

Petition scheme

Glossary of terms:

Petition - a formal written request, typically one signed by many people, appealing to authority with respect to a particular cause.

Signatory - a person who signs a petition by providing their full name, full address (including post code) and an email address if signing an e-petition.

Petition statement - Statement written to an authority or organisation, requesting a course of action for a certain cause.

Lead petitioner - the person organising the petition and providing the petition statement

Petitions submitted to Portsmouth City Council may be on a wide range of topics where the council directly or indirectly has influence on the activities in the city.

The key part of the petition is the statement - what the petition is asking the Council to do or not do.

Follow the link for examples of [previous petitions submitted to the council](#) or find further information on the petition statement below.

Petitions may be in paper form or electronic (using the council's website) - or both together simultaneously.

- duplicate signatories will be removed from the total
In order to deal with any petition received, we require the name and contact details of the lead petitioner (organiser). If there is an option for the petition to be put forward to a meeting of the council, the lead petitioner will be notified and invited to attend.

Only the name of the lead petitioner will be included on the Council's website against the submitted petition.

- if the petition does not identify a lead petitioner, the petition will not be accepted
When collecting signatures, it is important that clear contact details are provided with a signature, full address and post code. Otherwise, the council is unable to verify the signature of the person supporting the petition.

Any signature which cannot be verified will be removed from the total number of signatures submitted.

Although the council will publish the decisions or outcomes of a petition on its website, the council will also endeavour to respond to all signatories, unless they indicate that is not necessary (by ticking the opt-out column).

Petitions submitted to the council must therefore include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
- name and full contact details of the lead petitioner (the petition organiser)
- name, full address and signature of any person supporting the petition (without all elements the signature will not count towards the petition)

Follow the links for the paper petition template or to [access the council's e-petition system](#).

Petition rejection criteria

The council cannot accept all petitions submitted to it, there are five main reasons that a petition will be rejected and these are:

- a statutory petition/consultation exists
- relates to a planning matter
- relates to a licensing matter
- has a suitable alternative appeal route
- vexatious or abusive

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. 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.

If the petition applies to a planning or licensing application, is a statutory petition/consultation, or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates or education appeals, other procedures apply. A petition on a matter for which the council has direct control.

As a Unitary Authority, Portsmouth City Council directly runs a wide range of services throughout the city.

Before starting a petition, it is suggested that the prospective lead petitioner first makes enquires about the matter directly to the relevant service for which they are considering starting a petition on, before doing so. You may receive the answers and/or desired outcome through ordinary contact with the council, without the effort of a running a petition.

A petition on a matter for which the council has no direct control.

If your petition is about something over which this 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.

A petition on a matter where a different authority is responsible.

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.

A petition for an officer to give evidence 'called to account'

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.

If your petition contains at least 500 signatures, the relevant senior officer will give evidence at a public meeting of the council's overview and scrutiny committee*.

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 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 Community, Customer and Democratic Services up to 3 working days before the meeting. The purpose of calling a senior officer to account is not to address any employment issues. Any matters relating to employment, must be dealt with in accordance with Portsmouth City Council's disciplinary policy and procedures.

The Petitions Scheme allows, subject to qualifying criteria, for certain officers to be 'called to account' at a public meeting of overview & scrutiny*.

The officers who can be 'called to account' are;

- Head of Paid Service – Chief Executive
- City Solicitor – Monitoring Officer and Strategic Director
- Section 151 Officer (Finance)
- Director of Regeneration – Strategic Director
- Director of Children & Adult Services – Strategic Director □
- Director of Public Health (for Portsmouth)

It should be noted that it is the post holder that is being “called to account” and not the named individual employee.

* Portsmouth City Council's Overview and Scrutiny Committee (called Scrutiny Management Panel) is a committee of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.

Number of signatures required (threshold)

Subject to being verified, a petition may contain fewer signatures than the thresholds given below, in such cases the council will provide a written response by the relevant Head of Service.

- 500 - a petition for an officer to give evidence or 'called to account'
- 1000 - a petition on a matter that has been considered by the Council within the previous 24 months
- 500 - a petition on a matter that has NOT been considered by the Council within the previous 24 months

What will the council do when it receives my petition?

Our response to a petition will depend on what a petition asks for and how many people have signed it.

An acknowledgement will be sent to the petition organiser within 3 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. It will also be published on our website.

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 the relevant petition threshold, then the acknowledgement will confirm this and inform you of what the Council will be doing next. If the petition needs more investigation, we will tell you the steps we plan to take.

The relevant Head of Service will be informed of your petition and will be responsible for responding to your petition within 10 working days.

Any valid petition can have a range of outcomes including 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 the council's overview and scrutiny committee known as the Scrutiny Management Panel or decision-making body (for debate)
- calling a referendum
- 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 our website. When you sign an e-petition you will receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed.

Debates at a decision-making body of the council

Should a petition be verified as gaining the number of signatures to trigger the threshold amount needed, the lead petitioner will be given the option for the petition to be included on an agenda of a Council decision-making body (i.e. a meeting of the full Council, a meeting of the Cabinet or a meeting of the Portfolio holder responsible for the subject area being petitioned). Subject to the threshold being achieved, the lead petitioner may choose the matter to be debated at a meeting of full Council, even if the full Council is not the decision-making body.

- under the Executive Arrangement introduced in the Local Government Act 2000, the full Council cannot make decisions on matters reserved for the Executive (Cabinet)

A Petition submitted from the public at least 12 days before the next relevant available meeting. Although on some occasions this may not be possible, for various reasons and consideration would be expected to take place at the following meeting.

On presenting the petition at a meeting of the Council the lead petitioner will be given six minutes to present the petition and the petition will then be discussed by Councillors. 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 committee. The petition lead will receive written confirmation of this decision. This confirmation will also be published on our website and sent to all signatories (unless opted out of receiving further information).

What can I do if I feel my 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 committee (Scrutiny Management Panel) to review the steps that the council has taken in response to your petition.

The right of appeal relates only to the process applied in dealing with your petition and not the outcome of the petition.

It is expected that the lead petitioner will provide a written explanation of the reasons why the council's dealing with the petition has is not considered to be adequate.

The overview and scrutiny committee 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 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's executive (Cabinet) and 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 5 working days. The results of the review will also be published on our website.