

# **PART 4 - PROCEDURE RULES**

## **SECTION L**

### **PETITIONS SCHEME**

#### **1. INTRODUCTION**

- 1.1 The Council welcomes petitions as a way in which people can let the Council know their concerns. Petitions also provide a method for the public to request a review of decisions by the Council, Executive, or another decision making body of the Council.
- 1.2 A petition will be treated as such if it is identified as being a petition, or if it seems to the Head of Legal & Democratic Services that it is intended to be a petition. A petition created both on-line and on paper will only be treated as being a single petition if the action requested is identical. The paper element of the petition must be received by the Council before the date of the closure of the on-line element.
- 1.3 In the event that 2 petitions are submitted by different petition organisers where the action requested is identical, the first petitioner to submit their petition will, where relevant, have the opportunity to present their petition to a meeting.
- 1.4 A petition will not be accepted where the action requested is, in the view of the Monitoring Officer, the same as a petition considered within the previous six months.

#### **2. GUIDELINES FOR SUBMITTING A PETITION**

- 2.1 Petitions submitted to the Council must be about matters for which the Council has a responsibility or which affect the Borough of Surrey Heath.
- 2.2 Petitions submitted to the Council must include
  - 2.2.1 a clear and concise statement covering the subject of the petition, state what action the petitioners wish the Council to take,
  - 2.2.2 the name and address and signature of people in support of the petition, and
  - 2.2.3 the name, address and contact details of the petition organiser. (If the petition does not identify a petition organiser, the Council will contact signatories to agree who should act as the organiser).

- 2.3 Petitions which are considered by the Council's Monitoring Officer to be vexatious, abusive or otherwise inappropriate will not be accepted.
- 2.4 Petitions submitted in the pre-election period may be dealt with differently. The reasons for this, and possible revised timescales, will be explained.
- 2.5 If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In this instance the petitioner will be informed of the reasons for this decision.

### **3. ACTION ON RECEIPT OF PETITIONS**

- 3.1 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. If the Council can do what the petition asks for the acknowledgement may confirm that the action requested has been taken. Otherwise the acknowledgement will inform the petitioner of the action the Council will take and, where relevant, the details of the meeting it is referred to. It will also be published on the Council's website.
- 3.2 The response from the Council will depend upon the number of signatures received:

<b>Number of signatures received</b>	<b>Minimum response</b>
up to 49	A response from the relevant Portfolio Holder or relevant committee Chair
50 to 249	Referred to the Executive or relevant standing committee
250 or more	Referred to Full Council

- 3.3 If the petition reaches the required number of signatures to trigger a referral to a Committee, the Executive or Full Council then the acknowledgment will confirm this and inform the petitioner when and where the meeting will take place. If the petition needs further investigation, the petitioner will be informed of the steps the Council proposes to take.
- 3.4 If the petition reaches the required number of signatures to trigger a referral to a Committee, the Executive or Full Council, it will be referred to a Residents' Panel if it meets the terms of triggering this action as set out in the Residents' Panel framework.

- 3.5 No action will be taken in respect of any petition considered by the Council's Monitoring Officer to be vexatious, abusive or otherwise inappropriate. The reasons for this will be explained in the acknowledgement of the petition.
- 3.6 The scheme will not apply when the petition concerns a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor), or relates to a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, or where other procedures apply.
- 3.7 Details of all the petitions submitted to the Council will be published on the Council's website, except in cases where this would be inappropriate. Whenever possible the Council will also publish all correspondence relating to the petition (all personal details will be removed).

#### **4. RESPONSE TO PETITIONS**

- 4.1 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:
  - 4.1.1 taking the action requested in the petition
  - 4.1.2 considering the petition at meeting of the Executive or the Council
  - 4.1.3 holding an inquiry into the matter
  - 4.1.4 undertaking research into the matter
  - 4.1.5 holding a public meeting
  - 4.1.6 holding a consultation
  - 4.1.7 holding a meeting with petitioners
  - 4.1.8 referring the petition for consideration by one of the council's scrutiny committees
  - 4.1.9 calling a referendum
  - 4.1.10 writing to the petition organiser setting out the Council's views about the request in the petition
- 4.2 In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

#### **5. DEBATES AT FULL COUNCIL OR EXECUTIVE MEETINGS**

- 5.1 A petition will be debated by either the Full Council, the Executive, or relevant standing Committee depending on the issue and number of signatures received in support of the petition. This will usually be at the next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.
- 5.2 The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be debated. The Council, the Executive or relevant standing Committee will decide how to respond to the petition at this meeting. They may decide to take the action the petition requests, not to take

the action requested for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee.

- 5.3 Where a petition is heard at a meeting, the Chair will ensure that all Members in attendance at the meeting are given an opportunity to speak on the matter to ensure there is a full debate on the petition.
- 5.4 The petition organiser will receive written confirmation of this decision and confirmation will be published on the Council's website.

## **6. E-PETITIONS**

- 6.1 The Council accepts e-petitions through the Council's e-petitions facility website at [www.surreyheath.gov.uk](http://www.surreyheath.gov.uk) or submitted by the lead petitioner following completion through an independent petition site.
- 6.2 E-petitions must follow the same guidelines as paper petitions as set out in this scheme.
- 6.3 The petition's creator must provide their name and postal email addresses. The petition creator must specify how long the petition will be open for signatures, up to a maximum of 12 months.
- 6.4 The Council may take up to five working days after receiving an e-petition to publish it online. This will allow the Council time to determine if the petition is suitable for publication.
- 6.5 If the Council decides it is unable to publish the petition for some reason, the petitioner will be contacted within five working days to explain. The petitioner will be given the opportunity to change and resubmit the petition if they wish. If this is not done within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.
- 6.6 When an e-petition has closed for signature, the Democratic Services Manager will send an acknowledgement within 10 working days.
- 6.7 A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on the Council's website.

## **7. SIGNING AN E-PETITION**

- 7.1 Those wishing to sign an e-petition must provide the information requested by the relevant petition site. Only the name of the signatory will be included on the public section of the petition.