

Pembrokeshire County Council Petition Scheme

Adopted by Council 3 March 2022

1. Introduction

Pembrokeshire County Council welcomes petitions and recognises that they are one way in which people can let us know their concerns.

Anyone who lives, works or studies in the Pembrokeshire County Council area may sign or organise a petition. This includes anyone under the age of 18.

This petition scheme explains the rules that the Council will apply to any petition it receives.

All petitions sent or presented to the Council will receive an acknowledgement from the Council within 10 working days of receipt. This acknowledgement will also say as much as we can at that stage about what we have done, or plan to do, with the petition.

For the purposes of this scheme 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, and if it is signed by ten or more persons who live, work or study in Pembrokeshire, and who are not all resident at the same address.

2. Form of petitions

Pembrokeshire County Council will only accept petitions which fulfil the following requirements:

- Petitions must include a clear and concise statement covering the subject of the petition and must state what lawful / specific action the petitioners wish the Council to take, for example:

‘We call on Pembrokeshire County Council to...’

- Petitions may be submitted on paper or electronically using the Council’s online petition system, or a combination of the two.
- People can only sign a petition once. If they sign the petition online, they will be asked to verify their e-mail address. People cannot sign both an online and a paper petition, and may be removed if it is proven that a petitioner has signed twice.
- Petitions will not be accepted from other on-line petition systems.
- Electronic petitions may collect signatures for a maximum period of six weeks.

- For a paper petition, the petition wording should be set out in full on each sheet (or side of a sheet) where signatures are asked for (see Appendix A for template).

The petition must clearly state:

- The name of the petitioner, who may be an individual or an organisation. This includes anyone under the age of 18.
- The petitioner's address (including postcode), which must be in the Pembrokeshire County Council area to which all communications concerning the petition should be sent.

3. Who can submit a petition

The following people may submit a petition:

- A Local Government elector for the Pembrokeshire County Council area; and/or
- A person who has resided in the Pembrokeshire County Council area for the whole of the 12 months preceding submission of the petition; and/or
- A resident under 16 years of age, who would otherwise qualify as a local government elector for Pembrokeshire [Date of birth /parental consent to be provided]; and/or
- A person who has been an occupier, owner or tenant of land or premises in the Pembrokeshire County Council area for the whole of the 12 months preceding submission of the petition; and/or
- A person whose employment/place of work has been in the Pembrokeshire County Council area for the whole of the 12 months preceding submission of the petition.

Please note that we will need to see evidence of identity which can include a passport, driving licence or a recent utility bill. [Due to the Covid restrictions currently in place, a scanned copy of the document will be acceptable in these circumstances.]

4. Petitions that will not be acceptable

The Council does not accept petitions under this Petition Scheme which fall into the following categories:

- Petitions relating to anything which the Council's does not have a responsibility for or which does not affect Pembrokeshire.
- Petitions that are the same, or substantially similar, to a petition which was closed less than six months ago.
- Petitions relating to a matter the Council, Cabinet or one of its Committees has formally considered in the last six months, e.g. Notice of Motions and where a decision has been made.
- Petitions relating to planning or licensing applications, Highway orders and property disposals as these will be dealt with under their respective processes.
- Statutory petitions, or petitions relating to Local Authority Referendums which falls under the Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001.
- Petitions asking the Council to adjudicate, arbitrate or mediate personal or commercial interests (this is the role of a court or tribunal).
- Petitions on matters that are subject to legal proceedings in the courts.
- Petitions on matters that are already subject to determination by an ombudsman (or person with similar powers).
- Petitions relating to confidential staffing matters.
- Petitions that are essentially FOI requests, comments, compliments or complaints.
- Petitions which raise issues of possible councillor misconduct.
- Petitions relating to a matter where there is already an existing recourse to a review or right of appeal, such as Council tax banding and non-domestic rates.

The decision to reject a petition will be determined by the Head of Democratic Services.

5. Petitions must not contain

- Language which is offensive, intemperate or provocative. This not only includes obvious profanities, swear words and insults, but any language which a reasonable person would regard as offensive;
- Potentially false or potentially defamatory statements;
- Information which is prohibited from being published by an order of a court or a body or person with similar power;
- Material which is potentially confidential, commercially sensitive, or which may cause personal distress or loss;

- Any commercial endorsement, promotion of any product, service or publication or statements that amount to advertisements;
- The names of officials of public bodies, unless they are part of the senior management of those organisations;
- The names of family members of elected representatives or officials of public bodies;
- The names of individuals, or information where they may be identified, in relation to criminal charges;
- Issues for which a petition is not the appropriate channel (for example, correspondence about a personal issue).

Petitions which do contain the above (with the exception of the last bullet point) will be rejected but may be resubmitted with the offending information removed.

In the period immediately before an election or referendum we may need to deal with petitions differently. If this is the case we will explain the reasons and discuss the revised timescale which may apply.

Guidance on submitting a petition

What happens when a petition is submitted to the Council?

The various stages in the process of submitting a petition to the Council are set out below, together with details of possible outcomes and what happens if the petition organiser is not happy with Council's response to the petition.

Stage 1 - Submitting a petition

Electronic Petition

The Council's online petition system can be accessed here: [Petitions](#)

The petition organiser will be asked to input the following information:

- a) Title and the text of the petition
- b) Name
- c) Address – postal and/or email
- d) Other contact details
- e) A date for the petition to stop collecting signatures. Petitions may collect signatures for a maximum period of six weeks. It might be worth bearing in mind that the Council will not consider a petition until after it has finished collecting signatures.

Once a petition has been submitted, the petition organiser will receive an e-mail confirming that it has been received. The Head of Democratic Services will then consider it against the rules for petitioning the Council and will get in touch as soon

as possible to confirm whether or not the petition is acceptable and what will happen next.

Democratic Services Officers will act as the e-Petition administrators.

Where the subject matter affects particular electoral divisions, the councillors representing those areas will be notified of the receipt of the petition.

Paper petition

We also accept petitions in paper format. The petition wording should be set out in full on each sheet (or side of a sheet) where signatures are asked for. Paper petitions should also contain the names and addresses of anyone supporting the petition. Form attached at Appendix A

Paper petitions can be sent to:
The Head of Democratic Services
Democratic Services Section
County Hall, Haverfordwest, SA61 1TP

or contact the Democratic Services Section on 01437 775719 to make arrangements to hand in a petition.

Stage 2 - Receipt of petition

An **electronic petition** will be considered prior to going live to ensure that it meets the criteria as set out above. We will send an acknowledgement to the petition organiser within 10 working days of receipt of the electronic petition, so please allow sufficient time prior to the closure of the petition.

If the petition cannot be accepted or falls outside the criteria for acceptance, we will let the petition organiser know and explain the reason that it cannot go forward. The title and text of the petition will be published online as part of the list of unaccepted petitions, along with an explanation about why it was not acceptable.

If the petition is acceptable as worded, we will arrange for it to be translated into Welsh or English as appropriate. It will then be published on our website and can begin to collect signatures. We will send the website link to the petition organiser and we will make basic information about it available on social media.

It might be that the issue raised by the petition is acceptable in principle, but there are some aspects of the wording which fall outside the rules. In these situations the Head of Democratic Services will contact the petition organiser to suggest ways in which the wording can be changed so that it complies fully with the rules. Once the petition organiser is happy with the final wording, the petition will be published and can begin collecting signatures.

For **paper petitions**, the petition organiser is advised to contact the Head of Democratic Services in order to ensure that the petition meets the criteria set out

above, prior to commencement of collecting signatures, as only acceptable petitions can be considered by the Council.

Stage 3 - Who will consider the petition?

Description	Threshold
Any petition above the threshold will trigger a debate at Council	1000+
Any petition within the threshold will trigger a debate at an Overview and Scrutiny Committee	500+
Response from relevant Cabinet Member	100+
Response from relevant Director/Head of Service	Up to 100
Single ward issues will be referred to the relevant Cabinet Member	-

Petitions with enough signatures to trigger a debate will be reported to the next convenient meeting of the relevant body. The acknowledgment will confirm this and inform the petition organiser when and where the relevant meeting will take place. The Council will try 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.

Petitions will not be considered at the Annual meeting or at Extraordinary Meetings of Council, which are not convened to consider the subject matter of the petition.

The petition organiser, or any person authorised by him/her, will be invited to address the meeting for up to five minutes on the subject of the petition.

Members may ask questions of the petition organiser or authorised representative. The petition organiser or authorised representative will be granted a right of reply for a further period not exceeding three minutes at the end of the debate and before a final decision or vote is taken.

The petition organiser will be notified of the outcome of the debate and of any follow-up actions that are agreed by the meeting.

If the Council is able to do what a petition asks, the acknowledgement to the petition organiser may confirm that the Council has taken the action requested and the petition will be closed.

Where the petition is referred to the relevant Executive Member for a response, the petition organiser will be invited to make a written statement in support of the petition (if one has not already been included in the petition).

Possible outcomes

The various outcomes that could be achieved by submitting a petition to the Council are set out below:

- Raising publicity for, and awareness of an issue
- taking the action requested in the petition (either under officer delegated powers or otherwise as appropriate in all the circumstance)
- considering the petition at a full council meeting in accordance with the Council Procedure Rules
- treating the petition as a complaint under the council's complaints procedure
- 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 matter to the council's Overview and Scrutiny Committee
- calling a referendum
- responding to the petition organiser setting out the council's view on the request set out in the petition
- some other appropriate response

What to do if you consider the petition has not been dealt with properly

If the petition organiser feels we have not dealt with the petition properly, he/she has the right to request that the Chief Executive, in consultation with the Head of Legal, reviews the steps that have been taken in response to the petition. It is helpful to everyone if such a request is accompanied by a short explanation of the reasons as to why the Council's response is not considered to be adequate.

Any such request should be made in writing to the Head of Democratic Services, within 28 days of that final notification being received.

Should the Chief Executive, in consultation with the Head of Legal, determine that the petition has not been dealt with adequately he/she may make recommendations for a different response.

Once the appeal has been considered the petition organiser will be informed of the result within 10 working days. The results of the review will also be published on our website.

Data protection and GDPR

We will keep this information for six months. After that time it will be safely and securely destroyed.
