

## **Petition Scheme – Epping Forest District Council**

### **1. Definition**

- 1.1 For the purpose of this procedure a petition is a request to the Council made either in writing; or through the Council's e-petitions system on its website.
- 1.2 The petitions page of the Council's website is available at:

<https://rds.eppingforestdc.gov.uk/mgePetitionListDisplay.aspx>

### **2. Scope of Scheme**

- 2.1 The Council will accept paper-based petitions, e-petitions (but only those submitted through its own petition system) or a mix of paper and e-petitions. The proper officer for petitions is the Democratic Services Manager.

### **3. Acknowledgement**

- 3.1 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.
- 3.2 All petitions sent or presented to the Council will be acknowledged within seven days of receipt. Such acknowledgement will be sent to the lead petitioner and will set out what the Council plan to do with the petition.

### **4. Exceptions to the Scheme**

- 4.1 The following do not fall within the scope of this Petition Scheme:
  - (a) emailed petitions, as email systems are not secure. Petitioners must use either paper or the Council's e-petitions system. The Council will not monitor third party petitions systems;
  - (b) petitions which are considered to be vexatious, abusive, anonymous or otherwise inappropriate will not be accepted. In the period immediately before an election or referendum the Council may need to deal with a petition differently – if this is the case the Council will explain the reasons with the petitioner and discuss the revised timescale which will apply;
  - (c) petitions relating to a planning application, including those about a development plan document or the community infrastructure levy. The planning application process deals with objections to applications;
  - (d) petitions relating to a licensing decision; (as the Licensing scheme deals with objections to applications);
  - (e) petitions relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal;
  - (f) any matter for which the Standards Committee has powers for determining complaints received under the Local Assessment process;

- (g) any complaint made against an employee of the District Council;
  - (h) any matter which is substantially the same as a petition submitted in the previous 12 months;
  - (i) where the subject matter is subject to ongoing legal proceedings; or
  - (j) petitions made during formal Council consultations related to the subject matter of the consultations (these will be formally referred to that process as appropriate).
- 4.2 Where a petition submitted relates to one of the categories set out above the Council will write to the lead petitioner and explain why the matter is not covered by the authority's Petition Scheme. In appropriate circumstances, the Council may advise how the public views can be considered via alternative means.

## **5. Submission guidelines/Signatory Requirements**

- 5.1 Petitions submitted to the Council must include:
- (a) a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take;
  - (b) the name and address and signature of any person supporting the petition; and
  - (c) contact details, including an address (and a valid email address if submitted electronically), for the lead petitioner;
- 5.2 If the lead petitioner wishes to start an e-petition, the Council and the lead petitioner will agree the period over which signatures will be collected and the final wording of the petition. The petition will then be available to sign 'electronically' for the agreed period on the Council's website. On the expiration of that time, the Council will respond in accordance with Section 7 below.
- 5.3 Anyone who lives, works or studies in Epping Forest District is entitled to sign to support a petition. The supporter's name, address, a valid email address and/or postcode are required to sign an e-petition on the Council's website. For paper petitions signatories must provide their, name, address and signature.
- 5.4 A paper petition template can be downloaded from the Council's website.
- 5.5 E-petitions will run on the Council website for a maximum of 3 months, but the Council and the lead petitioner can choose a shorter timeframe up to the maximum period.

## **6. The procedure when the Council receives a petition**

- 6.1 The Council will send the lead petitioner an acknowledgement of the petition within seven working days. Local ward councillors will be informed of the receipt of a petition.

- 6.2 If the Council can do what the petition asks for, the acknowledgement may confirm that the Council have taken the action requested and the petition will be closed.
- 6.3 If the petition needs more investigation, the Council will advise the lead petitioner of the steps that it plans to take.
- 6.4 If the lead petitioner has created an e-petition, the Council will check that the content of the e-petition is suitable before it is made available for signature. This will take a maximum of ten working days. Any person wishing to submit an e-petition should ensure there are no existing petitions addressing the same issue before creating a new petition.
- 6.5 If the Council cannot publish an e-petition for some reason, the Council will contact the lead petitioner within ten working days to explain the reason for not publishing a petition based upon the exceptions in section 4 above.
- 6.6 A lead petitioner is able to change and resubmit their e-petition within ten working days. If they fail to do so within that time, a summary of the e-petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.
- 6.7 When an e-petition has closed for signature, it will automatically be submitted to the Council's Democratic Services Section. In the same way as for a paper petition, the lead petitioner will receive an acknowledgement within 10 working days.
- 6.8 All e-petitions currently available for signature will be available on the Council's website. Any person visiting the e-petition will be able to see the name of each signatory in the list of those persons that have signed the petition, but contact details will not be visible. All members of the Council will be advised of the submission of an e-petition, through the Council Bulletin.

**7. How the Council considers petitions**

<b>Petition type</b>	<b>Response</b>
Correspondence with fewer than 20 signatures	This will normally be dealt with by the appropriate Directorate as ordinary correspondence, unless the Service Director concerned is of the opinion that the subject matter is sufficiently important or contentious to warrant referring the matter to the appropriate Portfolio Holder.

Petition type	Response
Petitions with more than 20 but fewer than 1200 signatures	<p>These will be considered and dealt with by the relevant portfolio holder who may:</p> <p>(a) take action if he or she has delegated powers to act alone;</p> <p>(b) prepare a report to the Cabinet or a Sub-Committee of the Cabinet for decision if appropriate.</p>
Petition containing at least 1200 signatures.	The relevant Portfolio Holder will prepare a report to the Cabinet for decision on the matter.
2400 signatures or more	These large petitions will be scheduled for a council debate.
E-petitions	When an e-petition has closed for signature, it will automatically be submitted to the relevant officer, portfolio holder or Council in the same way as a paper petition.

## 8. Decisions on petitions

8.1 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 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 Cabinet or a Cabinet Committee;
- writing to the lead petitioner setting out our views about the request in the petition.

8.2 In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

8.3 If a petition is about something over which the Council has no direct control, the responsible body (under section 7 above) will consider making representations on behalf of the community to the relevant body.

8.4 There is a three-tier system of local government in the Epping Forest District. Generally, Essex County Council is responsible for strategic functions and services such as education and social care and the district and borough councils provide more local services, although some functions are shared between the county and district councils. Details of the main functions of Essex

County Council and Epping Forest District Council can be found in the Appendix to this Scheme. Some of the Council's functions and responsibilities have also been devolved to local town and parish councils.

- 8.5 In addition, many public services are delivered by other organisations, including the police (through the Police, Fire and Crime Commissioner), health services (via the National Health Service), welfare benefits and employment services etc.
- 8.6 If the Council is not able to meet the petitioners' requests for any reason (for example if what the petition calls for conflicts with council policy), then the Council will set out the reasons for not taking the action requested in writing to the lead petitioner.
- 8.7 Decisions made by a Portfolio Holder will be recorded in writing and notified to the public, the lead petitioner and all members of the Council.
- 8.8 All petitions received will be reported to the Council via regular Portfolio Holder reports.

#### **9. Petitions received after a decision is made**

- 9.1 In cases where a petition is received after a decision has been made by the Council on any matter, the following steps will be taken by the relevant service director unless the petition meets the threshold for a Council debate:
  - (a) a letter of acknowledgement shall be sent to the lead petitioner, including a statement of the action already taken by the Council;
  - (b) in consultation with the appropriate Portfolio Holder, Committee or Sub-Committee Chairman a decision will be taken as to whether the petition raises new evidence requiring further consideration by the Portfolio Holder or Committee concerned;
  - (c) if it is decided that no new matters are raised by the petition, the lead petitioner shall be advised accordingly;
  - (d) if new matters are raised then the petition will be treated as 'new' under this Scheme.

#### **10. Full Council and Cabinet debates**

- 10.1 If a petition contains more than 2400 signatures it will be debated by the full Council at its next ordinary meeting.
- 10.2 If a petition contains more than 1200 signatures it will be subject to report and debate by the Cabinet at its next available meeting.
- 10.3 The lead petitioner will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors.
- 10.4 The Council or Cabinet will decide how to respond to the petition at this meeting. The Council or Cabinet may:

- (a) decide to take the action the petition requests, and in the case of a Cabinet debate, report to Council if appropriate (see paragraph 11 below)
- (b) not to take the action requested for reasons put forward in the debate, or
- (c) commission further investigation into the matter, for example by the Cabinet (if the matter was debated at Council) or a relevant Cabinet committee.

## **11. Council Referrals**

- 11.1 Where the issue is one on which the Council Executive are required to make the final decision (i.e. within the financial and policy framework), the Council will decide whether to make recommendations to inform that decision. The lead petitioner will receive written confirmation of this decision. This confirmation will also be published on the Council's website.

## **12. Further Information**

- 12.1 Further information about the Council's Petition Scheme can be obtained by contacting:

[democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

## Appendix: main functions of local authorities

Function	Tier
Allotments	Town/Parish
Arts and recreation	County/District
Births, ceremonies and deaths registration	County
Building regulations	District
Burials and cremations	District
Cemeteries	Town/Parish
Children's services	County
Community safety	District
Concessionary travel	County
Consumer protection	County
Council tax and business rates	District
Economic development	County/District
Education, including special educational needs, adult education, pre-school	County
Elections and electoral registration	District
Emergency planning	County/District
Environmental health	District
Highways (not trunk roads), street lighting and traffic management	County
Housing	District
Libraries	County
Licensing	District
Markets and fairs	District
Minerals and waste planning	County
Museums and galleries	County/District
Open spaces	Town/Parish
Parking	County/District
Passenger transport (buses) and transport planning	County
Planning and development	County/District
Public conveniences	District
Public health	County
Social services, including care for the elderly and community care	County
Sports centres, parks, playing fields	District
Street cleaning	District
Tourism	County/District
Trading standards	County
Waste collection and recycling	District
Waste disposal	County