

Hull City Council Petition Scheme

Introduction

1. Hull City Council welcomes petitions as it feels that petitions are an important way people can express their views and concerns about something for which the Council is responsible.

What is a Petition?

2. A petition can be defined as **a formal collective request to take action**. 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. If a petition is in the format that the signatories are 'against' some action the council can influence, we will take this to be an underlying request that the council reconsiders the action they are 'against' - and will seek to confirm this with the petition organiser (or 'lead petitioner').

Where should I send the petition?

3. Petitions may be submitted to Hull City Council in the following ways:

4. Electronically through the council's own e-petition facility – on the Hull City Council website - where they can be created, signed and submitted online, see www.hull.gov.uk/ and use the search box to search for 'Petitions'

5. Paper petitions can be sent to the Customer Feedback Team at the following address –

FREEPOST RSJC-KKBE-ABXZ
Customer Feedback
Hull City Council
PO Box 15
HULL
HU1 2AB

6. Paper petitions can also be delivered by hand to the Guildhall reception or to your local Customer Service Centre or Information Point. (Details can be found on the Hull City Council's website)

7. Petitions can also be submitted by [email to customerfeedback@hullcc.gov.uk](mailto:emailtocustomerfeedback@hullcc.gov.uk)
In the case of emailed paper format petitions, please scan each sheet of signatures, names and addresses in full.
In the case of emailing petitions collected through an external website, please ensure the names and addresses are included showing that the people who have 'signed' your petition 'live, work or study within the Hull City Council boundary' (see point 8, below).

8. Electronic petitions can be accepted from all websites. However, officers will consider them in line with the validation of signatures criteria – so far as the petition format offers easy to check validation (addresses) that the petition organiser or ‘lead petitioner’ and all the people who have ‘signed’ the petition live, work or study within the within the boundary of Kingston upon Hull. The Council may ask for additional evidence, where required, to validate that the signatures have come from people who live, work or study within the boundary of Kingston upon Hull. Online petitions must be closed on the external website on submitting your petition so that the final number of valid signatures can be counted.

What are the guidelines for Petitions?

9 Petitions submitted to the council must include the following:

- i. A request that says what action the petitioners wish the council to take or not to take. **Please be aware that some petition subjects may be excluded – see point 12 below for details)**
- ii. A clear and concise statement covering the subject and background context of the petition. A Petitions Background Information proforma produced by the Customer Feedback Team will be issued for completion by the petition organiser (or ‘lead petitioner’) to give background information to their petition, such as history and previous actions relating to the petition issue. In order to ensure standardisation of the petitions process this must be completed at the time of petition submission or within five days of submission of the petition. A petition may not be able to continue through the petitions process if not accompanied by sufficient background information documentation.
- i. The name and contact details of the petition organiser (or ‘lead petitioner’), who is the person we can contact to explain how we will respond to the petition. If the petition does not identify a petition organiser, we will contact the first available signatory to the petition to agree who should act as the ‘lead petitioner’.
- ii. **Confirmation that the petition organiser or ‘lead petitioner’ lives, works, or studies at an address that lies within the boundary of Kingston upon Hull.** Contact details for the petition organiser or ‘lead petitioner’ may then be either a full postal address or an email address we will write to.
- iii. **Address details that show the individuals who have signed the petition live, work or study within the boundary of Kingston upon Hull must be provided for each signature to be accepted as valid.**
- iv. **Paper petitions must contain actual signatures** from each petitioner who has signed to support the petition - not just a name. (Those printed or emailed to us that have originated solely from an on-line petition are not subject to this provision.) A Template pro-forma for paper petitions is available on the Council’s website or from the Customer Feedback Team.
- v. An Petition Briefing paper must be produced by officers for all petitions referred to Area Committees and Council meetings. This will aid the response so petitions are better facilitated and based on relevant information and evidence.

- vi. **Petitions must be submitted at the earliest opportunity to allow sufficient time for validation and administration procedures to be completed – including preparation of the briefing paper and related background information to be made ready and uploaded before the relevant meeting paperwork is finalised for publication.** This will normally need to be a minimum of three weeks in advance of the relevant meeting date – (please see Time Scales from point 47, below). If the petition is received too close to the next meeting date it may be postponed to a later meeting.

Signatures Thresholds guidelines

10. The minimum number of valid signatures should be at least **50** (which can include the petition organiser) for a petition to be accepted as valid into the petitions procedure.

- i. The minimum number of signatures should be at least **50** for a valid petition but less than 1500 for consideration of a petition at a local Area Committee meeting
- ii. The minimum number of signatures should be at least 50 for a valid petition but less than 1500 for a referral of a petition to Council without debate.
- iii. The signatory threshold is at least **1500 valid petitioners for a petition to be debated** at a meeting of the Council. (If there are less than 1500 signatures please note there will be no debate procedure although the petition may still be received for response in a meeting of the Council – see above.)

What can petitions be about?

11. A petition should include a clear statement of your concerns and exactly what you would wish the Council to do. It must relate to something the Council has responsibility for or can reasonably and proportionately influence to create an improvement in the economic, social or environmental well-being of the local area. **Please note as point 12 below - not all topics are suitable for a petition to the council:**

A petition may not be accepted where -

12. It is excluded from the petitions scheme as set out below or excluded by a legal restriction:

- i. From the Local Authorities (Petitions) Order 2010: the petition matter relates to a decision about a planning or licensing application or any matter where an individual or organisation has a statutory or established recourse to a review or right of appeal. This includes where the matter of the petition:
- ii. Refers to a development plan, specific planning issue or a right of way
- iii. Refers to a decision for which there is an existing right of appeal, for example (but not limited to) the courts, a tribunal or a minister of Government, industrial dispute.

- iv. Refers to a dispute or matter where there is a clear, established and more suitable alternative process for determination of the issue – which the Petition Scheme cannot duplicate or replace
- v. The petition is considered to be vexatious, abusive or an abuse of process or otherwise inappropriate
- vi. The petition contains language that is offensive, intemperate or provocative or contains potentially libellous, false or defamatory statements
- vii. The petition appears to be a commercial endorsement or promotion of a product, service or publication
- viii. The petition contains material which is potentially confidential or reveals the identity of someone who may be protected by an injunction or court order (for example (but not limited to), the identities of children in care proceedings)
- ix. The petition is in furtherance of or pertains to an identifiable individual's or group's particular circumstances or personal interests – (for example, the Petition Scheme is inappropriate for use by employees of the Council or their representatives to further their own employment or contractual interests where suitable alternative processes have been established and made available for bringing internal issues or disputes to the Council's attention) (*See iii, iv and v above*)
- x. The petition is concerning or relating to the terms and conditions of service under which any person is employed or appointed by the council or any dispute related thereto.
- xi. The petition is concerning or relates to a tender process undertaken or being undertaken by the Council
- xii. The business with which the petition is concerned has been the subject of a matter raised by a similar petition received or submitted within the last six months
- xiii. Where the petition is specifically concerned with a decision made at a meeting of the Council in the last six months or is about an issue arising directly from that decision.

What will the council do when it receives my petition?

Qualifying Administration and Validation

13. Once the petition is submitted and received by the Customer Feedback Team the Council will treat the petition as closed to any further signatures being added. The number of signatures it contains will be counted and validated against the signatures criteria. Once this step is completed no additional signatures will be accepted. This will be confirmed with the petition organiser or 'lead petitioner' who will then be informed of the number of valid signatures their closed petition contains.

14. A Petitions Background Information proforma will be issued for immediate completion by the petition organiser or 'lead petitioner'. In order to ensure standardisation and timeliness of the petitions process this is best completed at the time of the petition submission.

15. The Council will also ask for more information around the person making the petition to establish who is the petition organiser or 'lead petitioner' and whether this person has any personal interest / gains in putting the petition forward.

16. The Customer Feedback Team will check the petition against the petitions criteria and guidelines to establish if it is able to be accepted into the Council's petitions procedure, including if the matter is one which is suitable to be included.

17. To ensure the council understands the context and the level of local support for a petition, it reserves the right to seek to verify the details attached to a petition. This can be significant when establishing whether a petition has obtained the minimum number of signatures required to enter the petitions process or for triggering the debate procedures.

18. All petitions submitted to the Council will be sent an acknowledgement. An acknowledgement will be sent to the petition organiser (or 'lead petitioner'), at the contact address they have provided, within 10 working days of receiving the petition. The acknowledgment may inform them what we plan to do with the petition and when they can expect to hear from us again. It will confirm the number of valid signatures the petition has collected and that the petition is treated as closed. In respect of e-petitions through the Council's facility, the acknowledgement and notification of response will also be published on the website.

19. In respect of paper petitions the outline summary details may also be published on the Council's website.

20. Any personal data that is submitted to us under the petitions process is protected under the Data Protection Act 1998 and will only be used by us for the purposes of administration and correspondence of the petition.

How will the Council respond to petitions?

21. The Council's response to a qualifying petition under the Council's Petitions Scheme will depend on what a petition asks for and how many valid signatures it contains, as well as if finance allows or if there is a legal power that could influence our response.

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

23. If your petition concerns a local ward matter we will notify the local ward Councillor/s of the details regarding your petition

24. Where the subject of the petition relates exclusively to one part of the City it may be submitted to the local Area Committee concerned unless it is considered that the issue could be resolved via other routes.

25. If the petition is about a wider issue, our response will depend on what the petition asks for and the petition may be submitted to an ordinary meeting of the Council.

26. If the qualifying petition achieves sufficient valid signatures to trigger a debate at a meeting of the Council the acknowledgement will confirm this and indicate when and where the meeting will take place.

27. If the petition applies to a planning or licensing application, or is a statutory (for example requesting a referendum on having an elected mayor); or is on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates; or is on a matter where other clear and established suitable alternative pathways exist to bring that issue; other procedures will apply. We shall write and tell you what those other procedures are and explain why your petition is not accepted.

28. Where a petition relates to a matter which is within the responsibility of another council or public body and that public body has its own petitions procedure we may ask the petition organiser whether they would like us to redirect the petition to that other council or public body.

29. If your petition is about something over which the council has no direct control it will not be accepted as part of the Petition scheme. However, we will consider whether we can still assist with the matter, depending on what the petition is asking us to do. This may result for example in the council contacting government agencies, local MPs or other partner organisations regarding the issue outlined within the petition.

30. If a petition relates to something which the Council has no responsibility or influence over at all we will send the petition organiser (or 'lead petitioner') an explanation of our decision and may return the petition on request.

31. If a petition does not follow the guidelines of the Council's Petitions Scheme (explained above), the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons. We may be able to help you decide what you can do instead.

32. If a petition that is not exclusive to the area of one Area Committee is received which is rejected because it does not meet the requirements of the Council's constitution, or the Petition Scheme developed under the constitution, the fact of receipt of submission of the non-qualifying petition will be recorded on the agenda of the next Council meeting for noting by Council without debate.

33. In addition to the above specific circumstances the Council will respond to a petition in its scheme by considering all the specific actions it can potentially take on the issues highlighted in a petition, including the following steps -

- i. Taking action about the request in the petition
- ii. Considering the petition at a meeting of the authority
- iii. Holding an inquiry
- iv. Holding a public meeting
- v. Commissioning research
- vi. Giving a written response to the petition organiser setting out our views about the request in the petition
- vii. Consulting residents about the matter
- viii. Holding a meeting with petitioners

- ix. Referring the petition for consideration by the council's Overview and Scrutiny Management Committee

Full Council Meetings

34. Where a qualifying petition reaches the threshold of receiving at least 50 valid signatures, the petition will be discussed at a meeting which all councillors can attend. The Council will try to deal with the petition at its next available ordinary meeting, although on some occasions this may not be possible and consideration will then take place at the following ordinary meeting.

35. There are two types of petition – an active petition to be presented for consideration or, in the case of a petition with the required number of signatures specified in the Petitions Scheme, a petition for debate. The details of the procedure rules for petitions are shown in the Council's Constitution, Part C1 Procedure Rules, section 12 (available on the Council's website)

36. The Hull City Council Constitution, Part C1, regarding the Council Procedure Rules (available on the council's website) sets out that petitions shall not be considered at any meeting of the Council which is a meeting to set the Council Tax. Details of Council meetings are available on the Council's website.

37. The Council will need to verify the name and contact details of the petition organiser or 'lead petitioner'.

38. Details will be given to the petition organiser or 'lead petitioner' to assist with the process when your petition is confirmed for the meeting.

39. A relevant officer will write to the petition organiser with a formal response normally within 10 working days of the meeting.

Area Committees

40. If a petition contains the minimum number of 50 valid signatures – but less than 1500 – and is exclusively relating to one area of the City, it may be considered at a local Area Committee meeting. Details of Area Committee meetings across the city are shown on the Council's website.

41. An internal Officer Briefing must be produced for all petitions referred to Area Committees. This will be requested on behalf of the relevant senior manager and must be produced in time to be received by Committee Services prior to the five working days deadline for publication linked to the relevant meeting which will consider the petition for response. City Managers are responsible for ensuring that Officer Briefings meet the deadlines and that an appropriate officer attends the meeting (unless advised otherwise) to help answer any technical questions.

42. If a petition exclusive to the area of one Area Committee is received which is rejected because it does not meet the requirements of the Petitions Scheme, or of the Council's Constitution, the fact of receipt of submission of a non-qualifying petition will be notified to the Assistant City Manager (Neighbourhoods) and the relevant Ward Councillors.

Petition Procedure

43. The Chair of the meeting will announce at the relevant agenda item that there is a petition for consideration.

44. The Chair will then invite the person or persons who will speak on the petition that they may address the meeting for a time of five minutes in total, provided that any remarks shall relate to the subject matter of the petition and shall not constitute a personal attack upon any person.

45. The Committee may also ask this person questions which may be answered without debate.

46. The Committee will decide how to respond to the petition at this meeting. Members may refer the petition to the Cabinet, an appropriate Committee, Sub-Committee or to another body, may simply note the petition - or might wish to take one of the other steps identified under the petitions scheme response options.

47. At the end of the process of considering the petition, a relevant officer will write to the petition organiser with a formal response. This communication will normally outline the steps taken by the Authority to consider the petition. This formal response will normally be sent within 10 days of the meeting.

Time Scales

48. A petition that meets the qualifying criteria may be referred to one of the Council's next available suitable committee meetings. For a Committee to effectively consider a petition it cannot accept it at such short notice that does not allow the petitions criteria to be properly checked or for the gathering of background subject matter or information regarding how that subject has been dealt with previously.

49. Details of Council meetings are available on the Council's website. For petitions to be presented at the next appropriate meeting the deadlines for the receipt of the petition, signatures and all required associated documents will link to meeting dates and must be received in sufficient time to allow the administration that will comply with the required minimum of five working days notice of publication. This will normally need to be a minimum of three weeks in advance of the relevant meeting date.

50. An internal Officer Briefing Note must be produced by the relevant service area manager for all petitions referred to Area Committees and Council meetings. The receipt of the petition must allow sufficient time scale to allow the Briefing Note to be written and received in time before the five working days deadline linked to the relevant meeting which will consider the petition for response.

51. A form produced by the Customer Feedback Team will be issued for immediate completion by the petition organiser (or 'lead petitioner') to give background information,

such as history and previous actions relating to the petition issues. This completed form, or equivalent statement of information, must be received from the petition organiser or 'lead petitioner' within five days of submission of the petition.

52. A petition may not be able to continue effectively through the petitions process if not accompanied by sufficient background information. If there are any reasons why this may not be able to be provided promptly please inform the Customer Feedback Team when it will be available. The latest time it will normally be accepted is 10 days before the meeting date.

Minimum Number of 50 Signatures Not Reached

53. If your qualifying petition has less than the minimum required 50 valid signatures we will help you to consider an alternative procedure, for example -

- i. You can contact your local Area Committee and arrange to ask a question in a public meeting. It will help us to answer if you can do this as early as possible before the meeting.
- ii. You can arrange to ask a question in a Cabinet meeting, by post or email to the Town Clerk no later than mid-day two working days before the day of the meeting. You will need to provide your name, home address, the name of the organisation you represent (if applicable) and the member of the Cabinet the question is to be put to
- iii. You can contact your local ward councillor/s
- iv. You can have your petition subject dealt with within the Council's Customer Feedback Scheme. The details of the Customer Feedback Scheme are available on the council's website. Comments made this way are normally forwarded to the relevant service area managers to arrange a response.
- v. You may wish to make a Service Request directly to the service area that can deal with your issue

E-petitions

54. The Council welcomes online petitions ('e-petitions) which have been created and submitted through its website.

55. Petitions can also be accepted from external websites, which will be considered in so far as the petition format offers easy to check validation (such as postcodes) that the people who have 'signed' the petition have shown that they live, work or study within the boundary of Kingston upon Hull.

56. E-petitions must follow the same guidelines as for other petitions. The petition organiser will need to provide us with their name, email address and their contact (postal) address showing that they live, work or study within the boundary of Kingston upon Hull.

57. When you create an e-petition through the Council's petitions facility, it may take up to five working days before it is published online, although in most cases we will do it sooner. This is because we have to check that the content of your petition is suitable and meets the criteria before it is made available for signature.

58. A clear and concise statement covering the subject and background context of the petition is required for all petitions. When an e-petition is received through the Council's online facility, a form will be emailed to the petition organiser for their completion giving background information to the petition. In order to ensure standardisation of the petitions process this must be completed within five days of creation of the petition on the council's website or within five days of sending us a copy of your completed external site petition. A petition may not be able to be hosted on the Council's online facility or continue through the Council's petitions process if not accompanied by a completed Background Information Form or equivalent information statement.

59. You can decide how long you would like your petition to be open for on the Council's website to collect signatures. Most petitions run for three months, but you can choose a shorter or longer timeframe, up to a maximum of six months.

60. If we feel we decide not to publish your petition on the Council's website we will contact you normally within 10 working days to explain why. You may be able to change and resubmit your petition if applicable. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published on the website.

61. When an e-petition has closed for signature on the council's website, it will automatically be submitted to the Customer Feedback Team to process. We will send you an acknowledgement within 10 working days. We will let you know how many valid signatures it collected and what will happen next regarding our response.

62. If your petition reaches the minimum number of valid signatures required for a Council debate or can be referred to a council or local Area Committee meeting please also see the relevant sections above.

63. When you have signed an e-petition you will receive an acknowledgement by email to confirm.

64. Visitors to the council's website will be able to see all the e-petitions that are available.

How do I 'sign' an e-petition?

65. When you sign an e-petition you will be asked to register through the website – to provide your name, your postcode and a valid email address.

66. When you have submitted this information you will be sent an email to the email address that you have provided. This email will include a link, which you must click on in order to confirm your email address is valid. Once this step is complete your 'signature' will be able to be added to the petition.

67. When you register and sign a petition please where possible provide a valid Hull postcode as this is used to help us easily validate that your signature relates to a person who lives, works or studies within the boundary of Kingston upon Hull. For example, if you do not reside in Hull but you work or study in Hull then please state the postcode relating to your work or study address rather than your home one.

68. When you 'sign' an electronic petition (e-petition) through our website you will receive confirmation by email. We will not send any correspondence that is not relevant to the e-petition

69. People visiting the e-petition will be able to see your name in the list of people who have 'signed' it but your contact details will not be visible.

What can I do if I feel my petition has not been dealt with properly?

70. The Customer Feedback Team will receive your petition and check it against the petitions criteria and guidelines. If a petition organiser (or 'lead petitioner') believes that the Council has not properly administered their petition under the petitions scheme they can contact the Customer Feedback Team Leader (see contact details above) with their reasons and any additional information for a further consideration.

71. If a petition organiser (or 'lead petitioner') believes that the Council has not dealt with their qualifying petition properly they can request that the Council's Overview and Scrutiny Management Committee review the adequacy of the steps that have been taken in response to the petition.

72. Review requests should be made in writing within 28 days of the date of the formal response to the petition organiser (or 'lead petitioner'). It is helpful to everyone if the petition organiser (or 'lead petitioner') gives a short explanation of the reasons why the steps that have been taken in the Council's response are not considered to be adequate.

73. The Committee will try to consider the review request at its next meeting, although on some occasions this may not be possible and consideration will take place at the next available meeting. The Committee will consider the adequacy of the steps that have been taken. The Committee may recommend what different steps may be more appropriate.

74. Once the review request has been considered the petition organiser will be informed of the results within 10 working days.

75. The results of the review of petitions made through the Council's website will also be published on our website unless the Committee considers that in all the circumstances it would be inappropriate to do so.

76. There is no further right of appeal through the Council.

Scheme Maintenance

77. The Council's Petitions Scheme will be reviewed after a year and administrative details may be periodically updated as required.

(KM. January 2018)