

12. PETITIONS SCHEME

Petitions are one of the ways in which people can influence decisions that affect their local community. Anyone who lives, works or studies in the Borough, including under 18s, can sign or organise a petition and trigger a response.

1. GENERAL

- 1.1 This Scheme covers the majority of petitions that are submitted to the Council. However separate provisions are in place for handling petitions related to planning and licensing applications. Further detailed information about how the Council will respond to these petitions is available from the Council's Planning Team and the Council's Licensing Team.

Guidelines for submitting a petition

- 1.2 The Council will treat something as a petition if it is identified as being a petition, or if it seems to the Council that it is intended to be a petition.

Petitions should be sent to:

Corporate Manager – Democracy
Rushmoor Borough Council Offices
Farnborough Road
Farnborough
Hampshire
GU14 7JU

Email: jill.shuttleworth@rushmoor.gov.uk

- 1.3 Petitions submitted to the council should 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, address and signature of any person supporting the petition.
- 1.4 Petitioners must provide an address that is within the area of Rushmoor, and can be their home, work or place of study.
- 1.5 Petitions should be accompanied by an eligible address for the petition organiser (An eligible address is one that falls within the Borough as a place of residence, work or study). This 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 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.
- 1.6 Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or a referendum

the council may need to deal with the petition differently. If this is the case the council will explain the reasons and discuss the revised timescale which will apply.

- 1.7 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 contact the petition organiser to explain the reasons.
- 1.8 Petitions may be presented to a meeting of the authority. If you would like to present your petition to a council meeting or would like your ward councillor to present it on your behalf, please contact the Corporate Manager – Democracy to discuss the appropriate meeting that this should be submitted to. At least 10 working days notice should be given of a request to present a petition to a meeting of the authority.

What happens following receipt of a Petition

- 1.9 All petitions sent or presented to the council will receive an acknowledgement from the Council within 14 working days of receipt. This acknowledgement will set out what we plan to do with the petition. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and advise when and where the meeting will take place.

2. HOW THE COUNCIL WILL RESPOND TO PETITIONS

- 2.1 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 meeting of the authority
 - holding an inquiry into the matter
 - commissioning research into the matter
 - holding a public meeting
 - a written response to the petition organiser setting out the authority's views on the request in the petition
 - referring the petition to the Council's Overview and Scrutiny Committee

Petitions with Less than 500 Signatures

- 2.2 Where a petition is of a very local nature, and affects a small part of the Ward, the appropriate Head of Service shall consult the relevant Cabinet Member or Committee Chair, together with Ward Members to agree a response and any necessary resulting action. This may include one of the actions set out in paragraph 2.1 above.
- 2.3 Where a petition raises implications for the Council's Services and/or budget and policy framework, the appropriate Head of Service shall consult the relevant Cabinet Member or Committee Chair, together with Ward Members to consider a response, which may include one of the actions set out in paragraph 2.1 above. However, any action which has implications for the Council's budget and policy framework, or would have a significant impact on service delivery would need to be agreed by the Cabinet. Receipt of the petition and the proposed response shall be reported to the Cabinet, or relevant Committee as appropriate.

Referral to the Overview and Scrutiny Committee

- 2.4 If a petition contains at least 500 eligible signatures and raises implications for the Council's services and/or budget, the matter shall be referred to the Overview and Scrutiny Committee for consideration.

Referral to Full Council

- 2.5 If a petition contains more than 1,000 eligible signatures it will be debated at the next available Council meeting*, allowing at least 10 working days notice. This means that the issue raised in the petition will be discussed at a meeting that all councillors can attend.
- 2.6 The council will consider and 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 requested 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, which will also be published on the website.

*An exception is that if the petition asks for a senior council officer to give evidence at a public meeting, then this shall usually take place at the Overview and Scrutiny Committee.

Public Speakers

- 2.7 When a petition is referred to Council or a committee, the petition organiser shall be offered the option of presenting their petition to the meeting. A maximum of ten minutes shall be permitted for this. If there are requests for additional speakers, this will be managed in accordance with the public speaking procedure rules (set out in Part 4 of the Constitution). The Lead officer for the meeting in consultation with the Chair of the Committee will make the final decision on the numbers of public speakers at any meeting.

Petitions related to planning or licensing applications

- 2.8 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, the matter will be dealt with outside of these provisions, in accordance with existing procedures. All petitions related to planning applications shall be reported to the Council's Development Management Committee.

Other Responses

- 2.9 If the petition is about something over which the council has no direct control (for example the local railway or hospital) the council will aim to make representations on behalf of the community to the relevant body. The council works with a large number

of local partners and where possible will work with these partners to respond to the petition. If the Council is not able to do this for any reason (for example if what the petition calls for conflicts with council policy), then the reasons will be explained to the petition organiser.

- 2.10 If the petition is about something that a different council 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, but could involve other steps. In any event, the petition organiser will be notified of the action taken.
- 2.11 The Council 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. PETITION APPEALS

- 3.1 The petition organiser has the right to request that the Overview and Scrutiny Committee reviews the steps that the council has taken in response to their petition, if the organiser feels that the Council has not dealt with the petition properly.
- 3.2 The Overview and Scrutiny Committee will endeavour to consider the request 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 a petition has not been dealt with adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation and making recommendations to the Cabinet.
- 3.3 Once the appeal has been considered the petition organiser will be informed of the results within seven days.