

Solihull Metropolitan Borough Council

PETITIONS SCHEME

- 1 The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 10 working days of receipt.
- 2 This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is identified as being a petition, or if it seems to us that it is intended to be a petition.
- 3 Paper petitions can be sent to:

The Head of Democratic Services
Solihull Metropolitan Borough Council
Council House
Manor Square
Solihull
B91 3QB

- 4 Petitions can also be presented to a meeting of the Council. These meetings take place on those dates and times which can be found here <http://modern-gov/mgCommitteeDetails.aspx?ID=125>
- 5 If you would like to present your petition to the Council, or would like your [Councillor](#) or someone else to present it on your behalf, please contact the Democratic Services team at least 10 working days before the meeting to discuss the process.

If your petition has received **2,000** valid signatures or more it will also be scheduled for a Council debate and if this is the case we will let you know whether this will happen at the same meeting or a later meeting of the Council.

If your petition has less than 2,000 valid signatures it can still be presented to a Council meeting but it will not automatically trigger a debate at the Council meeting, and it is likely to be referred to the appropriate Cabinet Member, Committee or Scrutiny Board for consideration.

What are the guidelines for submitting a petition?

- 6 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.
- 7 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.
- 8 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 signatories to the petition to agree who should act as the petition organiser.
- 9 Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. 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. Petitions will not be deemed acceptable if they relate to a complaint regarding a matter associated with the employment of an officer. 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.

What will the Council do when it receives my petition?

- 10** An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. The petition will also be published on our website.
- 11** 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, or a senior Officer giving evidence, 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.
- 12** If the petition relates to a planning or licensing application, 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, such as Council tax banding and non-domestic rates, different procedures apply. Further information on all these procedures and how you can express your views is available here (insert links]. In these cases the petition scheme cannot be used.
- 13** We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

How will the Council respond to petitions?

- 14** 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
 - Holding a consultation
 - Holding a meeting with petitioners
 - Referring the petition for consideration by one of the Council's Scrutiny Boards*
 - Calling a referendum
 - Writing to the petition organiser setting out our views about the request in the petition.
- * The Scrutiny Boards are made up of Councillors and are responsible for scrutinising the work of the Council – in other words, the Scrutiny Boards have the power to hold the Council's decision makers to account.
- 15** In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

- 16** If your petition is about something over which the Council has no direct control (for example the local railway or hospital) 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 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.
- 17** 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. This 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.

Full Council debates

- 18** If a petition contains **2,000** valid signatures or more it will be debated by the full Council unless it is a petition asking for a senior Council Officer to give evidence at a public meeting.
- 19** 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.
- 20** 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. They may decide to take the action the petition requests, 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 Scrutiny Board.
- 21** Where the issue is one on which the Council's Cabinet are required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

Officer evidence

- 22** 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 members to enable them to make a particular decision.
- 23** If your petition contains at least **1,000** valid signatures, the relevant senior Officer will give evidence at a public meeting of one of the Council's Scrutiny Boards. A list of the senior staff who can be called to give evidence is set out below:
- The Head of Paid Service (Chief Executive)
 - Statutory Chief Officers defined as:-
 - The Director of Childrens Services
 - The Director of Adult Services
 - Section 151 Officer (Director of Resources)
 - Non-statutory Chief Officers i.e.

- Anyone reporting direct to the Head of Paid Service or to the Council or a Committee of it.
 - Deputy Chief Officers i.e. those reporting direct (or indirectly) for most or all of their duties to a statutory or non-statutory chief officer.
- 24** You should be aware that the Scrutiny Board 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 Board may also decide to call a relevant Councillor to attend the meeting. Scrutiny Board members will ask the questions at this meeting, but you will be able to suggest questions to the Chairman of the Board by contacting the Senior Scrutiny Officer on 1021 704 6079 up to three working days before the meeting.

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

- 25** If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that one of the Council's Scrutiny Boards reviews the steps that the Council has taken in response to your petition. The petition organiser should give a short explanation of the reasons why the Council's response is not considered to be adequate.
- 26** The relevant Scrutiny Board 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 Scrutiny Board 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's Cabinet and arranging for the matter to be considered at a meeting of the full Council.
- 27** Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.