



## Policy and Resources Committee – 4 September 2017

### Petitions Scheme

#### Purpose of report

To consider amending the Council's Petitions Scheme to reflect current circumstances and review the provision and options for providing an e-petition facility under the scheme.

#### Attachments

**Appendix A – Proposed Revisions to Petitions Scheme**

**Appendix B – Equalities Impact Assessment**

#### 1.0 Background

- 1.1 The Local Democracy, Economic Development and Construction Act 2009 introduced a requirement for local authorities to “provide a facility for making petitions in electronic form to the authority”. On 1 March 2010, the Council approved a petitions scheme which includes provision for petitions to be submitted electronically as well as in written form and this scheme is published on the Council’s website.
- 1.2 The statutory requirement for the Council to operate an electronic petition facility was repealed by Section 46 of the Localism Act 2011 and the expiry of the current contract provides an opportunity for the Council to consider whether it wishes to continue to provide an e-petition scheme and, if so, how this can be done.

#### 2.0 Issues to consider

- 2.1 Since the introduction of the Petitions Scheme in 2010, circumstances have changed and it is considered that the scheme needs to be brought up to date to reflect those changed circumstances. A copy of the current scheme with proposed revisions is attached at Appendix A. Depending upon the decision made on the e-petition element of the scheme, further revisions may be required.
- 2.2 The e-petition scheme provided under the Petitions Scheme is supported by Mysociety e-petition software and the contract for this software will expire on 10 November 2017. The annual cost of using this software package is currently £1,300 per year and the Council has spent a total of £9,600 operating the Mysociety software to run the e-petition scheme since its introduction in November 2010.
- 2.3 Three other Authorities in Northamptonshire currently provide an on-line facility for submitting petitions. Three Authorities enable petitions to be submitted in paper form or presented at Council meetings only and one Authority does not publish on its website any information about the submission of petitions.

#### 3.0 Use of the E-petition Scheme

- 3.1 Since its introduction in 2010, the e-petition scheme has been used on seven occasions with the following e-petitions being received and accepted:

Petition	Date submitted	Signatures	Actions required under Petitions Scheme
1	March 2012	89	Response to be provided by Executive Director
2	January 2013	228	Referred to Corporate Management Team for consideration
3	February 2014	29	Under the minimum number of signatures threshold for consideration
4	March 2014	100	Response to be provided by Executive Director
5	April 2014	1	Under the minimum number of signatures threshold for consideration

Two petitions submitted under the scheme were rejected as they were not compliant with the criteria contained within in the scheme.

Details of all the petitions submitted under the scheme can be found on the Council's website using the following link:

<http://petitions.east-northamptonshire.gov.uk/>

#### **4.0 Options for the E-petition Scheme**

4.1 If the Council wishes to continue to provide a facility for members of the public to submit petitions on-line, there are a number of options available.

**1. Continue with the current arrangement using the Mysociety software embedded in the Council's website.**

This option would continue the current arrangements, but at a cost of £1,300 per year may not be considered good value for money given the use of the e-petition scheme over the past 7 years.

**2. Amend the Council's Petitions Scheme and no longer provide a facility to receive electronic petitions.**

This option would not support the drive towards providing more services electronically and would potentially disadvantage groups of people who may not otherwise be able to participate in the Council's Petitions Scheme (see section 5 below).

**3. Signpost those wishing to submit Petitions to free to use e-petition websites.**

This option would dispense with the current e-petition software and instead signpost members of the public to the various free e-petition websites that can be found on-line. This would have the benefit of saving the Council money but would still allow users to submit e-petitions and would use an existing monitored ENC e-mail address to do so. This was the way that the most recent e-petition was received (in relation to Twywell Hills and Dales).

#### **5.0 Equality and Diversity Implications**

5.1 A full Equalities Impact Assessment has been carried out which has identified potential negative impacts for groups of disabled people who might wish to participate in the petitions scheme should the on-line facility be withdrawn.

5.2 The Equalities Impact Assessment is attached at Appendix B and should be considered before the Committee reaches its decision. In particular, people with mobility, sensory or other disabilities might find it difficult to present petitions and,

crucially, distribute petitions to gather signatures. This can be overcome in many respects by continuing to provide an on-line facility.

## **6.0 Legal Implications**

6.1 Other than the repeal of the legislation requiring the Council to provide an e-petition facility referenced above, there are no further legal implications.

## **7.0 Risk Management**

7.1 There are no significant risks identified.

## **8.0 Resource and Financial Implications**

8.1 Ending the e-petition contract with Mysociety when the current contract expires in November 2017 would achieve a saving of £1,300 per year. The other options presented would not involve a financial cost to the Council.

## **9.0 Constitutional Implications**

9.1 There are no constitutional implications arising from this report.

## **10.0 Implications for our Customers**

10.1 As noted above, maintenance of an e-petition scheme will not lead to any adverse impact on our customer services, although removal of the e-petition facility would have an impact on the choices offered to present petitions.

## **11.0 Corporate Outcomes**

11.1 The Corporate Outcomes are:

- Good Value for Money
- High Quality Service Delivery

## **12.0 Recommendation**

12.1 The Committee is recommended to resolve to recommend to full Council that:

- i) The Equalities Impact Assessment attached at Appendix B is considered
- ii) The proposed updates to the Petitions Scheme set out in Appendix A are approved.
- iii) Option 3 is approved, to cease provision of a dedicated ENC e-petition system and signpost those wishing to submit e-petitions to a free external e-petition site.
- iv) The Executive Director be authorised to further amend the Petitions Scheme as necessary to incorporate any revisions to the scheme if provision of a dedicated ENC e-petition is agreed by Council as per the previous recommendation..

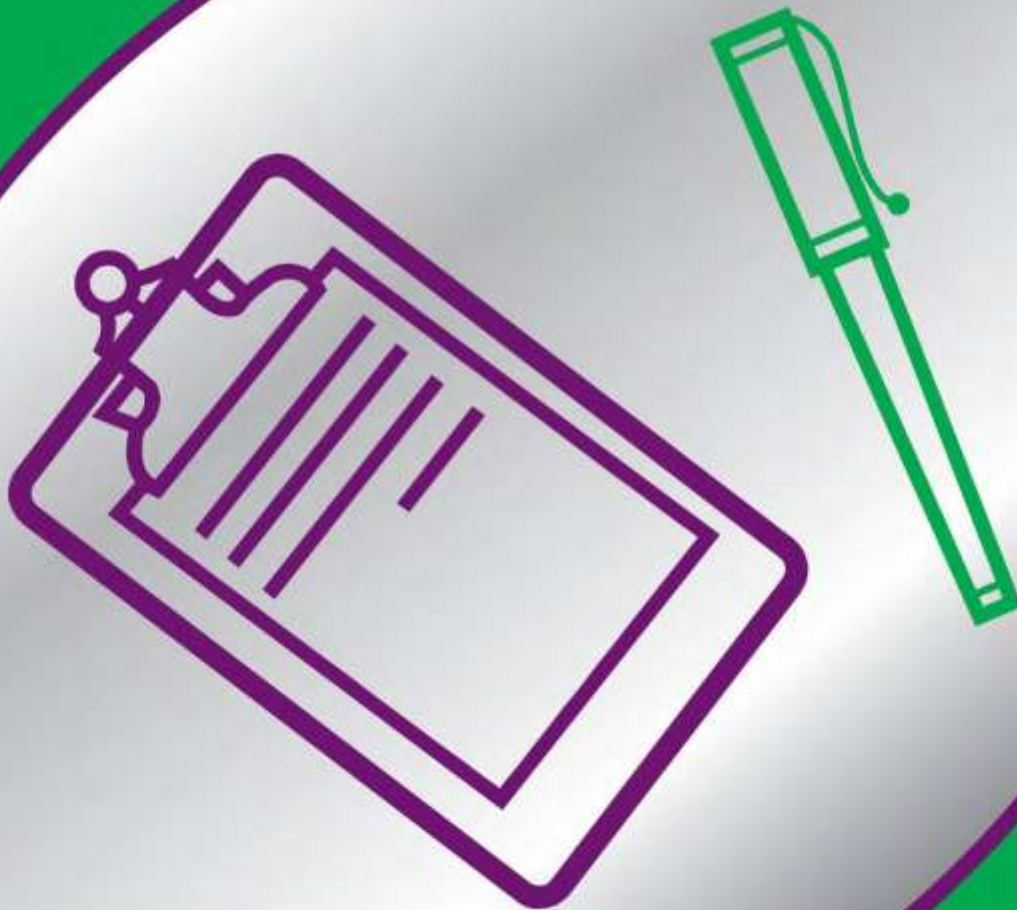
*(Reason: To ensure that the Council's Petitions Scheme remains compliant with its obligations to provide accessible services in a cost effective way).*

<b>Legal</b>	Power: S.46 of the Localism Act 2011				
	Other considerations:				
<b>Background Papers:</b> Report to Council 1 March 2010 leading to the adoption of the Petitions Scheme					
<b>Person Originating Report:</b> Sharn Matthews – Executive Director ☎ 01832 742108 ✉ smatthews@east-northamptonshire.gov.uk					
<b>Date:</b>					
<b>CFO</b>		<b>MO</b>		<b>CX</b>	



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# Petitions Scheme



Information on the petitions scheme

## East Northamptonshire Council Petitions Scheme

The Council welcomes petitions bearing 50 or more signatures within this Scheme 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 14 days of receipt. This acknowledgement will set out what we plan to do with the petition.

Paper petitions can be sent to:

~~David Pope, Member Services Officer~~ Member Services, East Northamptonshire Council, Cedar Drive, Thrapston NN14 4LZ

On-line petitions can be created, signed and submitted by following the link to <http://www.east-northamptonshire.gov.uk/petitions>.

Petitions can also be presented to a meeting of the Council. There are 5 meetings of the Council each year, and dates and times can be found [here](#). If you would like to present your petition to the Council, or would like your councillor to present it on your behalf, please contact ~~James McLaughlin, the~~ Democratic Services Manager on 01832 742113 or e-mail [jmclaughlin@east-northamptonshire.gov.uk](mailto:jmclaughlin@east-northamptonshire.gov.uk) at least 5 working days before the meeting and ~~he will talk~~ we can guide you through the process.

Throughout this Scheme, reference is made to “you” or “your” and this generally means the “petition organiser”.

### What are the guidelines for submitting a petition?

Petitions submitted to the Council must relate to a function of the Council and 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, address and signature of any persons supporting the petition ~~should~~ must be accompanied by your telephone or e-mail contact details as the petition organiser, ~~including your address~~. This is to enable us to contact you to explain how we will respond to the petition. Your contact details as the petition organiser will not be placed on our website.
- a minimum number of signatures to justify any action under this Scheme. This has been set at **50** but there are higher thresholds which will justify other types of action (see pages 4 and 6).

~~Your contact details, as the petition organiser, will not be placed on our website.~~ If there is any doubt about the identity of the petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. If your 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 the petition?**

An acknowledgement will be sent to you, as the petition organiser within 14 days of receiving the petition, advising what we plan to do with the petition and when we will make a further response. It will also be published on our website.

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. If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence, then the acknowledgement will confirm this and advise when and where the meeting will take place. If the petition needs more investigation, we will outline the steps we plan to take.

If the petition applies 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, other procedures apply and your petition will not be taken further under the petitions scheme.. Further information on all these procedures and how you can express your views is available here:

- [Comments, Compliments and Complaints](#)
- [Planning – Appeals](#)
- [Council Tax – Appeals](#)
- [Licensing \(Liquor and Entertainment\) – Appeals](#)
- [Licensing \(Taxi\) – Appeals](#)
- [Northamptonshire County Council](#)

~~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.~~

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, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal [details data](#) will be removed).

When your petition has been processed we will keep it in line with our~~the relevant~~ retention guidance. It will not be used for any purpose other than the purpose you submitted it for without your/your signatories express permission.

## How will the Council respond to petitions?

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 or committee 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 Scrutiny Committee (responsible for scrutinising the work of the Council)
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition
- responding in accordance with the Council's comments, complaints and compliments procedure

In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

If your petition is about something over which the Council has no direct control we will consider whether to make representations on behalf of the community to the relevant body. [Where this is the case, we will advise you of what we propose to do in our response to the petition to seek your agreement.](#) 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. You can find more information on the services for which the Council is responsible [here](#).

If your petition is about something that a different Council is responsible for we will consider the best method for responding to it. It 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~~ [propose to take to seek your agreement.](#)



## **Full Council debates**

If a petition contains more than **4,000** signatures 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. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The petition organiser will be given three minutes to present the petition at the meeting and the petition will then be discussed by councillors. The Council will decide how to respond to the petition at this meeting. It 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 organiser 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 contains at least 2000 signatures, the relevant senior officer will give evidence at a public meeting of the Council's Scrutiny Committee. The senior staff who can be called to give evidence are:-

Chief Executive (Head of the Paid Service)  
Executive Director and Monitoring Officer  
Chief Finance Officer  
Head of Customer and Community Services  
Head of Environmental Services  
[Head of ICT](#)  
Head of Planning Services  
Head of Resources and Organisational Development.  
[Head of Economic and Commercial Development](#)

You should be aware that the 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. 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 Member Services – (see page 1) up to three working days before the meeting.

## **E-petitions**

The Council welcomes e-petitions which are created and submitted through our website at <http://www.east-northamptonshire.gov.uk/petitions>. E-petitions must follow the same guidelines as paper petitions (see page 1).

The petition organiser will need to provide us with a name, postal address and email address, and decide how long the petition is to be open for signatures. This will usually be for a maximum of one month.

When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.

If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 14 days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-petition has closed for signature, it will automatically be submitted to Member Services – see page 1. In the same way as a paper petition, you will receive an acknowledgement within 14 working days. If you would like to present your e-petition to a meeting of the Council, please contact the Democratic Services Manager – contact details on page 1 - within five working days of the petition closing.

A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

### **How do I 'sign' an e-petition?**

You can see all the e-petitions currently available for signature here <http://www.east-northamptonshire.gov.uk/petitions>. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

### **Petitions with between 50 and 199 signatures**

Petitions within this category will be considered as part of Stage ~~23~~ of the Council's published [Comments, Complaints and Compliments Procedure](#). Petition organisers will receive a response from the Executive Director.

### **Petitions with between 200 and 3,999 signatures**

Petitions falling within this category (unless it is a petition asking for a senior Council officer to give evidence at a public meeting) will be considered in the first instance by the Council's Corporate Management Team. The Leader— and Deputy Leader of the Council, and, if appropriate, Committee Chairman will be advised of the petition at the time of submission.

The action taken will be notified to all Members of the Council for information as well as the petition organiser and details will appear on the Council's website.

### **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, you, as petition organiser, have the right to request that the Council's Scrutiny Committee review the steps that the Council has taken in response to your petition.

The committee will consider your request at the next appropriate meeting. Should the committee determine we have not dealt with your petition appropriately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the appropriate committee or officer and arranging for the matter to be considered at a meeting of the full Council.

Once the appeal has been considered you will be informed of the results within seven working days. The results of the review will also be published on our website.



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Appendix B

# Full Equality Impact Assessment

This form should be completed for any existing/proposed policy/function/project where the initial screening form indicates a significant impact on a specific group of individuals. It should be used whether the policy/function/project is aimed at external customers or internal staff, as equality policy applies to staffing/human resources issues as much as to external service delivery issues.

Please answer all questions/complete all sections.

If you conclude that there is a negative impact please consider what can be done to improve the equalities performance and minimise or remove the impact. This should be done using the 'Equality Impact Assessment Action Plan' table.

As a result of carrying out an Equality Impact Assessment (EIA), you will have checked that your policy/function/project does not have negative/adverse impacts in terms of Gender, Race, Disability, Age, Sexual Orientation, Marriage/Civil Partnership, Pregnancy/Maternity, Religion or Belief (equality target groups) or if it does you will have identified relevant actions needed to minimise or remove such impact and their likely resource implications.

**This is not simply a paper exercise – it is designed to make sure that your policy/function/project and service (development) is delivered fairly and effectively to all sections of our local community, and our employees.**

Please note that this EIA will be used to support decisions by members and should form part of papers/reports; therefore **your completed questionnaire may become a public document, along with other committee papers.**

The term 'Proposal' will be used throughout the form as a label for what is being assessed – a new policy, new service, new strategy or a change to an existing policy/service/strategy.

## 1. The Proposal being assessed

<b>Title of proposal being assessed:</b>							
<b>What type of proposal is this an assessment of?</b>	New Policy/Strategy	Policy/Strategy Change	New Service	Change to Service	Service removal	Project	Other
<i>Put a x in the correct box</i>				x			
<b>What are the aims and/or objectives of the proposal and the intended outcomes?</b> <i>If assessing the impact of a proposed change please describe the aims of the change, not the original policy/service</i>	To consider whether the current petitions scheme should be retained or revised.						
<b>Who is intended to benefit from this proposal?</b>	The Council – potential financial savings could result. Members of the Public – by virtue of an updated and “fit for purpose” Petitions Scheme.						
<b>Who are the main stakeholders in relation to the proposed proposal?</b>	Members of the Public, Council Officers and Members.						
<b>How is the success of the proposal to be measured?</b>	Financial savings for the Council and a petitions scheme relevant to current circumstances.						
<b>Service Area/Team with responsibility for implementation of this proposal</b>	Democratic Services/ICT						

<b>Name and job title / role of person completing full Screening:</b>	Paul Smith – Senior Democratic Services Officer.
<b>Date of completion:</b>	2 August 2017.

There is an expectation that information from research and from **consultation** should be used to inform your assessment and your decision making. A variety of data sources can be used, to provide an overview about the effect of proposed measures on groups of protected characteristics. If research and consultation has not already been undertaken and is planned for the future, please note that a re-assessment of the impact will need to be made when completed.

<b>2. Data, Consultation Feedback and Analysis</b>	
<b>Source of Information</b> <i>e.g. statistics, demographics, indicators, partner data, consultation, surveys, customer complaints, audit recommendations and comments</i>	<b>Reasons for using this source</b>
Use of current e-petition scheme since its introduction in 2010 recorded on the ENC website.	Provides an accurate indication of usage.

Now complete the table below. It may be necessary to tick more than one impact box per row (e.g. a positive impact in the Age Category for older people, but negative for younger). Ensure the final column clearly explains why you indicated a positive/negative impact, with reference to evidence obtained, as listed in section 2, above.

3. Detailed Impact Assessment by Category				
Equality Group	Positive Impact	Negative Impact	Neutral Impact	Explanation and Evidence
<b>Gender:</b>				
Consider Women/Girls, Men/Boys, Transgender individuals.			x	
<b>Sexual Orientation:</b>				
Consider, for instance: Lesbians, gay men and bisexuals Any other sexual orientation			x	
<b>Race/Ethnicity:</b>				



### 3. Detailed Impact Assessment by Category

Equality Group	Positive Impact	Negative Impact	Neutral Impact	Explanation and Evidence
Consider, for instance: <ul style="list-style-type: none"> <li>• White British people,</li> <li>• White non-British people</li> <li>• Asian or Asian British people</li> <li>• Black or Black British people</li> <li>• Chinese people</li> <li>• People of mixed heritage</li> <li>• Travellers (Gypsy/Roma/Irish heritage)</li> <li>• People from any other ethnic groups</li> <li>• People who do not have English as their first language</li> </ul>			x	

Disability:				
Physical impairment, e.g. mobility issues which mean using a wheelchair or crutches.		x		Use of an on-line e-petition scheme might enable people affected to present their petition and promote others to support it which might present difficulties if this needed to be done by other means (eg circulating/distributing a paper petition to gather signatures)
Sensory impairment, e.g. blind/having a serious visual impairment, deaf/having a serious hearing impairment.		x		Use of an on-line e-petition scheme might enable people affected to present their petition and promote others to support it which might present difficulties if this needed to be done by other means (eg circulating/distributing a paper petition to gather signatures)
Mental health condition, e.g. depression or schizophrenia		x		Eg – agoraphobia. Use of an on-line e-petition scheme might enable people affected to present their petition and promote others to support it which might present difficulties if this needed to be done by other means (eg circulating/distributing a paper petition to gather signatures)
Learning disability/difficulty, e.g. Down's syndrome or dyslexia, or cognitive impairment such as autistic spectrum disorder			x	
Long-standing illness or health condition, e.g. cancer, HIV. Diabetes, chronic heart disease or epilepsy		x		Use of an on-line e-petition scheme might enable people affected to present their petition and promote others to support it which might present difficulties if this needed to be done by other means (eg circulating/distributing a paper petition to gather signatures)

Other health problems or impairments ( <i>please specify if appropriate</i> )				
<b>Age:</b>				
Older People (60+)			x	Arguably, the same obstacles to presenting and gathering signatures of support under the petitions scheme set out above could arise for older people if those people have mobility or health problems associated with their age.
Children and Young People (see guidance for definition)			x	

Religion/Belief:				
Consider, for instance: <ul style="list-style-type: none"> <li>• Christian</li> <li>• Hindu</li> <li>• Muslim</li> <li>• Sikh</li> <li>• Buddhist</li> <li>• any other religion or belief (including holding no belief)</li> </ul>			x	
Other Potentially Affected Groups				
Rural Isolation - People who live in rural areas e.g. isolated geographically, lack of internet access			x	
Socio-economic Exclusion – e.g. people who are on benefits, have low educational attainment, single parents, people living in poor quality housing, people who have poor access to services, the unemployed or any combination of these and the other protected strands			x	
Any other potentially affected groups ( <i>please specify</i> )				

Please list below an overall assessment of the impact of this proposal and how negative impacts can be minimised and positive ones maximised.

4. General assessment of impact on any group:	
a) Does the proposal knowingly prevent us in any way from meeting our statutory equality duties under the 2010 Equality Act?	No
b) What is the level of impact?	<i>Low (in view of the limited use of the e-petitions scheme since its introduction)</i>
c) Summarise the likely negative impacts:	<i>Potentially, excluding people who wish to participate in the ENC Petition Scheme from doing so.</i>
d) Could you minimise or remove any negative impact that is of low significance?	<i>Maintain some form of e-petition scheme</i>
e) Could you improve a positive impact of the Service or Function?	<i>Not on the current scheme.</i>
f) If there is no evidence that the Service or Function promotes equality of opportunity or improved relations, could it be adapted so that it does?	<i>Yes – maintain an on-line scheme, albeit that there are cheaper options available than the current scheme.</i>