

LONDON BOROUGH OF SOUTHWARK PETITION SCHEME

Introduction

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 clear working days of receipt. This acknowledgement will set out what we plan to do with the petition.

Paper petitions can be sent to:
The Proper Constitutional Officer
Constitutional Team,
London Borough of Southwark
PO Box 64529
London
SE1P 5LX

A petition can be submitted by a person of any age who lives, works or studies in Southwark.

This scheme allows different categories of petition and each has a different requirement for the number of signatures:

Who can receive a petition

Type of Petition	Threshold (Signatories)	Decision Maker
Petitions to debate	1500	Council Assembly
Petition to hold an officer to give evidence	500	Select Overview & Scrutiny Committee
Petitions to the cabinet	500	Cabinet
Petitions to community councils (Local issues)	250	Relevant community council
Statutory petition	See appropriate legislation	As directed by legislation

If your petition has received the required number of signatures or more it will be debated by the relevant decision maker, or the officer will be called before the appropriate overview and scrutiny committee or scrutiny subcommittee. If this is so, we will let you know whether this will happen at the same meeting or at a later meeting of the council

Petitions can also be presented to some meetings of council assembly, to other council committees and to community councils. The council assembly meetings at which

petitions can be presented take place four times a year. Dates and times can be found here: <http://moderngov.southwarksites.com/mgCalendarMonthView.aspx?GL=1&bcr=1>.

If you would like to present your petition to council assembly, or would like your councillor to present it on your behalf, please contact Chidilim Agada, Head of Constitutional Services on **020 7525 7225** or email constitutional.team@southwark.gov.uk at least 10 clear working days before the meeting and a council officer will talk you through the process.

What is a petition?

Petitions submitted to the council must include:

- A clear and concise statement covering the subject of the petition on each page of the petition
- It should state what action the petitioners would like the council to take
- State who should debate the petition or the name of the officer to be called to be held to account
- The name, address and signature of any person supporting the petition.

How petitions are dealt with

- “Petitions to debate” must be reported to and debated by council assembly;
- “Petitions to cabinet” must be reported to and debated by the cabinet;
- “Petitions to hold an officer to account” trigger a meeting of an overview and scrutiny committee* or scrutiny subcommittee at which the named officer will report and be questioned on their actions;
- “Petitions to debate by community council” must be reported to and debated by the relevant community council;
- “Statutory petition” is a petition which is covered by another statute, for example requesting a referendum on having an elected mayor or for an allotment.

* Overview & 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.

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. The contact details of the petition organiser will not be placed on the council’s website. If the petition does not identify a petition organiser, we will contact the first named person on the petition.

Petitions which are considered 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. If a petition does not follow the guidelines set out above, the council may decide not to do anything further with it.

Scope of petitions

Petitions must relate to matters in which the council has powers or duties or which affects Southwark*. Petitions shall not concern approval or otherwise of a planning or licensing application, or a statutory petition. Petitions will also be disallowed where there is already an existing right of appeal or the petition is vexatious, abusive or otherwise inappropriate.

* A matter affects Southwark where it does not relate to a power or duty but relates to an improvement in the economic, social or environmental well-being of Southwark to

which any of our local partners could contribute. Therefore, 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. The council works with a large number of local partners (<http://www.southwarkalliance.org.uk/partnerships/index.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.southwark.gov.uk/a_to_z/A.

If the petition applies to any of the following matters, the monitoring officer may reject it:

- a planning or licensing application,
- a statutory petition (for example requesting a referendum on having an elected mayor),
- 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 here: http://www.southwark.gov.uk/info/200348/democracy_in_southwark.

We will not take action on any petition which we consider falls outside the scope for petitions and will explain the reasons for this in our acknowledgement of the petition.

If your petition is about something that a different council is responsible for we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event, we will always notify you of the action we have taken.

Calling senior officers 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 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.

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 can be found on the website: <http://www.southwark.gov.uk/info/200024/consultations/1703/petitions/5>. 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. The committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the chair of the Southwark council petition scheme May 2010 committee by contacting the relevant scrutiny committee officer up to three clear working days before the meeting.

What will the council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 clear 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. It will also be published on our website: <http://www.southwark.gov.uk/info/200024/consultations/1703/petitions/1>.

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 debate at the council meeting you have requested, 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.

To ensure that people know what we are doing in response to the petitions we receive the details of all petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal data will be removed).

E-petitions

The council welcomes e-petitions which are submitted through our website: <http://moderngov.southwark.gov.uk/mgepetitionlistdisplay.aspx?bcr=1>. E-petitions must follow the same guidelines as paper petitions as set out above. The petition organiser must provide their name, address, post code and email address.

Your e-petition will be published on our website within 10 clear working days of receiving the petition request. Once your petition is published, it can be signed by other people. If you have submitted an e-petition all acknowledgement and correspondence will be sent to the email address you provide when submitting the petition.

If we feel we cannot publish your petition for someone reason we will contact you to explain and you will be able to change and re-submit your petition if you wish. When an e-petition has closed for signature, it will automatically be submitted to the monitoring officer and the same process will be followed as for paper petitions.

How do I sign an e-petition?

You can see all petitions currently available for signature on our website: <http://moderngov.southwark.gov.uk/mgepetitionlistdisplay.aspx?bcr=1>. When you sign an e-petition your name can be seen by people visiting the e-petition, your contact details will not be visible. You can only sign an e-petition once. Signatures will be checked by the monitoring officer and any duplicate signatures or obviously frivolous responses will be removed.

The monitoring officer may, at their discretion, decide to instruct officers to verify the signatures on a petition to ensure that they are genuine.

How will the council respond to petitions?

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 assembly meeting
- Considering the petition at a meeting of the cabinet
- Considering the petition at a community council meeting if requested
- 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
- Referring the petition for consideration by the council's overview & scrutiny committee
- Writing to the petition organiser setting out our views about the request in the petition.

Process at the meeting

If a petition contains the required number of signatures, and you have requested that it be debated by a particular body such as council assembly or a community council; the

issue raised in the petition will be discussed at a meeting, which relevant councillors can attend. The council will endeavour to consider the petition at the next available meeting, although on some occasions this may not be possible and consideration will then take place at the following meeting.

At the meeting, the petition organiser will be given five minutes to present the petition and the petition will then be discussed by councillors for a maximum of 15 minutes. The councillors 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 cabinet are required to make the final decision, the body which receives the petition 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.

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 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 adequate.

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 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 cabinet and arranging for the matter to be considered at a meeting of the council assembly.

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.