



## **HART DISTRICT COUNCIL PETITION SCHEME**

### **I. PETITIONS**

1.1 The council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition.

1.2 Petitions can be sent to:

Democratic Services  
Hart District Council  
Civic Offices  
Harlington Way  
Fleet  
Hants GU51 4AE

Electronic petitions can be sent to [petitions@hart.gov.uk](mailto:petitions@hart.gov.uk)

1.3 Petitions can also be presented to a meeting of the council. These meetings take place on a monthly basis, dates and times can be found here [http://www.hart.gov.uk/index/your\\_council/council\\_meetings.htm](http://www.hart.gov.uk/index/your_council/council_meetings.htm). If you would like to present your petition to the council, or would like your councillor to present it on your behalf, please contact Democratic Services on 01252 774077 at least 5 working days before the meeting and they will talk you through the process. If your petition has received 1000 signatures or more it will also be scheduled for a council debate and if this is the case we will let you know whether this will happen at the same meeting or a later meeting of the council.

### **2. WHAT ARE THE GUIDELINES FOR SUBMITTING A PETITION?**

2.1 Petitions submitted to the council must include

- a clear and concise statement covering the subject of the petition.
- the name, address and signature of any person supporting the petition

2.2 Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. If the petition does not identify a petition organiser, we will contact the first signatory to the petition to agree who should act as the petition organiser. The subject and the organiser's details of an electronic petition will be displayed on our web site so that other people can read the subject of the petition and if they wish choose to support it.

- 2.3 Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case we will explain the reasons and discuss the revised timescale which will apply.
- 2.4 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 you to explain the reasons.

### **3. WHO CAN SIGN A PETITION?**

- 3.1 A petition can be signed by a person of any age who lives, works, or studies in the Hart District. Your petition should provide reasonable confirmation of these facts, such as an address, name and address of an employer or name of educational establishment.
- 3.2 A petition may be signed only once. The list of signatories will be checked and any duplicate signatures removed.
- 3.3 For petitions submitted electronically a valid email address will be accepted in lieu of a signature.

### **4. WHAT WILL THE COUNCIL DO WHEN IT RECEIVES MY PETITION?**

- 4.1 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they may expect to hear from us again.
- 4.1 If you have sent us an electronic petition your petition will be displayed on our web site for others to read and support. The petition will be closed to new supporters after 3 months.
- 4.2 If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps we plan to take.
- 4.3 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. Further

information on all these procedures and how you can express your views is available directly from those services.

4.4 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. Your petition may be rejected if the Democratic Services Manager considers that the petition:

- Contains intemperate, inflammatory, abusive or provocative language
- Is defamatory, frivolous, vexatious, discriminatory or otherwise offensive
- Contains false statements or false signatures
- Is too similar to another petition submitted within the past six months
- Discloses confidential or exempt information, including information protected by a court order or government department
- Discloses material which is otherwise commercially sensitive
- Names individuals, or provides information where they may be easily identified, eg individual officers of public bodies, or makes criminal accusations
- Contains advertising statements
- Refers to an issue which is currently the subject of a formal council complaint, Local Ombudsman complaint or any legal proceedings

## 5. HOW WILL THE COUNCIL RESPOND TO PETITIONS?

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 council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's overview and scrutiny committee\*
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition
- Electronic petitions that have fewer than 500 supporters after three months will be closed.

*\*Overview and Scrutiny committees are committees of councillors who are responsible for scrutinising the work of the council – in other words, the Overview and Scrutiny Committee has the power to hold the council's decision makers to account.*

- 5.2 In addition to these steps, the council will consider all the specific actions it can potentially take on the issues highlighted in a petition.
- 5.3 If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body, or if considered appropriate, forwarding the petition to the relevant body. The council works with a large number of local partners [http://www.hart.gov.uk/index/community\\_living/partnerships.htm](http://www.hart.gov.uk/index/community_living/partnerships.htm) and where possible will work with these partners to respond to your 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 you. You can find more information on the services for which the council is responsible here <http://www.hart.gov.uk/index.htm>.

## **6. FULL COUNCIL DEBATES**

- 6.1 If a petition contains more than 1,000 signatures it will be debated by the full council unless it is a petition asking for a senior council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all councillors can attend. 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. The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors. The council will decide how to respond to the petition at this meeting. They 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. Where the issue is one on which the council executive are required to make the final decision, the council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

## **7.0 OFFICER EVIDENCE**

- 7.1 Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your 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.

- 7.2 If your petition contains at least 500 signatures, the relevant senior officer will give evidence at a public meeting of the council's overview and scrutiny committee. A list of the senior staff that can be called to give evidence is given in paragraph 7.3. You 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. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the committee by contacting the Democratic Services Manager up to five working days before the meeting.
- 7.3 For the purposes of this Petition Scheme a 'Senior Council Officer' means the Chief Executive, Corporate Directors, Chief Financial Officer (S151 Officer), Monitoring Officer, and Heads of Services.

## **8. WHAT CAN I DO IF I FEEL MY PETITION HAS NOT BEEN DEALT WITH PROPERLY?**

- 8.1 If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the council's overview and scrutiny committee review the steps that the council has taken in response to your petition. 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.
- 8.2 The committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following or subsequent meeting. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the council executive and arranging for the matter to be considered at a meeting of the full council.
- 8.3 Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

## **9. INFORMATION AND ADVICE**

- 9.1 For further information or advice please contact the Democratic Services Manager, Hart District Council, Civic Offices, Harlington Way, Fleet, Hampshire GU51 4AE. Tel: 01252 622122. Email [atiffin@hart.gov.uk](mailto:atiffin@hart.gov.uk). [http://www.hart.gov.uk/index/your\\_council/petitions.htm](http://www.hart.gov.uk/index/your_council/petitions.htm)



VI.1 15<sup>th</sup> December 2010.