



# PETITION SCHEME

## Introduction

1. Dover District Council welcomes petitions as they are one of several ways in which residents can communicate their concerns and priorities to the Council. Our residents are at the heart of everything that we do as a Council, and we recognise that petitions are one way that individuals can participate in the democratic process, by raising issues of public concern with the Council and allowing Councillors to consider the case for change.

## Application of Petition Scheme

2. This petition scheme supersedes all previous schemes adopted by Dover District Council ('the Council'). It will come into effect from the date of its adoption by the Council on 1 March 2023.

## Scope of the Petition Scheme

3. The Council will, subject to the exclusions at paragraph 4, accept petitions that relate to a matter over which the Council has responsibility or any matter affecting the area or its inhabitants.
4. The Council will not accept Petitions that contain:
  - (a) Complaints about the conduct of councillors. The Localism Act 2011 created a statutory framework for considering [councillor complaints](#) and details of this can be found on the Council's website ([dover.gov.uk](http://dover.gov.uk)).
  - (b) A complaint relating to a failure or degradation of service provision by the Council, except where the allegation is that there has been a systemic failure (partial or total) in the delivery of a Council function. Petitions relating to such matters where there is no allegation of systemic failure will be dealt with through the Council's Complaints Procedure which gives the option of appealing to the relevant Local Government Ombudsmen at the end of the process.
  - (c) Any matter relating to a planning decision (including about a development plan document or the community infrastructure levy).

Petitions in respect of planning applications can be accepted by the Council outside of the provisions of this Petition Scheme as comments on an application. A petition is counted as one representation for this purpose. For more information please see the section '[How to Comment on Applications](#)' on the Council's website.

- (d) Material which is commercially sensitive, confidential or which may cause personal distress or loss.
- (e) Any matter relating to court or legal proceedings.
- (f) Any matter relating to a licensing decision.

(g) Any other matter relating to an individual or entity in respect of which that individual or entity has the right of recourse to a review or right of appeal conferred by or under any other enactment. This includes:

- Statutory petitions (such as requesting a referendum on having an elected mayor); or
- Matters where there is already an existing right of appeal (such as council tax banding and non-domestic rates or enforcement actions).

If a statutory petition fails to meet the requirements of the enactment in question it can be addressed through the Council's petition scheme in exactly the same manner as any other non-statutory petition.

(h) Matters that are considered to be in the view of the Council to be potentially libellous, false, defamatory, vexatious, abusive or otherwise inappropriate. The Council will make a judgement on this when considering the circumstances of the individual case.

The type of petition that may be considered inappropriate includes those relating to matters which target individual members of a community or officers of the Council.

5. Additionally, Petitions relating to highways are a function of Kent County Council and outside the scope of the scheme. A separate arrangement for petitions relating to these matters in place and you will be advised what you need to do for the petition to be received and considered by the relevant body.
6. If a petition is deemed inadmissible, the petition organiser will be informed of the reasons for that decision.

## **Alternatives to a Petition**

7. As a Council, Dover District Council tries to identify and solve problems at an early stage. The Council is committed to receiving feedback as this helps us to develop and review services. We recognise that there are a number of ways in which you can have your say including:
  - Contacting your local district councillor.
  - Asking a question on notice at a meeting of the full Council.
  - Making a complaint through the Council's corporate complaints system.

## **Who can raise a petition?**

8. Anyone who is resident in the Dover District can raise a petition. For these purposes a person will be treated as being resident in Dover District if they have a home in the district. The person who raises the petition is known as the 'Petition Organiser' and is the point of contact for the Council in respect of the petition.

## **Who can sign a petition?**

9. Anyone who is resident in the Dover District can sign a petition.

## **What should a petition contain?**

10. A petition should include a brief title and a short, clear and concise statement covering the objective of the petition. It should clearly state what action the petitioner wishes the Council to take. The Council will seek further explanation from the Petition Organiser if it is unclear.
11. In order for the petition to be considered, it must clearly display:

- The title and objective of the petition.
  - The name, address and contact details (telephone number and/or email address) of the 'Petition Organiser'.
  - The name, address and signature of anyone supporting the petition.
12. As a general principle, we would expect petitions to start "We the undersigned..." or words to that effect.
13. For paper petitions, each page of signatures must be headed with this clear and concise statement to demonstrate that those that have signed the petition are supporting the submitted petition.
14. Petitions that do not follow these guidelines will not be accepted. In these cases, you will be informed in writing of the reasons why a petition cannot be accepted.

### How many signatures does a petition need?

15. There must be a minimum of 20 signatures on a petition.
16. A petition with less than 20 signatures will not be accepted under the Petition Scheme and will be referred to an officer of the council to respond to the issues raised.

### How Can You Submit a Petition to the Council?

17. The Council will accept petitions through one of the following methods:

#### (a) Paper Petition

A paper petition **MUST** include:

- A clear and concise statement covering the subject matter of the petition and what action the petitioners wish the council to take.
- The name, address and contact details (telephone number and/or email address) of the 'Petition Organiser'.
- Each page of signatures must be headed with this clear and concise statement to demonstrate that those that have signed the petition are supporting the submitted petition.
- The name, postal address in the Dover District and signature of any person supporting the petition.

Paper petitions should be sent to:

Democratic and Corporate Services Manager  
 Dover District Council  
 White Cliffs Business Park  
 Whitfield  
 Kent CT16 3PJ

#### (b) Electronic Petition via the Council's Website ([www.dover.gov.uk](http://www.dover.gov.uk))

An electronic petition (known as an 'e-petition') submitted via the Council's website **MUST** include:

- A clear and concise statement covering the subject matter of the petition and what action the petitioners wish the council to take.

- The name, address and contact details (telephone number and email address) of the 'Petition Organiser'.
- The Council's e-petition system will require the name, postal address and e-mail address (which acts as the signature of any person supporting the e-petition) when someone signs the e-petition.

**(c) Electronic Petition via a Third-Party Petition Website**

The Council will recognise e-petitions from the following providers:

- Change.org
- 38Degrees.org.uk

Petitions from these providers will only be accepted if the petition organiser provides the Council with the same information required for an e-petition on the Council's website.

The Council will not accept an electronic petition from any other e-petition provider.

### **What will the Council do with a valid petition?**

18. A valid petition will be referred to a scheduled meeting of the Overview and Scrutiny Committee for consideration. A member of the Democratic Services team will advise the Petition Organiser of the date of the meeting at which the petition will be considered.
19. The Petition Organiser, or their nominated representative, will be invited to address the Overview and Scrutiny Committee for 10 minutes to speak in support of the petition.
20. After presentation of the petition, the Overview and Scrutiny Committee may select one or more of the following options:
  - Consider the petition and forward it to the Cabinet, Council or a Committee of the Council or an officer within the Council for consideration;
  - Consider the petition and forward it to another body or organisation outside the Council for consideration and response;
  - Consider the petition and invite the petition organiser to provide additional information to assist it in reaching a decision on the action to be taken in relation to the petition;
  - Consider the petition and request additional information from officers to assist it in reaching a decision on the action to be taken in relation to the petition; or
  - Consider the petition and agree to take no further action.
21. If a petition is referred by the Overview and Scrutiny Committee to the full Council for consideration, the Petition Organiser will be given the opportunity to speak for up to 10 minutes in support of their petition at the Council meeting.
22. The Committee shall then provide a formal response to the petition, which shall be recorded in the Minutes of the Overview and Scrutiny Committee meeting.

### **What happens if I feel the response to be inadequate?**

23. The decision of the Cabinet, Council, Council Committee or Overview and Scrutiny Committee is final.

24. However, if you feel that the procedure set out in the Petition Scheme has not been correctly applied you can make a complaint under the Council's Corporate Complaints Policy.

## **Data Protection**

### **Data Protection (Petition Organiser)**

25. As the Petition Organiser, you must act in accordance with the provisions of the UK General Data Protection Regulation (UK GDPR). In practical terms, this means that you must have the consent of those who complete the petition to share their data.

### **Data Protection (The Council)**

26. The Council requires the name and address of everyone who signs a petition to validate that they are a resident of the Dover District. For electronic petitions an email address is also required.