

Petitions Scheme

Overview

Petitions are one way for individuals, community groups and organisations to participate in the democratic process, by raising matters that are of concern to the public with the Council, and allowing Elected Members to consider the need for change.

Petitions can have positive outcomes that lead to change or steer discussion.

Before considering whether a petition should be raised, it is suggested that you discuss the matter with your Local Councillor who could assist you with the matter or explain how to submit observations on a specific subject to the correct person within the Council.

Who can raise a petition?

Anyone who lives, works, owns a business, a landowner / taxpayer or studies in Gwynedd can sign or submit a petition, including those over 16 years of age. Anyone who lives in the area of a nearby Council can also sign or submit a petition IF there is a reasonable reason for the subject of the petition to affect them directly.

Petitions can be submitted on paper or electronically, using an on-line petitioning system that satisfies the requirements of a valid petition, or a combination of both.

Considering a Petition

A petition can be considered by the relevant member of the Cabinet, a report to the Cabinet, report to the relevant Scutiny Committee or a meeting of the Council.

Note that statutory arrangements exist in a few specific fields (e.g. Schools Restructuring and the Planning Field). A petition will not be accepted outside those statutory arrangements.

The Head of Democracy Services and the Monitoring Officer will consider the petitions submitted, decide whether the petition is acceptable based on the following criteria for a valid petition, and will advise on which appropriate body will consider it. Confirmation will be needed regarding the validity of the petition before it is published on the Council's website.

Requirements for a Valid Petition

Main Petitioner

Every petition requires a lead petitioner to be noted, who will act as a contact point for the petition. Here are the requirements that are necessary for the main petitioner:

1. The name of the main petitioner could be an individual who lives, works or studies within Gwynedd, a landowner / taxpayer or organisation located in Gwynedd.
2. The main petitioner must note the home / work / organisation address in full, and an e-mail address (if you have one) or contact information where any correspondence relating to the petition can be sent.

The Petition

The Council will consider every petition with more than 100 signatories that falls within the scope of this Scheme. The Council can use its discretion where fewer than 100 signatories are received in cases where there is clear local support for action (e.g., where the residents of a small community have petitioned for traffic calming measures).

Petitions can be submitted either on paper or electronically.

The petition must:

1. include a clear, concise statement dealing with the subject of the petition. The petition may be returned if it is ambiguous;
2. relate to a matter for which the Council is responsible.
3. call on Cyngor Gwynedd to take specific steps, for example: "We call on Cyngor Gwynedd to..." or "We call on the Cabinet to..." It must be repeated on every page of a paper petition.
4. provide the names and postal addresses of those who are signing the petition, including postcodes.
5. The suggested petition template is shown in Appendix A

Petitions should not include:

1. Offensive, derisive or provocative language. This not only includes swearing and obvious insults, but any language that a reasonable person would consider to be offensive.
2. False or defamatory statements.
3. Information that has been prohibited from publication by a court order or a body or person with similar powers.
4. Material that may be confidential, commercially sensitive, or may cause distress or personal loss.

5. Any commercial approval, promotion of any product, service or publication or statements that are tantamount to advertisements.
6. Names individuals, or gives information where they can be easily identified, e.g. individual officers of public bodies.
7. Matters where a petition is not the appropriate channel for them (for example, correspondence about a personal matter or a matter that is the subject of a court case).
8. Petitions on matters that are already the subject of an Ombudsman's decision (or a person with similar powers)
9. Petitions that are essentially freedom of information requests, observations, praise or complaints, that will be forwarded to the appropriate department for a suitable response.
10. Petitions that raise matters relating to potential misconduct by councillors or local government employees are taken as complaints that arise under the Local Government Act 2000 and they will be reported to the Monitoring Officer instead of being considered under this petitions scheme.
11. The petition will not be accepted if it is substantially similar to a petition that was submitted to one of the Council's Committees during the past six months.
12. If a petition is about an issue that is subject to consultation or a statutory response period then the petition will be dealt with in accordance with the arrangements and timetable that has been designated for the process.

Petition Signatories

An appropriate signatory is an individual who lives, works, owns a business or studies in Gwynedd; a landowner / taxpayer or who lives in an area of a nearby county and where it can be reasonably expected for them to be affected by the subject of the petition.

An individual can only sign a petition once. People must not sign the same on-line and paper petition, and duplication can be removed if it is found that a petitioner has signed twice.

Submitting a Petition

Paper or electronic petitions, that are to be considered by the Council, must be submitted to:

Democratic Services

Cyngor Gwynedd
Shirehall Street
Caernarfon
Gwynedd
LL55 1SH

Or electronically to: GwasanaethauDemocratiaeth@gwynedd.llyw.cymru

How and by when will the Council acknowledge the receipt of a petition?

Acknowledgement of the receipt or information about a paper petition, or the submission of an electronic petition to the Democratic Services, will be provided within 5 working days, subject to the contact details of the main petitioner being supplied at the same time.

Confirming a Valid Petition

Initial checks to confirm that a submitted petition meets the requirements of the Scheme will be carried out by the Monitoring Officer and Democratic Services Officers.

If a number of petitions are received on a similar subject, which seek similar outcomes, only one main petitioner will be able to submit their petition to the Council. The Main Petitioner for each petition will be informed by the Democratic Services and they will be asked to contact each other to consider options to combine the petitions and decide which lead petitioner will submit the petition to the Council. If no agreement can be reached, the petition with the greatest number of signatories will be allowed to be submitted to the Council.

Any concerns regarding the validity of the petition will be raised with the Monitoring Officer before any petition is invalidated.

If your petition is invalid, the main petitioner will be informed within 5 working days of receiving the petition.

The steps that the Council can take in response to any petition received.

Petitions will be accepted via e-mail or by hand and as a first step they will be checked and if acceptable, they will be displayed on the Council's website for a period of two months.

The petition will need to be signed by over 100 signatories before it is accepted by the Council. The Council can use its discretion where fewer than 100 signatories are received in cases where there is clear local support for action (e.g. where the residents of a small community have petitioned for traffic calming measures).

All petitions on the Council's website will be open for a period determined by the main petitioner, but no more than 2 months.

If valid, the petition will be forwarded to the Cabinet Member with a copy sent to the Chair of the relevant Scrutiny Committee.

Following a discussion and consultation between the Cabinet Member, Scrutiny Chair, Monitoring Officer and the Head of Democracy Service the Cabinet Member will draw up a response to the petition within 20 working days, noting the actions. Actions will depend on the nature of the petition and may include the following:

1. Response from the relevant member of the Cabinet
2. Report to the Cabinet
3. Report to relevant Scrutiny committee
4. Report to the Full Council

The actions will also be noted on the website within 5 working days of the response being sent to the Main Petitioner.

Exceptions

In the period immediately before an election or referendum, we may need to deal differently with your petition. If so, we will explain the reasons for this and discuss any amended timetable that may apply.

Alternatives to Petitions

After reading the Petitions Scheme, the individual or organisation may be of the opinion that a petition is not the most appropriate way to achieve the desired outcome. The alternative options that enable members of the public to have their say include:

- a. Writing to the Cabinet Member or Appropriate Senior Officer
- b. Contacting your Local Councillor
- c. Responding to a consultation
- d. Raising your concerns with the Scrutiny service
- e. Making a suggestion via the Council's website
- f. Asking a question in the Council.

Data Protection Act 2018 and GDPR

All personal data will be treated in accordance with data protection acts and our Privacy Policy. We will keep a hard copy and electronic information about petitions for 12 months and after this period elapses, it will be securely destroyed.