

# Cardiff Council Petition Scheme 2022

## Overview

Petitioning is one way that individuals, community groups and organisations can participate in the democratic process, by raising issues of public concern with the Council and allowing Elected Members to consider the need for change. It is acknowledged that petitions can have positive outcomes that lead to change or inform debate.

Before considering whether or not to raise a petition, you may should discuss your issue with your local Ward Councillor who may be able to help you with it or explain how to make representations on a particular subject to the right person at the Council. Details on [how to contact your local Councillor](#) are available on the Council's website.

## Who can raise a petition?

1. Anyone who lives, works, owns a business or studies in the City and County of Cardiff can sign or submit a petition, including those under the age of 18. Anyone who lives in the area of a neighbouring Council may also sign or submit a petition IF they could reasonably be expected to be affected by the subject matter of the petition. Petitions may be submitted on paper or electronically using an online petition system which meets the requirements of a valid petition, or a combination of the two.

## Consideration of a Petition

2. A petition may be considered at a meeting of the Council, Cabinet or by the relevant Cabinet member, by a committee if the topic of the petition relates to the specific role of that committee, for example when the petition relates to an objection to a planning application which is to be considered by the Planning Committee.
3. The Head of Democratic Services and the Head of Planning (for planning petitions) in consultation with the Monitoring Officer will consider the petitions submitted and determine if the petition is admissible based on the following criteria for a valid petition.

## Requirements of a Valid Petition.

### Lead Petitioner

4. All petitions require a lead petitioner to be identified who will act as the contact point for the petition. The following are the requirements necessary for a lead petitioner:
  - a. The name of the lead petitioner, may be an individual who lives, works or studies within Cardiff Council's area of responsibility or an or an organisation based in the Cardiff Council area.
  - b. The lead petitioner's full home, work, study postal address or the organisations postal address, must be included a personal email address or contact information to which any communications concerning the petition can be sent.

## The Petition

5. The Council will consider all petitions with more than 10 signatories that fall within the scope of this Scheme. Petitions can be submitted to the Council or one of its committees either on paper or electronically, with the general requirements of the Scheme applying to both paper and e-petitions. The petition must:
  - a. contain a clear, short statement covering the subject of the petition. The petition will be returned if it is unclear;
  - b. call for Cardiff Council to take some specific action, for example: “*We call on Cardiff Council to...*” or “*We call on the Planning Committee to ...*” This must be repeated on every page of a paper petition.
  - c. provide the names and postal addresses of those signing the petition, including postcodes.
  - d. petitions submitted in connection with a live Planning Application the petition must also contain the planning application reference number and planning issues that may be relevant to the planning decision.
  - e. A suggested petition template is shown at **Annex A**.
6. Petitions must not contain:
  - a. 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.
  - b. Potentially false or potentially defamatory statements.
  - c. Information which is prohibited from being published by an order of a court or a body or person with similar power.
  - d. Material which is potentially confidential, commercially sensitive, or which may cause personal distress or loss.
  - e. Any commercial endorsement, promotion of any product, service or publication or statements that amount to advertisements.
  - f. The names of officials of public bodies, unless they are part of the senior management of those organisations.
  - g. The names of family members of elected representatives or officials of public bodies.
  - h. The names of individuals, or information where they may be identified, in relation to criminal charges.
  - i. Issues for which a petition is not the appropriate channel (for example, correspondence about a personal issue or an issue subject to court proceedings).

## **Petitions that are not admissible under this Scheme**

- a) Petitions relating to anything which relates to a matter the Council is not responsible for.
- b) Statutory petitions, or petitions relating to Local Authority Referendums which fall under the Local Authorities (Referendums) (Petitions and Directions) (Wales) Regulations 2001, for which separate arrangements apply. For further information contact the Director of Governance and Legal Services and Monitoring Officer.
- c) Petitions asking the Council to adjudicate, arbitrate or mediate personal or staffing issues or commercial interests where this is the role of a court or tribunal)
- d) Petitions on matters that are subject to legal proceedings in the courts
- e) Petitions on matters that are already subject to determination by an Ombudsman (or person with similar powers)
- f) Petitions that are essentially freedom of information (FOI) requests, comments, compliments or complaints, which will be passed to the appropriate department for a suitable response.
- g) Petitions which raise issues of possible councillor or local government employee misconduct will be taken as complaints arising under the Local Government Act 2000 and will be reported to the Monitoring Officer rather than considered under this petition scheme.
- h) When a petition has been presented to Council or a Committee (other than the Planning Committee), no further petition on a similar topic and seeking a similar outcome, shall be considered within six months of the Council meeting at which the petition was first considered or the petitioner heard.

## **Petition Signatories**

7. An appropriate signatory is an individual who lives, works, owns a business or studies in the City and County of Cardiff; or who lives in the area of a neighbouring Council and could reasonably be expected to be affected by the subject matter of the petition.
8. An individual can only sign a petition once. People must not sign both an online and a paper petition, and duplications may be removed if it is found that a petitioner has signed twice.

## **Submitting a Petition**

9. Paper or electronic petitions which are to be considered by full Council or committees other than the Planning Committee, are to be submitted to:
  - a. An Elected Member of Cardiff Council for presentation to Council or committee.

b. To Democratic Services

Cardiff Council.  
County Hall,  
Atlantic Wharf,  
Cardiff  
CF10 4UW

Or electronically to: [DemocraticServices@Cardiff.gov.uk](mailto:DemocraticServices@Cardiff.gov.uk)

Petitions must be submitted to Democratic Services either by email, post or hand delivery, in accordance with the Petition Scheme, by 5pm, 7 working days before the date of the Council meeting or committee meeting.

10. Petitions objecting to a planning applications can be submitted via the councils online planning system or by post to:

Development Management  
Room 201  
County Hall  
Atlantic Wharf  
Cardiff  
CF10 4UW

Or electronically to: [SupportServices@cardiff.gov.uk](mailto:SupportServices@cardiff.gov.uk)

Note: Ensure that your objection quotes the relevant planning reference number

### **How and by when the council will acknowledge receipt of a petition**

11. Receipt or notification of a paper petition or submission of an electronic petition submitted to Democratic Services will be acknowledged within 5 working days provided that the contact details of the lead petitioner are provided at the same time.
12. Electronic petitions submitted to the online planning portal will be displayed on the website within 5 working days .
13. Paper petitions submitted by post to Development Management will be acknowledged within 5 working days provided that the contact details of the lead petitioner are provided at the same time.

### **Confirming a Valid Petition**

14. Initial checks to confirm that a submitted petition meets the requirements of the Scheme will be undertaken by Development Management Officers for Planning petitions or Democratic Services Officers for all other petitions.
15. For Council petitions, if a number of petitions are received on a similar topic with similar desired outcomes, only one lead petitioner will be able to present their petition to Council. The lead petitioner for each petition will be notified by Democratic Services and requested to liaise with each other to consider options to amalgamate petitions and determine which lead petitioner will present the petition to Council. If agreement is not reached the petitioner with the largest number of signatures will have the right to present the petition to Council.

16. Any concerns regarding the validity of the petition will be raised with the Head of Democratic Services or Head of Planning for Planning petitions respectively.
17. These officers will consult with the Monitoring Officer before invalidating any petition.
18. If your petition is invalid the lead petitioner and/or the relevant Elected Member will be informed within 5 working days of receipt of the petition, why it cannot be progressed.

## **The steps the council may take in response to a petition received by it.**

### **Council Petitions**

19. In accordance with the Council Meeting Procedure Rule 20 of the Council's constitution:
  - a. A petition may be presented to Council by a ward member or by a lead petitioner if their petition has the required number of petition signatories ('the Petition Threshold'). The Petition Threshold is:
    - 50 for a Lead Petitioner to present a petition to Council; and
    - 20 for a Member to present a petition to Council.

The petition presenter may outline the request of the petitioners, the reason for the request and the number of the signatories. In any event the lead petitioner or ward Member may not speak under this rule for more than one minute.

- b. Petitions shall be divided into three classes and shall be addressed as follows:
  - (i) A petition bearing less than 20 signatures shall be dealt with by normal correspondence.
  - (ii) A petition bearing 21-50 signatures shall be noted at the meeting and passed to a relevant officer of the Council for a written response.
  - (iii) A petition bearing 51 or more signatures shall be noted and passed to the relevant Cabinet Member for consideration and a written response

### **Committee Petitions**

20. In accordance with Rule 14.2 of the Committee Meeting Procedure Rules within the Council's Constitution:
  - a. When a petition contains 50 or more signatures, one person from amongst those signing the petition may address a committee to which the petition has been referred on the subject matter of the petition for up to three minutes.

- b. Where the petitioners object to an application which is to be considered by the Planning Committee or the Licensing Committee the applicant will also be given an opportunity to be heard.
- c. Any petition presented directly to a committee shall be delivered to the relevant Chief Officer at least seven clear working days prior to the date of the meeting of the committee at which it is to be presented, to enable the applicant to be notified if appropriate and to be present at the meeting of the committee if the applicant so wishes.
- d. When a petitioner has been heard by a committee under this Committee Meeting Procedure Rule no further petition on a similar topic and seeking a similar outcome shall be considered and no further address shall be heard on that item, within six months of the committee meeting at which the petition was first considered or the petitioner heard.

## **Exceptions**

21. In the period immediately before an election or referendum we may need to deal with your petition differently. If this is the case we will explain the reasons and discuss any revised timescale which may apply.
22. In the event that more than one Petition is received, which meets all criteria set under this Rule 14.2 and the Petition Scheme, in relation to the same planning application and seeking a similar outcome, only one Lead Petitioner will be permitted to present the Petition to Planning Committee. Democratic Services officers will notify each Lead Petitioner and ask them to liaise with each other to consider amalgamating the Petitions and agree which Lead Petitioner will present the Petition to Planning Committee. In the absence of such agreement, the Head of Planning, in consultation with the Chair of Planning Committee, may determine at their discretion how many petitioners should be afforded speaking rights.

## **Response to the Petition.**

### **Council Petitions**

23. Responses to lead petitioners will be provided within 20 working days of the presentation of a valid petition to Council. Confirmation that the response has been provided will be published on the Council's Petitions web page.

### **Committee Petitions**

24. When a petition contains 50 or more signatures, one person from amongst those signing the petition may address a committee for up to three minutes. (See para 20 c. above)
25. For a petition with less than 50 signatures which affords no speaking rights at committee a response to any relevant planning grounds will be provided within the planning report with such report available for public inspection on the Council's planning register following determination of the application. No further response will therefore be provided.

## Alternatives to Petitions

26. After reading the Petition Scheme an individual or organisation may consider that a petition is not the most appropriate avenue to achieve your desired outcome. Alternative options to enable members of the public to have their say include:
- a. Writing to the appropriate Cabinet Member or Senior Officer
  - b. Contacting your local Councillor
  - c. Responding to a Consultation
  - d. Raising your concerns with the Scrutiny service
  - e. Making a suggestion through the Council's website
  - f. Asking a question at Council.

## Data protection and GDPR

27. All personal data will be handled in compliance with data protection laws and our [Privacy Policy](#). We will keep hard copy and electronic petition information for 12 months and after that time it will be safely and securely destroyed.

## SUGGESTED PAPER PETITION TEMPLATE – CARDIFF COUNCIL

<b>LEAD PETITIONER DETAILS:</b>	
<b>Name:</b>	
<b>Full Postal Address:</b>	
<b>Lead Petitioner's email address</b>	
<b>Lead Petitioner's Telephone Number (Optional)</b>	

<b>PETITION DETAILS:</b>	
A clear, short statement covering the subject of the petition. The petition will be returned if it is unclear;	
Call for Cardiff Council to take some specific action, for example: <i>"We call on Cardiff Council to..."</i> or <i>"We call on the Planning Committee to ..."</i>	<i>We call on..</i>  Note: to be repeated on every page of a paper petition



**Petition Signatories:**

*We call on...(copied from petition details)*

<b>Serial</b>	<b>Name</b>	<b>Full Postal Address</b>	<b>Postcode</b>	<b>Signature</b>
1.				
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