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## **THE DISTRICT COUNCIL OF ADUR PETITION SCHEME**

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### **1.0 PETITIONS**

The Council welcomes petitions and recognises that they are a way in which the public can let the Council know about their concerns. Petitions can be submitted in paper or electronic form and a petition can be received by the Council by post, electronically or be hand delivered. All petitions must be sent to the Proper Officer, Town Hall, Chapel Road, Worthing, BN11 1HA or [properofficer@adur-worthing.gov.uk](mailto:properofficer@adur-worthing.gov.uk).

### **2.0 CONTENT**

2.1 Petitions submitted to the Council must:

- (a) include a clear and concise statement covering the subject of the petition stating what action the petitioners wish the Council to take;
- (b) be accompanied by the name, address and contact details of the Petition Organiser; and
- (c) contain a minimum of 50 names, addresses and signatures of people who live, work or study in the District of Adur and who support the petition.

### **3.0 PETITION ORGANISER**

The Petition Organiser is the person the Council will contact to explain how it will respond to the petition. The contact details of the Petition Organiser will not be placed on the Council's website.

### **4.0 RESTRICTIONS**

4.1 A petition may be rejected by the Proper Officer should he/she consider that the petition:

- (a) contains intemperate, inflammatory, abusive or provocative language, is defamatory, frivolous, vexatious, discriminatory or otherwise offensive or contains false statements;
- (b) is similar to another petition submitted to the Council within the previous six months;

- (c) discloses confidential or exempt information, including information protected by a court order;
- (d) discloses material which is commercially sensitive;
- (e) contains names of individuals as the target of the petition, or provides information where the individual could be easily identified;
- (f) contains advertising statements;
- (g) refers to an issue which is currently the subject of a formal Council complaint, Local Government Ombudsman complaint or legal proceedings;
- (h) relates to the Council's Planning or Licensing functions (as there are separate processes in place to deal with those matters);
- (i) Relates to a response to the Council as part of a formal consultation process;
- (j) relates to a matter where there is already an existing right of appeal, such as Council Tax Banding and non-domestic rates, (as there are separate processes in place to deal with those matters);
- (k) relates to a statutory petition, for example if at least 5% of Local Government electors in the District petition the Council to hold a referendum on whether it should change to a different form of governance (as there are separate processes to deal with those matters);
- (l) does not relate to an issue upon which the Council has powers or duties or on which it has shared delivery responsibilities. However, if the petition is about something over which the Council has no direct control the Proper Officer will give consideration to the best method for responding to it. For example, the Council may make representations on behalf of the community to the relevant body or forward the petition to the relevant body. In any event the Council will always notify the Petition Organiser of the action it has taken;
- (m) has already been the subject of debate by Full Council within the previous six months;
- (n) is received during politically sensitive times, such as prior to an election or referendum, and the petition contains politically controversial material. In that situation the Proper Officer may need to agree a revised timescale for the acceptance of the petition.

- 4.2 If the Proper Officer decides that a petition cannot be accepted for any of the reasons outlined above then the Petition Organiser will be informed of that decision within five working days of the decision.

## **5.0 COUNCIL'S RESPONSE TO PETITIONS**

### **5.1 Acknowledgement**

An acknowledgement will be sent to the Petition Organiser within five working days of receiving the petition. The acknowledgment will let them know what the Council plans to do with the petition and when they can expect to hear from the Council. The petition and the details of what the Council will do will also be published on the Council's website.

### **5.2 The Council's Response**

The Council's 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:

- (a) taking the action requested;
- (b) considering the petition at a Full Council meeting;
- (c) holding an enquiry into the matter;
- (d) undertaking research into the matter;
- (e) holding a public meeting;
- (f) holding a consultation;
- (g) holding a meeting with the petitioners;
- (h) referring the petition for consideration by the Overview & Scrutiny or Joint Overview & Scrutiny Committee;
- (i) writing to the Petition Organiser setting out the Council's views about the request in the petition;
- (j) deciding not to agree to do what is asked in the petition.

### **5.3 Qualifying Petitions**

Qualifying petitions are defined in this scheme as petitions containing more than 1,000 signatures and containing the other details outlined above.

On receipt of a qualifying petition, where time permits, the petition will be debated by the Full Council. The Petition Organiser will be given five minutes

to present the petition at the meeting and the petition will then be discussed by Councillors in accordance with the Council's Standing Orders as contained in Part 4 of this Constitution. The Council will decide how to respond to the petition at this meeting.

If the petition relates to action currently being progressed by the Council and the petition triggers a debate at Full Council then the action will be suspended pending the debate unless in relation to statutory, contractual or other legal situations where a suspension would prejudice the Council's position.

Where time does not permit a debate at Full Council, for example because an action that is the subject of the petition will occur prior to the next meeting of the Full Council, the petition will be referred to the appropriate decision-maker, or relevant Committee or Joint Committee.

If the qualifying petition is on a matter relating specifically to the annual budget resolution and cannot be deferred, the Chairman of the Council will use their discretion as to how the matter will be handled.

Once a decision is made the decision-maker will notify the Petition Organiser in writing of the response with reasons for the decision within five working days.

#### **5.4 Non-qualifying petitions**

Non-qualifying petitions are defined in this scheme as petitions with more than 50 signatories but less than 1,000, and those petitions shall be referred to the relevant decision-maker.

Where the decision-maker is the Cabinet, a Committee or Joint Committee then the Petition Organiser shall be advised as to when and where the petition is to be considered and shall be allowed to attend and speak for up to 5 minutes in support of the petition. Following which the Members shall discuss the petition and decide how to respond to it. Once a decision is made the decision-maker will notify the Petition Organiser in writing of the response with reasons for the decision within five working days.

Where the decision-maker is an individual Cabinet Member or an Officer they shall meet with the Petition Organiser to discuss the contents of the petition. Following which they shall determine how to respond to it. Once a decision is made the decision-maker will notify the Petition Organiser in writing of the response with reasons for the decision within five working days.

### **6.0 PUBLICATION**

All decisions will be published on the Council's website