

PETITION SCHEME

Petitions of 5000 plus signatures (petition for debate)

Petitions regarding matters affecting the area or the functions of the Council or relating to consultation exercises or pursuant to specific legislation, may be accepted at the start of an ordinary Council meeting or a service committee, subject to the decision of the Monitoring Officer as to meeting will receive it.

Petitions will not be considered at the Annual Meeting of Council or at Extraordinary Meetings of Council unless the Extraordinary Council Meeting is convened to consider the subject matter of the petition.

The petition organiser must register the petition with the Head of Democratic Services and Governance. Petitions must relate to the functions of the Council and the area of Cheshire East.

Petitions will not be accepted that are considered by the Monitoring Officer to be:

- inappropriate, frivolous, derogatory, offensive, vexatious or otherwise improper.
- related to a Council employment or staffing matter.
- potentially defamatory.
- substantially the same as any notice of motion' submitted to a meeting of Council during the preceding 6 months.

Petitions will also not be accepted if they apply to a current or future planning or licensing application, are a statutory petition (for example requesting a referendum), or are on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, or where other review or appeal procedures exist. (For instance, Planning Committee and Licensing Committee have to make decisions based on the evidence put before them and the planning/licensing merits, as defined by law, and there are defined rights of review and/or appeal. ~~se~~ Such matters cannot be debated in a full council or committee meeting as it would leave the Council exposed to legal challenge and/or subject to prejudice.)

Following consultation with the Mayor and relevant Committee Chair, the Monitoring Officer will also decide which meeting should receive the petition, based upon the views of the petition organiser, the subject matter and its place in terms of Council/committee business.

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If the petition is accepted

Petitions must be 'signed' (in person or by name if electronic) by at least 5,000 petitioners and contain the name and contact details of the 'petition organiser'.

Each signature must be supported with a clear indication that the signatory is a resident of the Borough and on the electoral register, and the requisite number of signatures was achieved within 6 months.

If accepted, the petition will stand referred to the Council meeting or relevant committee for consideration. The petition will be listed as an item on the summons or agenda of the relevant meeting, where it is received in sufficient time to be included. If received after the issue of the summons or agenda, it will be dealt with as the first main item after public speaking.

The petition organiser will be permitted to speak at the Council meeting or committee for 3 minutes to outline the background to the petition. If the Petitioner is unable to present the petition in person, they may appoint a spokesperson to present on their behalf.

The relevant Executive Director will be given an opportunity to verbally address the subject matter of the petition and will give guidance and direction as to the appropriate next steps.

The Council or Committee can choose to:

- note the petition or
- write to the petition organiser outlining the Council's views. If the Council or Committee feels no further action should be taken, this will be the end of the matter.
- The Council or Committee can also request that an officer report on the matter be submitted to the Council or Committee at a later date, or if the matter is referred to Council, it may refer the matter to a relevant committee for further consideration.

If the petition is referred to a relevant Committee and that committee decides the petition is of significant importance to the whole borough, the committee may decide the petition should be debated at Full Council.

The petition must be considered at Full Council if referred to a committee and the Committee recommends any action which may amend the budgetary or policy framework of the Council's Constitution.

If the requisite number of signatures are not achieved within 6 months, the petition will not be accepted for debate, but will be sent to the relevant service committee chair, service department and kept on file.

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