

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.
- 1.2 **A petition will be treated as such if it is identified as being a petition, or if it seems to the Executive Head of Corporate 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.**

2. GUIDELINES FOR SUBMITTING A PETITION

- 2.1 Petitions submitted to the Council must include
 - 2.1.1 a clear and concise statement covering the subject of the petition, state what action the petitioners wish the Council to take,
 - 2.1.2 the name and address and signature of at least 50 people in support of the petition, and
 - 2.1.3 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).
- 2.2 Petitions which are considered by the Council's Monitoring Officer to be vexatious, abusive or otherwise inappropriate will not be accepted.
- 2.3 Petitions submitted in the period immediately before an election or referendum may be dealt with differently. The reasons for this, and possible revised timescales, will be explained.
- 2.4 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:

Number of signatures received	Minimum response
Less than 100	A response from the relevant officer
100 to 749	A response from the relevant Member of the Executive
750 to 3,499	Referred to the Executive
3,500 or more	Debated at a meeting of the full Council

- ~~3.3 If the petition requests that a senior officer provides evidence at a relevant scrutiny committee it must achieve a minimum of 1,500 signatures.~~
- 3.4 If the petition reaches the required number of signatures to trigger a referral to Executive or Full Council, ~~or, where relevant, a senior officer giving evidence at a relevant scrutiny committee~~, 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.
- 3.5 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 containing 3,500 or more signatures will be debated by Full Council and a petition with 750 to 3,499 will be considered by the Executive. 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 or the Executive 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 of the Executive, the Chairman 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. OFFICER EVIDENCE~~

- ~~6.1 A petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job.~~
- ~~6.2 If the petition contains at least 1,500 signatures, the relevant senior officer will give evidence at a public meeting of the relevant scrutiny committee. For the purpose of this scheme 'senior officer' refers to the Chief Executive, Executive Heads of Service and Heads of Services.~~

~~6.3~~ The scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition. The committee may also decide to call the relevant Councillor to attend the meeting.

~~6.4~~ Committee members will ask the questions at this meeting. The petitioner can provide the Democratic Services Manager with questions that the Chairman may ask on their behalf up until three working days before the meeting.

7. E-PETITIONS

7.1 The Council accepts e-petitions provided they are created and submitted through the Council's e-petitions facility website at www.surreyheath.gov.uk.

7.2 E-petitions must follow the same guidelines as paper petitions as set out in this scheme.

7.3 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.

7.4 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.

7.5 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.

7.6 When an e-petition has closed for signature, the Democratic Services Manager will send an acknowledgement within 10 working days.

7.7 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.

8. SIGNING AN E-PETITION

8.1 Those wishing to sign an e-petition must provide their name, postcode and a valid email address. Only the name of the signatory will be included on the public section of the petition.

~~9. REVIEWING ACTION TAKEN ON A PETITION~~

~~9.1~~ If a petition organiser feels that the Council has not dealt with the petition properly, the organiser has the right to request that the Council's relevant scrutiny committee review the steps taken in response to the petition. In this case the petition organiser should provide a short explanation of the reasons why the Council's response is not considered to be adequate.

- ~~9.2~~— The scrutiny committee will normally consider the request at the next scheduled meeting of the committee or, if this is not possible, at the following meeting. In exceptional circumstances, at the discretion of the committee's chairman, a specially convened meeting of the committee may be arranged to consider the request.
- ~~9.3~~— Should the committee determine that the Council has not dealt with the petition adequately, it may use any of its powers to deal with the matter, including instigating an investigation, making recommendations to the Executive, and arranging for the matter to be considered at a meeting of the full Council.
- ~~9.4~~— Once the appeal has been considered the petition organiser will be informed of the results within 10 working days. The results of the review will also be published on the Council's website.