



# CONSTITUTION OF THE COUNCIL

## Part 4 Section 1(a)

### PETITIONS SCHEME

#### 1. Petitions

- 1.1 The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. You can send us a paper petition and/or set up an e-petition online.
- 1.2 We expect all petitioners and signatories – who may be of any age – to live, work or study in the area the area covered by Wirral Council. For this reason, we require all petitioners and signatories to provide the full postcode of either their home address or the address of the organisation they work or study at when submitting a paper petition or signing an e-petition via the Council's website.
- 1.3 There is an expectation that supporters of a petition which is presented via a website external to the Council also live, work and/or study in Wirral and supporters of such petitions are encouraged to include their postcode.

#### 2. The subject of a petition

- 2.1 Petitions submitted to the Council must include –
  - a clear and concise statement covering the subject of the petition;
  - what action the petitioners wish the Council to take;
  - the name, contact details and postcode of the petition organiser so that we can contact them to explain how we will respond to the petition;
  - the name and signature of any person supporting the petition and, when submitting a paper petition or signing an e-petition via the Council's website, the full postcode of either their home address or the address of the organisation they work or study at.
- 2.2 Petitions must relate to what the Council does or relate to an improvement in the economic, social or environmental well-being of the area covered by Wirral Council. 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.

#### 3. Where to send a petition

- 3.1 **Paper petitions** should be sent to Democratic and Member Services, Wirral Borough Council, Wallasey Town Hall, Brighton Street, Wallasey, Wirral, CH44 8ED. This should be submitted at least **10 working days before** the meeting at which you would like the petition to be presented at which the Mayor (or Chair of the meeting) will exercise final discretion.
- 3.2 **E-petitions** - follow [this link](https://www.wirral.gov.uk/about-council/have-your-say/petitions) (https://www.wirral.gov.uk/about-council/have-your-say/petitions) to create, sign and submit an e-petition.

#### **4 What the Council will do when it receives a petition**

- 4.1 The Council will send an **acknowledgement** of all petitions to the petition organiser within 10 working days of receipt. This acknowledgement will set out 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. Whenever possible, we will also publish all correspondence relating to the petition (all personal details will be removed).
- 4.2 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.
- 4.3 Once submitted, the petition organiser will be offered the choice as to whether they wish the petition to be:-
- i) presented at the next full Council meeting to decide how we will respond; or
  - ii) referred directly to the appropriate committee or sub-committee of the Council to decide how we will respond; or
  - iii) responded to by the relevant officer of the Council.
- 4.4 If the petition organiser wishes to refer the petition to a full Council meeting or directly to the relevant decision-making meeting, they will be invited to attend the meeting and will be offered the opportunity to either present the petition themselves or for a Councillor or someone else to present it on their behalf. Dates and times of all Council meetings and the relevant contact details can be found on the Council's webpage for the [Council Committee Calendar](https://democracy.wirral.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1) (https://democracy.wirral.gov.uk/mgCalendarMonthView.aspx?GL=1&bcr=1)
- 4.5 If the petition organiser would like to present their petition to the Council or would like their Councillor or someone else to present it on their behalf, they need to contact Democratic & Member Services **at least 10 working days before the meeting** and we will talk you through the process. If the petition organiser prefers to receive a response from the relevant officer without the petition being presented at a meeting, a response will be sent to them within 21 working days of the closure of the petition and will be posted on the Council's website.

#### **5 Full Council debates**

- 5.1 If a petition contains more than **5,000 signatures**, it will be debated by the full Council. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend before a decision is made about how we will respond. The Council will try to consider the petition at its next meeting. This may not always be possible and the petition will then be considered at the next meeting.
- 5.2 The petition organiser will be given **3 minutes** to present the petition at the meeting and the petition will then be discussed by Councillors. This will usually be for a maximum of 15 minutes, however this may be extended at the discretion of the Mayor. The Council will then decide how to respond to it at this meeting and 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.
- 5.3 The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

## **6 Exceptions**

- 6.1 If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having a directly 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. Further information on this is available on the Council's website, while general information on how you can express your views is available here: [Wirral Council Have Your Say](https://www.wirral.gov.uk/about-council/have-your-say) (<https://www.wirral.gov.uk/about-council/have-your-say>)
- 6.2 We will not take action on any petition which is considered by the Council's Monitoring Officer to be vexatious, abusive or otherwise inappropriate and, if this is the case, we will explain our reasons in our acknowledgement of the petition.
- 6.3 A petition will not have any action taken upon it, other than to be published, if it is substantially the same or asks for the same or substantially similar outcome as a petition that has been responded to by the Council within the previous six months. Where more than one petition is received in the same period that seeks a similar outcome or is otherwise substantially the same, then we will respond to them as one combined petition and request that the petition organisers co-ordinate their approach.
- 6.4 In the period immediately before an election or referendum we may need to deal with a petition differently – if this is the case then we will discuss with the petition organiser the revised timescale which will apply.
- 6.5 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 the petition organiser to explain the reasons. To ensure that people know what we

are doing in response to the petitions we receive, we will publish the details of all the petitions submitted to us on our website. However, there may be cases where this would be inappropriate.

## **7 How the Council will respond to a petition**

- 7.1 The Council's response to a petition will depend on what it asks for and how many people have signed it. Among the options that we may consider are –
- taking the action requested in the petition;
  - not to take the action requested for reasons explained;
  - 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;
  - calling a referendum (poll); or
  - writing to the petition organiser setting out our views about the request in the petition.
- 7.2 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 a petition is about something over which the Council has no direct control (for example the railway or hospital) we will either direct the petitioner to that body where it has its own petition scheme, consider making representations on behalf of the community to the relevant body or in exceptional circumstances it may choose to do both. The Council works with a large number of local partners and where possible will work with these partners to respond to a 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 tell the petition organiser the reasons for this.
- 7.3 Because a petition could be signed by thousands of people, we will respond to the petition organiser and we would invite them to share the response with those signing the petition. We will also place the response on the internet for all to see.
- 7.4 Where the person providing a response does not think that they will be able to take the action requested in the petition they will share their response with all of the Councillors for your ward. The Councillors will have the opportunity to explore other possible actions before the response is finalised.
- 7.5 Where your petition has enough signatures to trigger a full Council debate, 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.

## **8 E-petitions**

- 8.1 The Council welcomes e-petitions which are created and submitted through our website. E-petitions must follow the same guidelines as paper petitions. The petition organiser will need to provide us with their name, contact details and postcode. They will also need to decide how long they would like their petition to be open for signatures. Most petitions run for 4 months, but they can choose a shorter or longer time, up to a maximum of 6 months. When creating 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 a petition is suitable before it is made available for signature.
- 8.2 If we feel we cannot publish a petition for some reason, we will contact the petition organiser within this time to explain. They will be able to change and resubmit their petition if they wish. If they 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 Council's website.
- 8.3 When an e-petition has closed for signature, it will automatically be submitted to the Council. In the same way as a paper petition, we will send the petition organiser acknowledgement of receipt within 10 working days confirming 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 the petition organiser would like to present their e-petition to a meeting of the Council, or would like a Councillor to present it, they should contact the Council's Democratic and Member Services team at least 10 working days before the meeting to find out more about the process.

## **FREQUENTLY ASKED QUESTIONS**

### **How do I start an e-petition?**

On the Council's e-petitions homepage, select the 'submit a new e-petition' option. Enter your petition title which the system will automatically check against existing e-petitions to allow you to see if a similar one has been considered recently.

There is also a drop down box which allows you to associate your e-petition with any existing issue in the Council's Committee Work Programme. The Committee Work Programme details all of the decisions to be taken by the Council in the coming months. You will then need to fill in the online form. This will be submitted to the Council's Democratic and Member Services team who may contact you to discuss your e-petition before it goes live.

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

You can see all the e-petitions currently available for signature on the current email petitions page of our website.

- You can only sign an e-petition once.
- When you sign an e-petition you will be asked to provide your name and your postcode.

- 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.
- From time to time, the Council may also submit an e-petition itself to gauge public feeling on a particular issue.

### **Can I still submit a paper petition?**

You can submit petitions in both forms – you can have a paper version and an online version, although repeat names will be removed. Both forms should run for the same period of time and must be submitted together. When submitting an e-petition request, please let us know if you are running a paper petition as well and this can be highlighted on the website.