

PART 4G - THE PETITION SCHEME

1. Who Can Sign a Petition?

The Council accepts petitions signed by people who live, work or study in the borough.

2. Guidelines

Petitions submitted to the Council must include:

- a clear short statement covering the subject of the petition. It should say what action the petitioners wish the Council to take.
- the name, address and signature of each person supporting the petition.
- contact details for the petition organiser. This is the person we will contact to explain how we will respond to the petition.

Petitions which are the same or similar to one already considered in the past 6 months, or are considered to be vexatious, abusive, defamatory, contain profane language or are otherwise inappropriate will not be accepted. The decision on this will be made by the Monitoring Officer. Examples of inappropriate petitions would include those relating to matters which are part of ongoing legal proceedings or those which target individual members of a community. In the period immediately before an election or referendum, it may also be inappropriate to deal with certain petition issues.

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. Exclusions

There are some circumstances where petitions will not be dealt with under this Scheme. These include any matters relating to Planning or Licensing applications. These will be dealt with in accordance with the wider consultation processes and timetables relevant to the specific application. For further information about making representations on Planning or Licensing applications, please contact development.management@kingston.gov.uk or licensing@kingston.gov.uk

Similarly, if you submit a statutory petition (for example one 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.

4. How Can Signatures be Collected?

Signatures can be collected electronically on the Council's e-petitions system which can be found on the Council's website, www.kingston.gov.uk. Once an e-petition has been created it will be published within 3 days of submission. E-petitions will be able to gather signatures on the website for a period of the organisers choosing, up to a maximum of 6 months. People visiting the e-petition on the Council's website will be able to see your name in the list of those who have signed the petition but not your contact details.

Signatures can also be collected on a third party website provided that it allows the name and address of each of the signatories to be submitted to the Council.

We will also accept signatures collected in hard copy form or any combination of the methods described in this section.

5. How Can Petitions be Submitted?

Petitions gathered on the Council's e-petitions system will be automatically received by the Council as soon as the deadline for collection of signatures set on the system by the petition organiser has expired. Petitions gathered on third party websites must be directly emailed to democratic.services@kingston.gov.uk once all signatures have been gathered. Petitions gathered on third party websites which are not forwarded to the Council will not be dealt with under this Scheme.

Petitions in hard copy can be posted or delivered to Democratic Services, Guildhall, Kingston upon Thames, KT1 1EU.

Petitions which have not already been submitted to the Council by one of the means set out above may instead be presented to a meeting of the Council, or a relevant Strategic Committee or Neighbourhood Committee provided that they contain at least 20 signatures* and notice of the intention to submit the petition is given in writing to democratic.services@kingston.gov.uk by 10am on the last working day prior to the meeting. This notice must include the title of the petition, a brief description of its content and an indication of the number of signatories.

** The Chair of Neighbourhood Committees may waive the 20 signature threshold where the petition relates to a community or geographical area with a limited number of residents.*

Where a petition is presented to a meeting of the Council or a Strategic or Neighbourhood Committee as set out above, the lead petitioner, one of the signatories to the petition nominated by the lead petitioner or an elected Councillor

nominated by the lead petitioner, shall have the right to address the meeting for up to two minutes in order to introduce the petition. There shall be no questions, comment or debate by members of the Council or Committee and the petition shall immediately stand referred to be dealt with subsequently in accordance with this scheme.

A maximum of five petitions can be submitted in this way at any one meeting and they shall be dealt with in order of numbers of signatories. Any petition not submitted at the meeting will be accepted and dealt with under this Rules.

6. What will the Council do when it receives my petition?

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.

If we can do what your petition asks for, the acknowledgment 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 or Committee debate, or a senior officer giving evidence, then the acknowledgement 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.

7. How will the Council respond to petitions?

Our response to a petition will depend on what the petition asks for but may include one or more of the following:

- taking the action requested in the petition
- considering the petition at a Council, Strategic and/or Neighbourhood Committee meeting (see section 8 regarding Large Petitions for some of the circumstances where this may happen)
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- writing to the petition organiser setting out our views about the request in the petition
- in exceptional circumstances, writing to all those who signed the petition to clarify any issues raised in or by the petition and/or to advise them of the outcome of the petition process (normally the main point of contact will be the lead petitioner)

If your petition is about something over which the Council has no direct control, 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, where possible, will work with these partners to respond to your petition.

The details of petitions with 100 or more valid signatures will be published on the Council's website.

8. Large Petitions

If a petition contains a total number of valid signatures equivalent to at least 1% of the number of registered local government electors as at 15th February each year (*based on the electoral register at 15th February 2019, currently a total of 1,134*) it will be considered at a meeting of the full Council.

If a petition contains a total number of valid signatures equivalent to at least 0.5% of the number of registered local government electors as at 15th February each year (*based on the electoral register at 15th February 2019, currently a total of 567*) it will be considered at a meeting of the relevant Strategic Committee.

If the relevant decision making body in respect of a petition is a Neighbourhood Committee and a petition contains a total number of valid signatures equivalent to at least 0.5% of the number of registered local government electors in the relevant Neighbourhood as at 15th February each year (*based on the electoral register at 15th February 2019, currently totals of 152 for the Kingston Town Neighbourhood, 175 for the Malden and Coombes Neighbourhood, 142 for the Surbiton Neighbourhood and 109 for the South of the Borough Neighbourhood*) it will be considered at the relevant Neighbourhood Committee.

Where a petition qualifies under this section to be considered at a meeting of Council or a Strategic or Neighbourhood Committee it will normally be considered at the next meeting of the relevant body but where this is not practicable consideration will take place at a subsequent meeting. The petition organiser will be given five minutes to present the petition at the meeting and the petition may then be discussed by Councillors for a maximum of 30 minutes. The Council or Committee will decide how to respond to the petition at this meeting. The petition organiser will receive written confirmation of this decision.

9. Holding an officer to account

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 role. If your petition contains a total number of valid signatures equivalent to at least 0.5% of the number of registered local government electors as at 15th February each year

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(based on the electoral register at 15th February 2019, currently a total of 567) the relevant senior officer may be called to give evidence to the most appropriate Strategic Committee. At the relevant meeting the petition organiser will be allowed up to five minutes to present the petition but may not direct questions at the Officer concerned. Members of the Committee may subsequently ask questions of the Officer concerned.

Regardless of the number of signatures obtained this procedure will not apply to meetings of the full Council.

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

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Monitoring Officer reviews the steps that the Council has taken in response to the petition. If the Monitoring Officer agrees that the petition has not been dealt with properly they may require the Council to provide a further response based on one of the courses of action set out in section 7 of this Scheme.

Once the appeal has been considered, the petition organiser will be informed of the results within 5 working days.

11. Further information

For further information or advice on starting a petition, presenting a petition or for any other aspect of petitioning the Council please contact:

Democratic Services, Guildhall, Kingston upon Thames, KT1 1EU.
Email: democratic.services@kingston.gov.uk/ Tel: 020 8547 5021

12. Interpretation

The decision of the Monitoring Officer in respect of all aspects of the operation of this Scheme is final.