

~~Guidance on the Submission and Consideration of Petitions~~

1. Introduction

~~The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. Anyone who lives, works or studies in the Borough may sign or organise a petition and trigger a response. This includes anyone under the age of 18.~~

~~All petitions submitted to the Council will receive a written acknowledgement from the Council within ten working days of receipt. This acknowledgement will set out what we plan to do with the petition.~~

~~E-petitions must be created, signed and submitted online through the Council's e-petitions facility~~

~~This document sets out Woking Borough Council's arrangements for submitting and considering petitions.~~

~~A petition must either relate to a function of the Council or to an improvement in the economic, social or environmental well-being of the Borough to which any of the Council's partner authorities could contribute.~~

Petitions can be submitted to Woking Borough Council either on-line through the Council's e-petitions facility or on paper. If you wish to submit a paper petition, or have any questions relating to the Borough Council's Petitions Scheme, please contact Democratic Services as follows:

Democratic Services
Civic Offices
Gloucester Square
Woking, Surrey GU21 6YL
Tel: 01483 743863
E-mail: memberservices@woking.gov.uk
Website: www.woking.gov.uk

2. What are the Guidelines for Drawing Up a Petition?

Petitions submitted to the Council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take; and
- the name and address and signature of any person supporting the petition.

Petitions should be accompanied by contact details, including an address, for the petition organiser. The petition organiser can be anyone who lives, works or studies in Woking. This includes anyone under the age of 18. This is the person the Council will contact to explain how it will respond to the petition.

The contact details of the petition organiser will not be placed on the website. In the event that the petition does not identify a petition organiser, the Council will contact the signatories to the petition to agree who should act as the petition organiser.

In the period immediately before an election or referendum, the Council may need to deal with a petition differently – if this is the case, the Council will explain the reasons and discuss the revised timescale which will apply.

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If a petition does not follow the guidelines set out above, the Chief Executive Officer ~~shall Council~~ may decide not to do anything further with it. In such cases, the Council will write to the petition organiser to explain the reasons. A copy of the notification will be published on the Council's website.

3. **What types of petitions are excluded? Exclusion of Petitions**

The Council will not take action on any petition which is considered to be vexatious, abusive or otherwise inappropriate. The petition organiser will be advised of the reasons for the Council's decision in such situations, and a copy of the notification will be published on the Council's website.

If the petition applies to 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.

Where a petition is received on the same or similar topic as one the Council has received in the last six months, it will not be treated as a new petition. The Council will acknowledge receipt of the petition within fourteen days and include details of its response to the previous petition on the topic.

Where the Council is still considering a petition on the same or similar topic, the new petition will be amalgamated with the first received petition.

4. **What will the Council do when it receives my petition? Acknowledgement of Receipt of a Petition**

The Council will acknowledge the receipt of a petition within fourteen days of receiving it. The acknowledgement will indicate what the authority has done or proposes to do in response to the petition and associated timescale. It will also be published on the Council's website, except in cases where this would be inappropriate.

The Council will write to the petition organiser at each stage of the petition's consideration. If the petition has been submitted online, all information will be sent to the petition organiser's e-mail account. The Council will only contact the petition organiser in matters relating to the petition.

5. **How will the Council respond? The Council's Response**

The Borough 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:

- Giving effect to the request in the petition ('taking the action requested').
- Considering the petition at a meeting of the Overview and Scrutiny Committee, Executive or Council.
- Holding an inquiry into the matter.
- Holding a public meeting.
- Undertaking research.
- Giving a written response to the petition organiser setting out the Council's views about the request in the petition.
- Referring the petition to the Council's Overview and Scrutiny Committee for consideration.
- Holding a consultation.
- Holding a meeting with petitioners.
- Calling a referendum.

The relevant local Ward Councillors will be advised when a petition has been received and will be consulted on the appropriate response. The type of response the Council provides may be dependent on the number of signatories to the petition. The table below summarises the Council's approach:

Number of signatories	Response
Fewer than 50 less than 40	Response from Officer (treated as standard correspondence).
50 – 150 40 – 99	Response from relevant Portfolio Holder to be decided by Chief Executive in consultation with Leader of the Council.
At least 2 400	Referred to the Executive <u>for a response</u> .
At least 2 200	Officer(s) called to provide evidence at a meeting of the Overview and Scrutiny Committee. This threshold only applies where such action is requested in the petition.
At least 4 400	Debated at a meeting of full Council.

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If the Council is able to take the action requested in the petition, the acknowledgement may confirm that the action requested has been undertaken and that the petition will be closed. If the petition has enough signatures to trigger a debate at a meeting of the Council, or a senior Officer giving evidence, then the acknowledgment will confirm this, setting out when and where the meeting will take place. If the petition needs more investigation, the acknowledgement will outline the intended steps.

Where the petition is referred to the relevant Portfolio Holder for a response, the petition organiser will be invited to make a written statement in support of the petition.

Where the petition is referred to a meeting of the Council, the petition organiser will be allowed three minutes to present the petition, following which the petition will be discussed by Councillors.

If a petition is about something over which the Council has no direct control, consideration will be given to making representations on behalf of the community to the relevant body. The Council works with a large number of partner organisations and where possible will work with these partners to respond to a petition. If the Council is not able to do this for any reason, notification will be sent to the petition organiser setting out the Authority's reasons.

If a petition relates to a service or responsibility of a different Council, Woking Borough Council will give consideration to what the best method is for responding to it. This may consist of simply forwarding the petition to the other Council, but could involve other steps. The petition organiser will again be notified of the action taken by the Council.

6. Full Presenting at a Meeting of the Council Debates

If a petition contains ~~between~~at least 150 or 100 and 400 signatures it will be referred to a meeting of the Executive for consideration. If more than ~~4~~400 signatures have been added to the petition, it will automatically be referred to a meeting of the full Council for debate. The only exception would be in those cases where the petition asks for a senior Council Officer to give evidence at the Overview and Scrutiny Committee.

The Council will refer the petition to the next available meeting of Full Council. No more than two petitions shall be presented at any one Council meeting. If this is the case, the petition shall be referred to the next meeting thereafter. The Council may not hear petition in the Pre-Election Period. If this is the case, the Council shall contact you to discuss the matter.

The Council will contact the petition organiser before the meeting and if the organiser or their nominee wishes to present the petition at the meeting, confirmation must be given at least ten working days before the meeting.

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The presentation of a petition is limited to not more than three minutes, and should be confined to reading out, or summarising, the purpose of the petition, indicating the number and description of signatories, and making supporting remarks relevant to the petition. Councillors may then proceed to ask questions of the petition organiser.

At a meeting of an Overview and Scrutiny Committee, the Chairman may permit the petition organiser to participate in the Committee's consideration or debate of the issues raised by the petition.

The Council will consider all the specific actions it can potentially take on the issues highlighted in a petition and the Councillors will decide how to respond to the petition at this meeting. A motion suggesting a formal response to the petition shall be proposed and seconded at the meeting and dealt with under the normal rules of debate, provided that any such motion must respond explicitly to the request in the petition i.e. that part of the petition which asks the Council to take some form of action. They may decide to support the action the petition requests, or not, or refer the matter to another meeting, such as the Executive or Overview and Scrutiny Committee, for further consideration. The petition organiser will receive written confirmation of this decision.

7. **Deputations or Lobby Groups**

Associations or groups who wish to present a petition to the Council about a Council service or initiative or about an issue which affects the Borough can do so as a deputation. The request must be made at least ten working days before the meeting at which the petition will be presented and should include all details of the issue, the number of people forming the deputation (no more than five) and their names and addresses and names of the people who will speak about the petition.

The Chairman will ask the members of the deputation who are presenting the petition to speak about it for up to five minutes. Councillors may then ask members of the deputation questions about the petition.

8. **Petitions Asking Senior Officers to Provide Evidence**

A petition may ask for a senior Council Officer to give evidence at a meeting of the Overview and Scrutiny Committee 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.

If a petition requests such action and contains at least ~~2~~200 signatures, the relevant senior Officer will give evidence at a public meeting of the Council's Overview and

Scrutiny Committee. Only Officers of the Council's Corporate Leadership Team can be petitioned to give evidence. However, the Overview 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. The Committee may also decide to call the relevant Councillor to attend the meeting.

The Members of the Committee will ask the questions at the meeting, but the petition organiser will be able to suggest questions to the Chairman of the Committee. These questions must be received by Democratic Services at least ten working days before the meeting.

9. E-petitions

An e-petition facility will be available on the Council's website through which residents of the Borough can create petitions for submission to the Council. The same guidelines apply to e-petitions as to paper petitions.

Under the scheme, the petition organiser will need to provide their name, postal address and email address. Furthermore, the petition organiser needs to decide how long they would like the petition to be open for signatures, up to a maximum of 12 months.

When an e-petition is created, it may take up to five working days before it is published online. During this time, the Council will check that the content of the petition is suitable before it is made available for signature.

If it is felt that the Council cannot publish a petition for some reason, the petition organiser will be advised of the reasons. Petition organisers will be able to change and resubmit a petition. 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 on the website.

When an e-petition has closed for signature, it will automatically be submitted to Democratic Services. In the same way as with a paper petition, the petition organiser will receive an acknowledgement within fourteen working days of receipt of the petition. A copy of the 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.

10. How do I sign an e-Petition

Details of all the e-petitions currently available for signature will be available on the Council's website. Those wishing to add their support to a petition will be asked to provide their name, postcode and valid email address. Once the information has been added, an e-mail will be sent to the email address provided which contains a link which must be clicked on in order to confirm that the email address is valid. Once this has been done, the 'signature' will be added to the petition. People visiting the e-petition will be able to see all 'signatures' but will not have access to the contact details.

11. What can I do if I feel my petition was not handled correctly ? Requesting a Review of the Council's Actions in response to a Petition.

The petition organiser has the right to request that the Council's Overview and Scrutiny Committee reviews the steps that the Council has taken in response to their petition. The petition organiser will be asked to provide a short explanation of the reasons why the Council's response is not considered to be adequate.

The petition organiser must exercise this right within 21 days of receipt of the Council's formal response to the petition

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The Overview and Scrutiny Committee will endeavour to consider such requests at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the Committee determine that the Council has not dealt with a petition adequately, it may investigate the matter, make recommendations to the Executive or arrange for the matter to be considered at a meeting of full Council.

The procedure for conducting the review at the meeting shall be as follows:

(a) The petition organiser (or any person authorised by them) shall be invited to address the Committee for no more than five minutes in respect of their request for review.

(b) Councillors to ask the petition organiser any questions relevant to the review arising from their statement to the Committee.

(c) The Committee to review the steps taken by the Council in responding to the petition and to consider whether the Council has dealt with the petition adequately.

Dependent on whether the formal response to the petition was given by:

- A strategic director or senior manager
- a lead councillor, or
- full Council

this may include asking the relevant strategic director/senior manager or relevant lead councillor to attend and answer questions from the Committee.

(d) Prior to making a decision on the review, the petition organiser (or any person authorised by them) shall have a right of reply on the debate, for which they will be given five minutes.

(e) The Committee to formally determine the review – deciding either that the Council has dealt with the petition adequately or that it has not. If the latter, the Committee must then decide one of the following options:

- (i) to investigate the matter further;
- (ii) to make recommendations to the Leader/Executive; or
- (iii) to arrange for the matter to be considered at a meeting of full Council.

The question as to whether implementation of any decisions pertinent to a petition under review by overview and scrutiny should be deferred pending completion of the review process shall be dealt with by the Chief Executive on a case-by-case basis including, where necessary, convening special meetings of the Overview and Scrutiny Committee and/or full Council for this purpose.

Once the Committee has completed its review 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.

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12. What happens to my petition or e-petition following a formal response by the Council?

Following a period of 21 days after the Council has responded formally, a paper petition will be destroyed, and all e-signatories on an e-petition will be erased, unless during that period, the petition organiser requests a review in which case it shall be destroyed 21 days after the review has been completed.

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