

# Guildford Borough Council Petition Scheme

## Background

Subject to section 3 below, this scheme applies to all petitions submitted to the Council. Any petition that contains fewer than 50 signatures, or does not meet the guidelines within the scheme, will be deemed to be standard correspondence and receive a response within ten working days from the relevant director/service leader setting out what action the director/service leader intends to take in relation to the petition.

## 1. Petitions

- 1.1 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.
- 1.2 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.
- 1.3 E-petitions must be created, signed and submitted online through the Council's e-petitions facility: <http://petitions.guildford.gov.uk/>.
- 1.4 Alternatively, paper petitions can be sent to:

Director of Corporate Services  
Guildford Borough Council  
Millmead House  
Millmead  
GUILDFORD  
Surrey GU2 4BB

## 2. What are the guidelines for submitting a petition?

- 2.1 Petitions submitted to the Council under this scheme 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;
  - the name and address (in a legible format) and signature of any person supporting the petition; and
  - contact details, including name, address, telephone number (and where possible, an email address) of the petition organiser.
- 2.2 The petition organiser is the person the Council will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the Council's website.
- 2.3 If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to the petition organiser to explain the reasons.

### **3. What types of petitions are excluded?**

3.1 We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

3.2 This petition scheme does not apply to:

- any petition relating to a planning or licensing application, or
- a statutory petition (for example requesting a referendum on having a directly elected mayor), or
- a petition relating to a matter where there is already an existing recourse to a review or right of appeal, such as council tax banding and non-domestic rates, where other procedures apply.

3.3 In addition, the scheme specifically excludes any petition on the same or similar topic as one that the Council has received and dealt with in the previous six months. The Council will acknowledge receipt of such a petition within 10 working 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.

3.4 Details of petitions affecting particular wards that have been excluded will be sent to the relevant councillors representing those wards.

### **4. What will the Council do when it receives my petition?**

4.1 An acknowledgement will be sent to the petition organiser within ten working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website, except in cases where this would be inappropriate. Where the subject matter of the petition affects particular wards, the councillors representing those wards will be notified of the receipt of the petition.

4.2 We will write to the petition organiser at each stage of the petition's consideration. If the petition needs further investigation, we will tell you the steps we plan to take. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

### **5. How will the Council respond to my petition?**

5.1 Our 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 meeting of the Council or Executive
- holding an inquiry into the matter
- holding a public meeting
- holding a meeting with petitioners or the petition organiser
- undertaking research into the matter
- writing to the petition organiser setting out the Council's views about the request in the petition
- referring the petition to the Overview and Scrutiny Committee for consideration

5.2 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:

<b>Number of signatories</b>	<b>Response</b>
fewer than 50	Response from relevant director/service leader (treated as standard correspondence).
50 - 299	Response from relevant lead councillor.
At least 300	Referred to the Leader/ Executive for response.
At least 500	Referred for debate at a meeting of the full Council (see section 6).
At least 500	Senior officer(s) called to provide evidence at a meeting of the Overview and Scrutiny Committee (see section 7), where such action is requested in the petition.

- 5.3 If we can do what a petition asks for, the acknowledgement to the organiser may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to be referred to the Leader/Executive or to trigger a debate at a meeting of the full Council, or for a senior officer to give evidence at a meeting of the Overview and Scrutiny Committee, then the acknowledgment will confirm this and inform the organiser when and where the relevant meeting will take place.
- 5.4 Where the petition is referred to the relevant lead councillor for a response, the petition organiser will be invited to make a written statement in support of the petition.
- 5.5 Where the petition is referred to the Leader/Executive, the full Council or to the Overview and Scrutiny Committee, the petition organiser (or any person authorised by him/her) will, if they so wish, be given a period not exceeding five minutes to present the petition at the meeting and the petition will then be discussed by councillors. Councillors will also be afforded the opportunity to ask questions of the petition organiser. The petition organiser (or any person authorised by the petition organiser) will be granted a right of reply for a further period not exceeding five minutes at the end of the debate and before a final decision or vote is taken.
- 5.6 In presenting their petition, the petition organiser (or any person authorised by him/her) shall be permitted to use visual aids, subject to submission of such visual aids to the Director of Corporate Services by no later than 12 noon one working day before the meeting at which the petition is presented.
- 5.7 We will contact the petition organiser before the meeting to establish whether they wish to formally present the petition at the meeting in the manner described above.
- 5.8 In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.
- 5.9 If the petition is about something over which the council has no direct control (for example local railway services or hospital) we will consider making representations on behalf of the community to the relevant body. The Council works with a large number of local partners and agencies and where possible will work with these partners/agencies to respond to the petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with Council policy), then we will set out the reasons for this to the petition organiser. Information on the services for which the Council is responsible may be found by browsing our website: [www.guildford.gov.uk](http://www.guildford.gov.uk).

5.10 If the petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event we will always notify the petition organiser of the action we have taken.

## **6. Full Council debates**

6.1 If a petition contains 500 signatures or more, it will automatically be referred to the full Council for debate unless it is a petition asking for a senior council officer to give evidence at an Overview and Scrutiny Committee meeting (see section 7 below).

6.2 The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

6.3 The Council will decide how to respond to the petition at the meeting. They may decide to support the action the petition requests, or not. *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 explicitly respond to the request in the petition i.e. that part of the petition which asks the Council to take some form of action. Alternatively, the Council may refer the matter to the Leader/Executive or the Overview and Scrutiny Committee for further consideration. The petition organiser will receive written confirmation of this decision.*

## **7. Petitions asking senior officers to provide evidence**

7.1 A petition may ask for a senior council officer to give evidence at a meeting of the Council's Overview and Scrutiny Committee about something for which the officer is responsible as part of their job, for example, it may ask a senior council officer to explain progress on an issue, or to explain the advice given to councillors to enable them to make a particular decision.

7.2 If the petition requests such action and contains at least 500 signatures, the relevant senior officer will give evidence at a public meeting of the Overview and Scrutiny Committee.

7.3 For the purpose of this scheme, *senior officer* is defined as one of the following:

- the Managing Director,
- any director, or
- any service leader

7.4 Details of the names of these officers are set out in Part 7 of this Constitution. Petition organisers should be aware that 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 lead councillor to attend the meeting.

7.5 Committee members will ask the questions at this meeting, but petition organisers will be able to suggest questions to the chairman of the committee by contacting the Director of Corporate Services up to seven working days before the meeting although the chairman will have discretion to accept any such questions received after this deadline.

## **8. E-petitions**

- 8.1 The Council welcomes e-petitions which are created and submitted through our website <http://petitions.guildford.gov.uk/>. E-petitions will follow the same guidelines as paper petitions set out above.
- 8.2 E-petition organisers will need to provide us with their name, postal address and email address. They will also need to decide how long they would like their petition to be open for signatures, up to a maximum of 12 months.
- 8.3 When an e-petition is created, it may take five working days before it is published online. This is because we have to check that the content of the e-petition is suitable before it is made available for signature.
- 8.4 If we feel we cannot publish the e-petition for some reason, we will contact the e-petition organiser within this time to explain. The e-petition organiser will be able to change and resubmit their e-petition if they wish. If they do not do this within ten 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.
- 8.5 When an e-petition has closed for signature, it will automatically be submitted to the Committee Services team. In the same way as a paper petition, the e-petition organiser will receive an acknowledgement within ten working days.
- 8.6 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 our website.

## **9. How do I 'sign' an e-petition?**

- 9.1 All the e-petitions currently available for signature may be viewed on the Council's website <http://petitions.guildford.gov.uk/>.
- 9.2 Anyone who signs an e-petition will be asked to provide their name, postcode and a valid email address. When this information has been submitted an email will be sent to the email address provided. This email will include a link which the signatory must click on in order to confirm that the email address is valid. Once this step is complete the signatory's 'signature' will be added to the e-petition. People visiting the e-petition will be able to see the signatory's name in the list of those who have signed it but their contact details will not be visible.

## **10. What can I do if I feel my petition has not been dealt with properly?**

- 10.1 If a petition organiser feels that we have not dealt with their petition properly, they have the right to request that the steps that the Council has taken in response to the petition is reviewed by the Overview and Scrutiny Committee. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.
- 10.2 . *The Council will endeavour to consider the review at the next available meeting of the Overview and Scrutiny Committee although on some occasions this may not be possible and the review will then take place at the following meeting. The petition organiser shall be invited to attend that meeting. 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 director or service leader,*
  - a lead councillor, or*
  - full Council*

*this may include asking the relevant director/service leader 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.*

10.3 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 our website.

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