governance and Commissioning Service
PO Box 1720
Huddersfield, HD1 9EL
petitions@kirklees.gov.uk

Where possible the Cabinet member with the relevant portfolio responsibility will also be invited to attend any relevant committee meeting.

9. Feedback – will the petitioners be advised of the Outcome?

Yes, the Lead Petitioner will receive a letter or email setting out the Council's final response to the petition and the reasons behind it. This will normally outline the steps taken by the Council to consider the issue, including the involvement (where applicable) of the elected Councillors.

10. What if you feel your petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the Lead Petitioner has the right to request that the Council's Overview and Scrutiny Management Committee review the steps that the Council has taken in response to your petition. It is helpful to everyone and can improve the prospects for a review if the Lead Petitioner gives a short explanation of the reasons why the Council's response is not considered to be adequate. Overview and Scrutiny 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 a subsequent meeting. A review can be requested on the grounds that the Council failed to follow adequate process, did not adhere to its own policies or did not give proper consideration to the issues.

Should the committee determine we have 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 executive and arranging for the matter to be considered at a meeting of the Full Council. Once the appeal has been considered the Lead Petitioner will be informed of the results within 5 working days.

The results of the review will also be published on our website.

An additional aspect to bear in mind is that complaints about petitions which involve Borough wide issues or matters of policy be referred to the Council's Overview and Scrutiny Management Committee, and that complaints about petitions of a Ward nature be handled by the Council's [Complaint Process](#).

11. Contact for advice on petitions.

Governance and Commissioning Service

PO Box 1720

Huddersfield, HD1 9EL

Or

Send an email to petitions@kirklees.gov.uk

Appendix A - Petition to Kirklees Council

Lead Petitioner Name	Full Address [Including postcode]	Signature	Telephone Number	Email Address

This petition should be sent to –

Governance and Commissioning Service

PO Box 1720

Huddersfield

HD1 9EL

Alternatively, scanned petitions can be emailed to: petitions@kirklees.gov.uk

What is the issue you would like to petition about?

What do you think the Council, or its partners should do?

Do you intend this petition to...

Trigger a debate at Full Council?

Yes / No

Require the attendance of a senior officer at an Overview and Scrutiny meeting?

Yes / No

Do you intend this petition to:

Trigger a debate at Full Council?

Yes / No

Require the attendance of a senior officer at an Overview and Scrutiny meeting?

Yes / No

