

Petitions Scheme

1 Introduction

- 1.1. The Council welcomes petitions and recognises that petitions are one way in which people can let the Council know their concerns or points of view. This Petitions Scheme was passed by Full Council on 3 February 2022.
- 1.2. All petitions sent or presented to the Council will receive an acknowledgement within 14 days of receipt. This acknowledgement will set out what the Council plans to do with the petition.
- 1.3. Paper petitions can be sent to:

Corporate and Governance Support Manager
Harlow Council
The Water Gardens
Harlow
CM20 1WG
- 1.4. Petitions can also be presented to meetings of the Full Council or its Committees. This right is contained within the Constitution. The dates and times of these meetings can be found on the Council's website.
- 1.5. If a person would like to present a petition to the Council, they should contact the Council's Corporate and Governance Support Team on 01279 446057 at least five working days (this excludes the day of the Council meeting) before the relevant meeting. The team will talk the petitioner through the process.

2 What are the guidelines for submitting a petition?

- 2.1. For a petition to be considered at one of the Council's meetings it needs to have at least 50 signatories. Petitions with fewer signatories will be referred to the relevant department. Petitions should include:
 - a) a clear and concise statement covering the subject of the petition;
 - b) what action the petitioners wish the Council to take (or cease to take); and
 - c) the name, address and signature of any person supporting the petition.
- 2.2. Petitions must be accompanied by contact details, including an address, for the petition organiser. 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 Council 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.

- 2.3. No petition should substantially address the same topic that another petition has covered within the last six months.
- 2.4. The Council has legal rules that it must follow about matters that cannot be discussed in public. If a petition relates to such a matter it would have to be refused.
- 2.5. Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. 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, the Council will write to the petition organiser to explain the reason.

3 What will the Council do when it receives my petition?

- 3.1. An acknowledgement will be sent to the petition organiser within 14 days of receiving the petition. It will let them know what the Council plans to do with the petition and when they can expect to hear from the Council again. If the petition is accepted, it will be published on the Council's website. If the petition relates to a ward specific issue the relevant Ward Councillors will be informed.
- 3.2. If the Council can do what the petition asks for, the acknowledgement may confirm that the Council has taken the action requested and the petition will be closed.
- 3.3. If the petition has enough signatures to trigger a Full Council debate, or for a senior Officer to give evidence, the acknowledgment will confirm this. The acknowledgement will also confirm when and where the meeting will take place.
- 3.4. If the petition does not have enough signatures to trigger consideration at Full Council, or for a senior Officer to give evidence, the Council's long-standing rules on petitions will apply. The acknowledgment will confirm this and advise the petition organiser what will happen next.
- 3.5. Any such petition will be presented to the appropriate Committee or Cabinet for consideration unless the subject matter is reserved to Full Council. It will be presented to the Chair at the next meeting of the appropriate Committee, Cabinet or Full Council following the date of receipt.
- 3.6. At that meeting the petition organiser will be able to present the petition and will be able to make a speech of no more than three minutes. The speech will be confined to reading out or summarising the text of the petition, indicating the number and description of the signatories and

making such further remarks relevant to the subject matter of the petition as the petition organiser shall think fit. The petition organiser shall be heard in silence but will not have a right to speak again after these three minutes.

- 3.7. After the petition has been presented the Chair or another nominated Councillor shall have the right to respond. A Councillor of the other political groups may also respond at the reasonable discretion of the Chair. A member of the Administration shall then be given a right to sum up at the reasonable discretion of the Chair. In each case the response shall be limited to no more than three minutes.
- 3.8. If a petition that has been presented does not relate to any items of business on the agenda, the Chair may defer consideration of the petition to a later meeting in order to receive an appropriate report at the same time.
- 3.9. 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 (for example Council Tax banding and non-domestic rates) other procedures apply. Further information on all these procedures and how views can be expressed is available on the Council's website.
- 3.10. The Council has various legal rules that it must follow about matters that cannot be discussed in public. It must also observe the requirements of the General Data Protection Regulations. If a petition relates to such a matter it would have to be refused. The petition organiser will be told that this has happened with an explanation as to why.
- 3.11. The Council will not take action on any petition which it considers to be vexatious, abusive or otherwise inappropriate. The Council will explain the reasons for this in the acknowledgement of the petition.
- 3.12. To ensure that people know what the Council is doing in response to the petitions the Council receives, the 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). When you sign an e-petition you can elect to receive this information by email. The Council will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from the Council.

4 Full Council Debates

- 4.1. If a petition contains more than 650 signatures it will be debated by Full Council. Alternatively, if the petition requests it, a senior Council Officer will give evidence at a public meeting.

- 4.2. The issue raised in the petition will be discussed at a Full Council meeting which all Councillors can attend. The Council will endeavour to consider the petition at its next Full Council meeting. On some occasions this may not be possible, therefore, consideration will then take place at the following meeting. To ensure that the Council can continue to discharge its ordinary business effectively, no more than two petitions requiring debate will be considered at any one Full Council meeting.
- 4.3. The Council's consideration of any petition requiring debate at Full Council will be based upon a written report from the relevant Council Officer. This will be published with the Full Council meeting agenda.
- 4.4. The petition organiser will be given three minutes to present the petition at the meeting. The petition will then be discussed by Councillors for a maximum of 30 minutes. The Council will decide how to respond to the petition at this meeting. It may be decided 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 by the relevant Committee or Cabinet. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

5 Officer Evidence

- 5.1. A petition may ask for a senior Council Officer to give evidence at a public meeting of the Council's Scrutiny Committee.
- 5.2. If a petition contains at least 325 signatures, the relevant senior Officer, who is responsible for the petition subject as part of their job, will give evidence at the Scrutiny Committee.
- 5.3. The senior Officers that can be called to give evidence are the Chief Executive and any Director.
- 5.4. The Scrutiny Committee may decide that it would be more appropriate for another Officer to give evidence instead of the Officer that has been named in the petition.
- 5.5. Officers may not be able to give evidence on some matters (for example if the subject matter is relevant to ongoing or potential legal proceedings or subject to some other constraint that would prevent discussion in public). If that is the case the petition organiser will be told and given an explanation.
- 5.6. Committee members will ask the questions at the meeting. The petition organiser will be able to suggest questions to the Chair of the Committee by contacting the Corporate and Governance Support Team up to three working days before the meeting.

6 E-petitions

- 6.1. The Council welcomes e-petitions which can be created and submitted through its website or through www.change.org. E-petitions must follow the same guidelines as paper petitions.
- 6.2. Petition organisers will need to provide the Council 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. Most petitions run for two months. The petition organiser can choose a shorter or longer time frame, however, the maximum period is six months.
- 6.3. When an e-petition is created online, it may take five working days before it is published online. This is because the Council has to check whether the content of a petition is suitable before it is made available for signature.
- 6.4. If a petition cannot be published for some reason, the petition organiser will be contacted within five working days with an explanation. They will then be able to change and resubmit their petition if they so wish. If the petition organiser does not do this within 14 days, a summary of the petition and the reason why it has not been accepted will be published under the 'Closed Petitions' section of the website.
- 6.5. When an e-petition has closed for signature, it will automatically be submitted to the Corporate and Governance Support Team. The petition organiser will receive an acknowledgement within 14 days. If a petition organiser would like to present their e-petition to a meeting of the Council, they should contact the Corporate and Governance Support Team within five days of the petition closing.
- 6.6. If the petition has been created through www.change.org, the petition organiser will need to submit the petition themselves. This must include the list of signatories.
- 6.7. 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.

7 How is an e-petition signed?

- 7.1. All e-petitions currently available for signature can be viewed on the Council's website.
- 7.2. When a petitioner signs an e-petition they will be asked to provide their name, postcode and a valid email address. When a petitioner has submitted this information they will be sent an email to the email address they have provided. This email will include a link which a petitioner must click on in order to confirm the email address is valid. Once this step is

complete the petitioner's 'signature' will be added to the petition. People visiting the e-petition will be able to see their name in the list of those who have signed it. Their contact details will not be visible.

8 What can a petitioner do if they feel their petition has not been dealt with properly?

- 8.1. If the petition is one that would have required a Full Council debate or called for Officer evidence and the petition organiser feels that the Council has not dealt with their petition properly, the petition organiser has the right to request that the Council's Scrutiny Committee review the steps that the Council has taken. The petition organiser must do this within 28 days of the notice of the action that the Council intends to take.
- 8.2. The Committee will consider a request for a petition within 25 working days of receiving it. Should the Committee determine that the Council has not dealt with a petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations and/or arranging for the matter to be considered at a meeting of Full Council.
- 8.3. Once the review has been completed the petition organiser will be informed of the results within seven days. The results of the review will also be published on the Council's website.