

## Petition Scheme

### Petitions

- 1.1 The Council welcomes petitions and recognises that petitions are one way in which people can let the Council know their concerns. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 10 working days of receipt. This acknowledgement will set out how the petition will be administered.
- 1.2 Paper petitions can be sent to:  
  
Chief Legal Officer  
Epsom and Ewell Borough Council  
The Town Hall  
The Parade  
Epsom  
Surrey  
KT18 5BY
- 1.3 Petitions can be submitted on line through the on line portal.
- 1.4 Petitions which satisfy the requirements of the Petition Scheme, can also be presented to a meeting of full Council. There are normally four ordinary meetings every year.

### What are petitions?

- 1.5 A petition is a communication that is signed by or sent to the Council on behalf of a number of people. There are different types of petitions:
  - (a) **Ordinary Petitions:** These are petitions that do not fall within the other two categories set out below and will normally relate to the day-to-day services or facilities provided by the Council. Such petitions must be signed by at least 20 signatories.
  - (b) **Petitions for debate:** If a petitions calls for something to be reported to and discussed at a meeting of the full Council, it must contain at least 1,500 signatures
  - (c) **Petitions calling for an officer to give evidence:** If a petition calls for an officer to give evidence at a meeting of the Audit, Crime & Disorder and Scrutiny Committee and to answer questions on a specific issue, it must contain at least 800 signatures.

### Petitions not covered by this Scheme

- 1.6 The following petitions will not be accepted by this Council:

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- (a) the subject matter of the petition is deemed likely to cause distress, disruption or irritation without any proper or justified cause;
  - (b) petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted;
  - (c) the subject matter of the petition relates to a matter upon which legal proceedings are possible;
  - (d) the petition relates to an individual member of the community or the personal circumstances of Members or Council employees;
  - (e) petitions made under any enactment other than the Local Democracy, Economic Development and Construction Act 2009;
  - (f) the subject matter of the petition is about something for which this Council is not responsible or cannot influence;
  - (g) petitions about a planning decision, including a development plan document, any matter relating to a licensing decision.
- 1.7 If the Council decides that a petition does not fall within this scheme, the petition organiser will be informed and given the reason why it is not being accepted.
- 1.8 In addition, a petition will not normally be considered if it is received within six months of another petition on the same matter. If two or more petitions on the same subject are received at the same time, each will be treated as a separate petition but only the organiser of the first petition received will be invited to address the relevant meeting.

### **Guidelines for submission**

- 1.9 The Council will accept a petition if it is signed by the required number of people who live, work or study in the Borough. A petition submitted to the Council must include:
- (a) a clear and concise statement covering the subject of the petition;
  - (b) what action the petitioners would like the Council to take;
  - (c) the name, address and signature of any person supporting the petition.
- 1.10 Petitions must be accompanied by contact details, including an address for the petition organizer with whom the Council will correspond.
- 1.11 The contact details of the petition organiser will not be placed on the Council's website. If the petition does not identify a petition organiser, the Council will contact signatories to the petition to agree who should act as the petition organiser.

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- 1.12 The period immediately before an election or referendum may require the presentation of a petition to Council or a Council meeting to be delayed.
- 1.13 If a petition does not follow the guidelines set out above, the Council will not to process the petition but will advise the petition organiser accordingly.

### **Actions on receipt of petition.**

- 1.14 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition, with an explanation of next steps. It will also be published on the Council's website.
- 1.15 If the action requested by the petition can be taken, confirmation of such will be sent and the petition will be marked as completed and closed. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgement will confirm this and details of the meeting will be sent to the petition organiser. If the petition needs more investigation, the petition organiser will be advised accordingly.
- 1.16 If the petition is about a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor) or on a matter where there is already an existing right of appeal, such as council tax banding and non-domestic rates, other procedures apply.
- 1.17 The Council will not take action on any petition which is consider to be vexatious, abusive or otherwise inappropriate, and reasons for this will be set out in the acknowledgement of the petition.
- 1.18 Petitions received, 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 removed). Signatories to an e-petition, can elect to receive this information by email.

### **Council's response to petitions**

- 1.19 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:-
  - Taking the action requested in the petition
  - Considering the petition at a Council meeting
  - Holding an enquiry into the matter
  - Undertaking research into the matter
  - Holding a public meeting
  - Holding a consultation

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- Holding a meeting with petitioners
- Referring the petition for consideration by the Audit, Crime & Disorder and Scrutiny Committee \*
- Writing to the petition organiser setting out the Council's views about the request in the petition

**\*Note:** *The Audit, Crime & Disorder and Scrutiny Committee is a Committee responsible for scrutinising the work of the Council – in other words it has the power to hold the Council's decision makers to account.*

1.20 If a petition seeks something which a different council or body is responsible for, the Council will give consideration to what the best method is for responding to it. It might consist of simply forwarding the petition to the other council or body but could involve other steps. In any event, the Council will always notify the petition organizer of the action taken.

### **Full Council debates**

1.21 If a petition contains more than 1,500 signatures it will be debated by the full council unless it is a petition asking for a senior Council officer to give evidence at a meeting held in public.

1.22 This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. The petition organiser will be given five minutes to present the petition at the meeting. The Council will decide how to respond to the petition at this meeting. It may decide to take the action the petition requests, not to take the action for reasons put forward in the debate, or to commission further investigation into the matter, for example by a relevant committee. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on the Council's website.

### **Officer evidence**

1.23 A petition may ask a senior council officer to give evidence at a meeting held in public about something for which the officer is responsible as part of their job. For example, a petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.

1.24 If a petition contains at least 800 signatures, the relevant senior officer will give evidence at a meeting held in public of the Council's Audit, Crime & Disorder and Scrutiny Committee, as appropriate. The senior staff who can be called to give evidence are:

- The Chief Executive

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- Monitoring Officer
- Chief Operating Officer
- Chief Finance Officer
- Any deputies who report directly to those officers

1.25 The Audit, Crime & Disorder and Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. Committee members will ask the questions at this meeting, the petition organiser will be able to suggest questions to the Chair/Chairman of the committee by contacting the Scrutiny Officer up to three working days before the meeting.

## E-Petitions

1.26 Petitions can be created and submitted through the Council's website. E-petitions must follow the same guidelines as paper petitions. The petition organiser will need to provide their name, postal address and e-mail address. The petition organiser will also need to decide how long they would like their petition to be open for signatures. Most petitions run for six months but can choose a shorter or longer timeframe, up to a maximum of twelve months.

1.27 When an e-petition is created, it may take five working days before it is published online, to enable the Chief Legal Officer to check that the content of the petition is suitable before it is made available for signature. If the petition cannot be published the petition organiser will be advised as to the reasons. The petition organiser will be able to change or re-submit their petition if they wish. The Council will within 10 working days of rejecting a petition publish 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.

1.28 If an e-petition is accepted, the petition organiser will receive an acknowledgment within 10 working days.

1.29 A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgement will also be published on this website.

## Review of rejected Petition

1.30 If a petition organizer feels that the Council has not dealt with their petition properly, they can request that the Council's Audit, Crime & Disorder and Scrutiny Committee review the steps that the Council has taken in response to the petition. Such request for a review must provide a short explanation of the reasons why the Council's response is not considered to be adequate.

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- 1.31 The designated Committee will endeavour to consider the review request within 30 days of receiving it. Should the Committee determine that the petition has not been adequately dealt with, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendation to the appropriate Committee or arranging for the matter to be considered at a meeting of the full Council.
- 1.32 Once the review has been considered, the petition organiser will be informed of the results within five working days. The results of the review will also be published on the Council's website.