

Hart District Council's Petitions Scheme

The purpose of this Petitions Scheme is to provide guidance to Members, Officers, and the public on how petitions to the Council will be dealt with. It is intended to be read alongside, and to be complementary to, Council Procedure Rule 13 (Petitions) as set out in the Hart District Council Constitution. If there is any conflict between the two, then Council Procedure Rule 13 shall take precedence.

1. What is a petition

A petition is a formal written request (either submitted in paper or electronic form) signed by many people, appealing to the Council in respect of a particular cause.

2. Who can submit a petition?

A petition can be raised and submitted by anyone who lives in the Hart District area and is on the Register of Electors.

3. How to submit a petition?

Petitions can be submitted at any time but must be received at least 7 clear days¹ before any Council Meeting at which it is due to be presented. Petitions with fewer than 500 signatories will be dealt with by the relevant Head of Service in consultation with the respective Cabinet Portfolio Member.

This does not necessarily mean that the petition will be considered at the first opportunity. If the petition raises issues that require further investigation, then the petition will be considered once those investigations have reached a point that allows a debate on the requested action contained in the petition to be considered.

Petitions should be sent to Committee Services at Hart District Council:

Email: committeeservices@hart.gov.uk

Write: Committee Services, Hart District Council, Harlington Way, Fleet, GU51 4AE

4. Number of signatures required for a petition

To comprise a petition, it should be signed by many people (more than 50) who live within the Hart District area. The response to petitions will depend on what is being asked for and how many people support it. In considering how to respond consideration will be given to what alternative action the Council can take e.g. holding a meeting with the lead petitioner, referring the petition to a cabinet member or officer.

5. On receipt of a petition

Once submitted a petition will be considered closed and no changes or additional signatures will be accepted.

Petitions will be verified, to confirm that they meet the requirements of this scheme. The number of acceptable signatories will be counted. Signatories where any of the required information is missing or illegible will be disregarded. Double or multiple entries from the same property, and signatories where there is reason to believe the details are fictitious will also be disregarded. The Council reserves the right to verify any details.

¹ Clear working days excludes the day the petition is received and the day of the meeting.

6. What are the guidelines for submitting 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. We will not accept petitions that call upon Council simply to "recognise" or "acknowledge" something, as they do not clearly call for a recognisable action. People need to know what they are supporting and therefore the petition should state clearly what it is about or what you think is wrong and what you would like to happen. It should be capable of being read in a few moments to enable people signing a petition to read it first. The petition should state that it is directed to Hart District Council.
- **Signatories** (these can only be people who live within the Hart District area and are on the Electoral Roll)
 - Paper Petitions - The name, address, postcode and signature of anyone signing the petition
 - e-Petitions - The Council will accept e-petitions but not where, due to default privacy settings, the Council is unable to see a name, postal address, a valid postcode and email address for each signatory. The only exception is where there is evidence that the organisation hosting the e-petition requires the lead petitioner and any signatories to register a name, postal address, a valid postcode and email address before being able to sign the e-petition.

Petitions should be accompanied by the contact details of the lead petitioner, including an address and/or telephone/email details. This is the person the Council will contact to explain the process for considering petitions. The contact details of the lead petitioner or any of the petitioners will not be published by the Council.

7. Standards for petitions

- Petitions must call for a specific action from the Council
- Petitions must be about something that the Council is responsible for
- Petitions can disagree with the Council and can ask for it to change its policies.

Petitions will be rejected if it:

- doesn't ask for a clear action from the Council (Petitions for example that simply call upon the Council to "recognise" or "acknowledge" something would fall into this category as they do not clearly call for a recognisable action)
- is abusive, vexatious, defamatory, libellous, contains false statements, or otherwise inappropriate.
- might lead to the Council acting illegally
- is about an identifiable person
- contains material that could be confidential or commercially sensitive
- contains material that may be protected by an injunction or court order
- is about something the Council is not responsible for, or is about something that an independent organisation has done
- could cause personal distress or loss
- clearly supports (either positively or negatively) the financial interests of the person submitting the petition
- duplicates or is substantially like a petition received fewer than 6 months before
- is about the activities and aims of a political party or organisation

- is about the personal circumstances or conduct of any Officer and Councillor or conditions of service of Council employees;
- accuses an identifiable person or organisation of a crime
- names individual officials of public bodies, unless they are senior managers
- names family members of Councillor or Officers of the Council
- is nonsense or a joke
- is an advertisement, spam, or promotes a specific product or service
- is a Freedom of Information request
- contains swearing or other offensive language. This not only includes obvious swear words and insults, but any language to which people reading it could reasonably take offence
- is offensive or extreme in its views. That includes petitions that attack, criticise or negatively focus on an individual or a group of people because of characteristics such as their age, disability, ethnic origin, gender identity, medical condition, nationality, race, religion, sex, or sexual orientation

This Petitions Scheme also does not apply to certain matters, where there are already existing processes for communities to have their say. The following matters are therefore excluded from the scope of this Petitions Scheme:

- a planning or licensing application for which other arrangements are in place
- matters where there is already an existing right of appeal, such as council tax banding and non-domestic rates, where other procedures apply
- matters subject to appeal processes or legal actions, e.g. enforcement action or prosecution.

In the six-week period before an election or referendum the Council may need to deal with petitions differently to avoid taking any action that can otherwise be perceived as being advantageous to any candidates or parties in the forthcoming elections or referendum.

8. How will petitions be dealt with?

Responses to petitions will be appropriate and proportionate to the issue raised. If the petition meets the following thresholds, it may be presented to a meeting of:

- **Council²/Cabinet** (depending on whether the matter is a Council or Executive function) – over 1000 separate supporters
- **Overview and Scrutiny** – between 500 and 1000 separate supporters

Petitions with fewer than 500 separate supporters will be dealt with by the relevant **Head of Service** in consultation with the respective Cabinet Portfolio Member.

However, if the petition relates to an ongoing consultation process, then the petition will be considered as part of that process and not dealt with under the above criteria.

- **Petitions with 1,000 or more Signatures - Council (or Cabinet if the matter relates to an Executive function) debate**

It will normally be debated at the next ordinary meeting of the Council³/Cabinet, although on some occasions, this may not be possible, and consideration will take place at a subsequent meeting.

² Petitions will only be received or presented to Ordinary meetings of the Council.

³ Petitions cannot be received at Annual or Extraordinary meetings of the Council.

At the meeting, the Petition Organiser will be given three minutes to address the Council/Cabinet, and the petition may then be discussed by Councillors for a maximum of 20 minutes.

The Council/Cabinet will decide how to respond to the petition at this meeting. It may decide to:

- take the action the petition requests (if it is within the Council's power to do so),
- not to take the action requested for reasons put forward in the debate, or
- to commission further investigation into the matter, for example by Overview and Scrutiny Committee or relevant Service.

- **Petitions with 500 or more (but fewer than 1,000) signatures – Consideration by Overview and Scrutiny Committee**

Overview and Scrutiny Committee will consider the petition unless it is about an issue which is resolved before the meeting to the Petition Organisers satisfaction.

Overview and Scrutiny Committee will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible, and consideration will take place at a subsequent meeting. The Petition Organiser will be given the opportunity to present the petition at the meeting and the petition will then be discussed by Councillors. Where possible the Cabinet Member with the relevant portfolio responsibility and appropriate officers will be invited to attend.

At this meeting, Overview and Scrutiny Committee will consider and make recommendations on how the Council should respond to the issue raised in the petition. The Committee may decide to recommend (to the Council, Cabinet, officers or partners) that:

- the action the petition requests should be taken,
- no action is taken for reasons put forward in the debate,
- further investigation be commissioned into the matter, for example by a relevant Service, or
- the matter be referred to local Ward Councillors for consideration.

- **Petitions with fewer than 500 signatures**

These will be referred to the appropriate Head of Service for consideration. The Head of Service may decide to use delegated powers, in accordance with existing policies and budget provision to:

- take the action that the petition requests should be taken,
- not take the action requested by the petition where this would be outside existing policies and budget provision,
- refer the matter to Cabinet, Overview and Scrutiny Committee or local Ward Councillors for consideration.

9. Feedback – How will the petitioners be told the outcome?

The final response/outcome of the petition will be published on the Council's website

How to contact Committee Services: Email: committeeservices@hart.gov.uk

Write: Committee Services, Hart District Council, Harlington Way, Fleet GU51 4AE