

LONDON BOROUGH OF TOWER HAMLETS

GUIDE TO PETITIONS SCHEME

This document provides guidance on the Council's Petition Scheme, as set out at the Appendix to the Council Procedure rules (Rule 26, Part B – Responsibility for Functions and Decision Making Procedures)



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Tower Hamlets Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. The scheme sets out how the Council will deal with petitions

What is a Petition?

We will treat something as a petition if it is identified as being a petition, or it seems to us that it is intended to be a petition.

We accept both Paper and 'e –petitions'. (Please note that fuller guidance on the types of Petitions that can and cannot be accepted, including details of signature thresholds is set out in the next section).

Paper petitions are where: a petition organiser creates a paper document that includes a proposed action. Residents/Individuals physically write their name, address and signatures on this document to show their support of the proposed action.

To help you organise a paper petition, the Council has prepared a [Template](#) Paper petitions can be sent to the Democratic Services Team on the details provided at page 13 of this guidance.

E - petitions are created, signed, and submitted entirely online. The Petition organiser uses a website to create their petition and residents or individuals can electronically add their names and addresses via the website to show their support of the action proposed.

It is recommended that e-petitions are created via the Council's e-petition facility www.towerhamlets.gov.uk/petition.

Note: E-petitions created or submitted through third party websites may be accepted if they comply with the provisions of the scheme. However, there is a risk that petitions created and/or submitted via third party e-petition websites may not satisfy the criterion for the verification of signatures set out in this guidance. This is why it is strongly recommended that e-petitions are created via the Council's own e-petition facility



Who can submit a Petition?

Anyone who lives works or studies in Tower Hamlets can organise a petition, including those under the age of 18.

Can I sign a Petition?

Any individual signing a petition may be of any age and should provide an address which shows where they live work or study . Please note that we will only count signatures, (for the purposes of determining whether it meets key thresholds) where it can be evidenced that the person lives works or studies in Tower Hamlets.

School Children and university students.

The Council welcomes petitions created and signed by school children and university students. It may be appropriate for young people to give the name of their school, college rather than home address when signing a petition. Whilst the standard meeting procedures will be followed where possible, the Chair of the meeting shall have the discretion to vary the procedure to ensure the young people are properly able to represent themselves at the meeting.

Council Officers

Petitioners are asked not to ask council officers to sign their petitions in relation to their service area. It is contrary to the Member / Officer Protocol for officers to lobby Councillors in respect of their specific service. Representations to Members should be made through chief officers or normal Trade Union/Member communications forums.



Section 2 - Requirements of the Petition Scheme.

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What should my petition contain?

A Petition submitted to the Council must include:

- A clear and concise statement covering the subject of the petition. This should state what action the petitioners wish the Council to take.
- 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 published.
- If the petition does not identify a petition organiser, we will contact the first listed signatory to the petition to agree who should act as the petition organiser.

Petitions must also provide the following

For Paper Petitions:

- The petition must provide the names and signatures of each person supporting the petition, together with an address or postcode at which they live, work or study in Tower Hamlets
- The original signed sheets must be submitted (scans/copies will not be accepted).
- If accepted, the Petition will be published on the Council's e-petitions website, except in cases where it would be inappropriate (all personal details will be removed)

For e - Petitions

- The petition must provide the names of each person supporting the petition, together with an address/ postcode at which they live work, study in Tower Hamlets.
- **Once submitted**, checks will need to be made on the suitability of the content matter before it is made available for signatures. If the petition falls outside the scheme you will be advised and offered the opportunity to submit a revised version. If the petition does not fall within the scheme it will not be published on the Council's website.

• Petitions Scheme Criteria

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Are there any petitions that the Council cannot accept?

The Monitoring Officer will review all petitions before they are accepted/actioned. Petitions may be rejected if it:

1. is not about a matter for which the local authority has a responsibility for or affects the local Borough.
National and foreign policy issues that do not have a direct link to the Borough are not valid subjects for a Petition. More information on the services the Council is responsible for can be found here: www.towerhamlets.gov.uk
3. Is defamatory, frivolous; offensive; vexatious, abusive or otherwise inappropriate
4. Is substantially the same as a petition which has been put at a meeting of the Council, or a Committee meeting in the past 6 months;
5. Requires the disclosure of confidential or exempt information;
6. Seeks to pursue or further a complaint against the Council, where other channels already exist for the determination of complaints.
7. Is otherwise unsuitable.

In addition, there are some circumstances where Petitions will not be dealt with under this scheme. These include:

8. Any matter relating to planning or licensing applications; (see section below)
9. Where a separate consultation process is active;
10. Where the Monitoring Officer is of the opinion that the Petition would be better dealt with using a different Council procedure.

The Monitoring Officer will consider requests received for the petition to be dealt with in a particular way (e.g. for submission to a particular Committee or to Council). More details of this can be found in Section 4.

Subject to the guidance within this Petition Scheme, the Monitoring Officer has absolute discretion on how the Council will deal with any petition received and may recommend an alternative course of action to that requested.

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.

How are signatures checked?

The Council may seek to verify the authenticity of each entry on a petition by reference to existing information such as (where appropriate) the current electoral register or other relevant records. Entries which cannot be verified may not be counted for the purposes of determining whether a petition has exceeded a threshold set out in this scheme.

When determining whether a petition has met or exceeded a threshold set out in this scheme, the Council will only count signatories for which a local connection (i.e. that the signatory either lives, works or studies in Tower Hamlets) can be evidenced from the information supplied.

Pre - Election Period

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In the period immediately before an election or referendum, when certain legal restrictions apply, 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.

- **Petitions relating to Planning and Licensing applications**

If your Petition relates to a specific Planning or a Licensing application, you are advised to submit your Petition to the Council's Planning or Licensing Department, for consideration as part of the public consultation on the application. The relevant service will be able to advise you of any deadline for the submission of public representations on the application. Contact details are as follows:

Development.Control@towerhamlets.gov.uk

Licensing@towerhamlets.gov.uk

- **Can I still host my petition on the Council's e-petitions website, if it relates to a planning or a licensing application?**

We may still host your Petition on the Council's e-Petitions website. We emphasise however, that is your responsibility to identify any deadline for the submission of representations for the public consultation and arrange for the petition to be submitted to the consultation.

Petitions on Non Council Functions

If your petition is about something over which the Council has no direct control (for example the local railway or NHS service, closure of a school), the Council may, with the consent of the Petitioner refer your petition to the most relevant body; with a view to making representations. The response may also involve other steps.

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. In any event we will notify you of the action we have taken.

You can find more information on the services for which the Council is responsible on our website. www.towerhamlets.gov.uk

Section 3 - How will the Council respond to my Petition?

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An acknowledgement will be sent to the petition organiser within 10 working days of us receiving the Petition.

The response will set out what we plan to do with the petition, (taking into account how you wish for it to be dealt with), the next steps, and when you can expect to receive a formal response. If you request that your Petition is considered at a meeting, the response will also set out where/when the meeting will take place (if known at the time). If the Petition needs more investigation, we will tell the petition organiser the steps we plan to take.

In the case of valid e-Petitions, the Petition will be published on - line within 10 working days of receipt and open for you to start collecting signatures. Once it gains the required signatures, or closes (reaches the deadline), we will then write to you as described above.

Unless you request otherwise (see next section), Petitions will receive a formal response from the relevant Corporate Director within 28 days of receipt. This will usually be the quickest way of addressing the issue.

What if my petition is rejected?

If we decide that a petition is not acceptable for any of the reasons listed above, then we will inform the petition organiser of the reasons when we write to them.



SECTION 4 - Requesting that your Petition is considered in a particular way.

Petition organisers may request that their Petition is taken forward in a number of ways.

You may request to receive a formal response from the **relevant Corporate Director**. If you request this response you will receive the response within 28 days after the receipt of the petition. This will usually be the quickest way of addressing the issue.

Alternatively, if your petition contains sufficient signatures and complies with the Petition criteria, you may request that your petition is presented to a Council or Committee meeting (see table below). If you request this option the relevant Corporate Director may still write to you. You may choose not to proceed with the presentation at the meeting if you feel their response resolves the matter.

Please note that if you request that your petition is considered at a meeting, you will receive the **formal response** from the Corporate Director 28 days after the meeting where is considered at. Responses will be published on the Petitions website.

Details of these options are below:

Meeting	Petition Signature threshold (for individuals who either live work or study in the borough).
Presentation at a Full Council	30
Debate at a Full Council meeting	2000
Presentation at a meeting of the Executive (Cabinet and Cabinet Sub – committees) and a Council Committee meeting.	30
Require Officers to give evidence at an Overview and Scrutiny Committee.	1000



General Guidance on requesting that your Petition is debated/presented at a meeting.

If you would like your Petition to be presented or debated at a Council/Committee meeting you must submit the following to **Democratic Services by 9 clear days before** the relevant meeting (not including the day notice is given or the day of the relevant meeting) to the contact details on page 13.

- (1) The Petition with a request to present/or debate the Petition
- (2) The particularly body you wish to consider the Petition
- (3) Any request for additional assistance, such an interpreter.

Please note that there is likely to be a maximum number of petitions presented at any one meeting and these slots are normally allocated in order of receipt, so early submission is advised.

Details of Council meetings as well as the timetables can be found here:

<http://democracy.towerhamlets.gov.uk/mgListCommittees.aspx?bcr=1>



Presenting to a Council Meeting

The procedure for presenting a Petition to Full Council (30 or above signatures) and for a Petitions debate (2000 or above signatures) is set out at [Appendix 1](#).

Please note that there is likely to be a maximum number of petitions presented at any one meeting and these slots are normally allocated in order of receipt, so early submission is advised. Petitions with 2000 valid signatures or more will take precedence.

Limitation: An individual or group may not submit a petition to a meeting of the Council if that individual or group has previously submitted a petition to either of the previous 2 Council meetings.

Similar petitions: In the event that 2 or more petitions which are substantially the same are received from different petition organisers, the Monitoring Officer may aggregate the number of valid signatures in each petition for the purpose of determining whether the threshold to trigger a Council debate of the matters raised has been reached if that is the wish of the petition organisers.



Presentation to a meeting of the Cabinet, Committee including the Overview and Scrutiny Committee.

Details of the process for submitting your Petition to a Cabinet meeting or a Committee meeting including the Overview Scrutiny Committee are set out in **Appendix 2**

You should note that:

- The subject matter of the Petition must relate to an item on the Committee agenda or a matter within the Committee's terms of reference.
- Details of the Council's Committee and their terms of reference can be found here: <http://democracy.towerhamlets.gov.uk/mgListCommittees.aspx?bcr=1>
- You will receive the formal response from the Corporate Director 28 days after the meeting where is considered at.

Officer evidence to the Overview and Scrutiny Committee

If your petition meets the above signatures requirements, you may request that a relevant senior officer give evidence at a public meeting of the Council's Overview and Scrutiny Committee. For example, you may request that a senior officer explain progress on an issue, or the advice given to councillors to enable them to make a particular decision. The senior officers who may be called to give evidence under this procedure include the Head of the Paid Service (Chief Executive) and any of the Council's statutory or non-statutory Chief Officers (Corporate Directors).

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 will also call the relevant Executive Councillor(s) 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 Committee by contacting the Democratic Services team up to three working days before the meeting.



Petition Scheme Appendix 1

PROCEDURE FOR HEARING PETITIONS AT MEETINGS OF THE FULL COUNCIL

Agenda order: All petitions received within the deadline will be listed on the Council agenda.

The agenda will list 4 petitions as 'to be heard', which will be listed in order of receipt, except that petitions for debate will take precedence. Any petitions listed as 'to be heard' for which the person(s) listed to present are absent, will be noted (see below).

All remaining petitions will be listed as 'to be noted'. These petitions will not be heard and the Speaker will state where they will go for a full response.

Petition presentation procedure (for petitions of between 30 and 1,999 signatures)

1. Up to 3 seats in the public gallery will be reserved for the person(s) presenting each petition. The person(s) presenting the petition must live, work or study within the borough. Unless prior agreement from the Speaker of the Council has been obtained, the person(s) presenting the petition cannot include an elected Member of the Council.
2. The person(s) presenting each petition will be invited to speak for up to 3 minutes in total in support of the petition. Additional time will be allowed if an interpreter is used. In this case the interpreter must not use the additional time to introduce new information.
3. Councillors may then ask the petitioners questions for a further 4 minutes;
4. The speaker will invite the Mayor or (at the Mayor's discretion) the relevant Lead Member or Committee Chair to respond to the matters raised for up to 2 minutes.
5. The petition will be referred to the relevant Corporate Director who will respond in writing within 28 days from the date of the meeting.

Petition debate procedure (for petitions in excess of 2,000 signatures):

1. Up to 3 seats in the public gallery will be reserved for the person(s) presenting each petition. The person(s) presenting the petition must live, work or study within the borough.
2. The person(s) presenting each petition will be invited to speak for up to 3 minutes in total in support of the petition. Additional time will be allowed if an interpreter is used. In this case the interpreter must not use the additional time to introduce new information. Unless prior agreement from the Speaker of the Council has been obtained, the person(s) presenting the petition cannot include an elected Member of the Council
3. Councillors may then ask the petitioners questions for a further 4 minutes.
4. The petition will then be debated by Councillors for a maximum of 15 minutes. All speeches are limited to a maximum of 3 minutes. During his or her speech any

Councillor may move a motion for the Council's consideration relevant to matters in the petition (this does not require the suspension of the Council Procedure Rules).

5. Following the debate, the speaker will invite the Mayor or (at the Mayor's discretion) the relevant Lead Member or Committee Chair to respond to the matters raised, for up to 3 minutes.
6. Following the petition debate, any motions moved will be put to the vote in the order they were tabled.
7. ~~If no motion is agreed~~, the petition will stand referred to the relevant Corporate Director for a written response within 28 days of the meeting.

General guidance on petition hearings at Council meetings

Executive functions: In relation to executive functions, the Council does not have powers to override any executive decision of the Mayor or substitute its own decision. The Council may however pass a motion expressing a view on the matter or referring the matter to the Mayor, calling on him/her to take some action, or consider or reconsider a decision, with recommendations to inform that consideration. Officers will advise on the constitutional validity of any motion that may be moved.

Limitation. An individual or group may not submit a petition to a meeting of the Council if that individual or group has previously submitted a petition to either of the previous 2 Council meetings.

Petitions presented by young people

The Council welcomes petitions presented by young people including school children. Whilst the standard meeting procedures will be followed where possible, the Chair of the meeting shall have the discretion to vary the procedures to ensure the young people are properly able to represent themselves at the meeting.



Petition Scheme Appendix 2

Presentation of Petitions at Non-Executive Committee Meetings (including Overview and Scrutiny Committees)

Petitions can also be presented to any Non-Executive Committee meeting providing it is on a subject matter that is within that Committee's Terms of Reference.

The petition will be dealt with at the next appropriate Committee meeting.

If no other procedures are in place, the petition will be heard in the same manner as at Council –

- 3 minute presentation
- 4 minutes of questions from Members
- 2 minutes for a response. The response may come from a Member or officer as appropriate.
- You will receive the formal response from the Corporate Director 28 days after the meeting where is considered at.

If the petition relates to an item on the agenda, it will be considered during the discussion of that particular agenda item.

Procedure for hearing petitions at meetings of the Cabinet

The procedure for hearing petitions at meetings of the Cabinet is contained in the Executive Procedure Rules at Section 30 of the Council's Constitution. The relevant provision is set out below:

Public Engagement at Cabinet

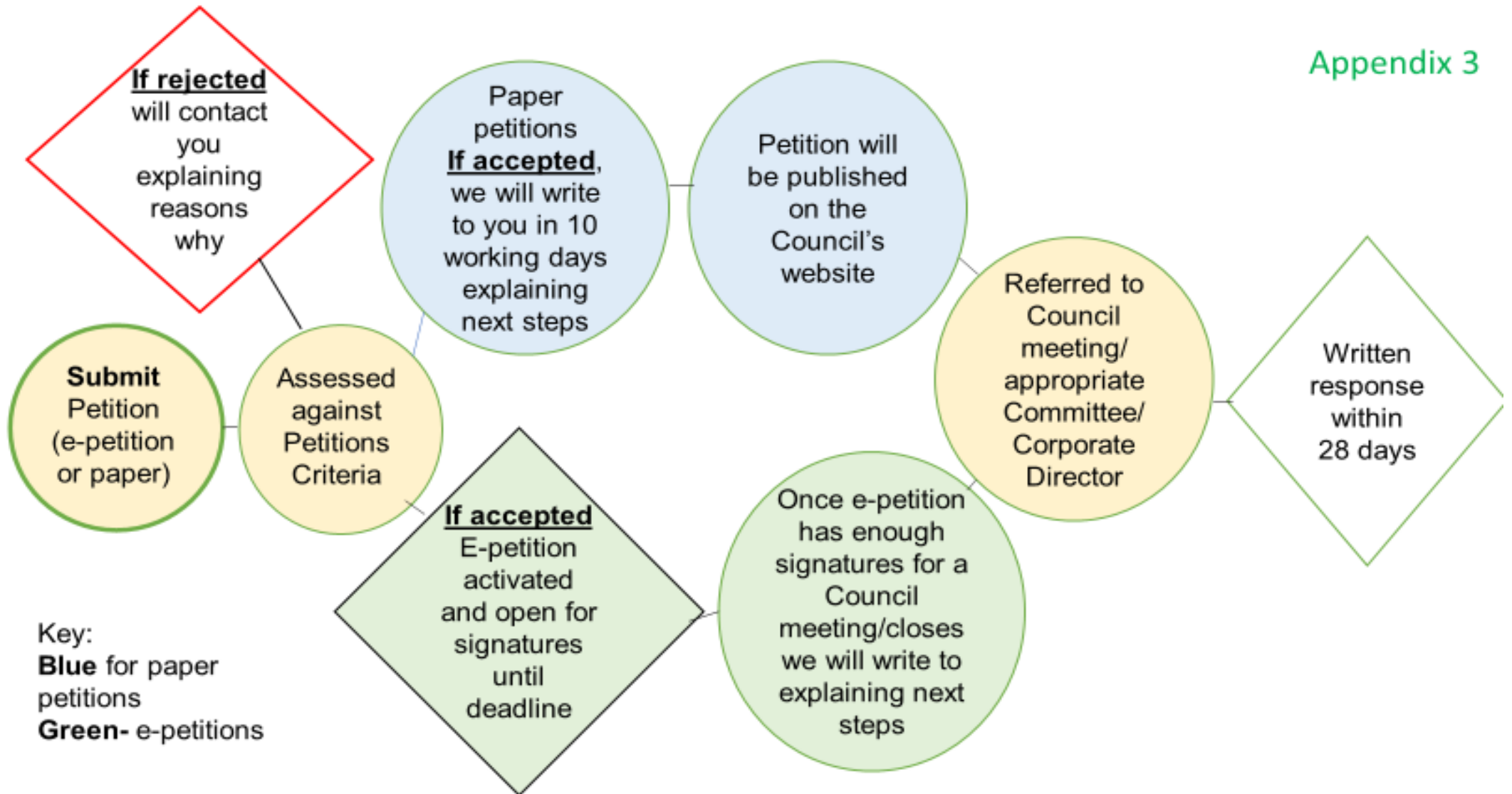
Whilst the main focus of Cabinet is as a decision-making body, there is an opportunity for the public to contribute through making submissions that specifically relate to the reports that are set out on the agenda. Members of the public may therefore make written submissions in any form (for example; Petitions, letters, written questions) and which are to be submitted to the Clerk to Cabinet (whose details are on the Cabinet agenda front sheet) by 5 pm the day before the meeting. The consideration of such written submissions will be at the discretion of whosoever presides at the meeting.

The petition will be heard in the same manner as at Council

- 3 minute presentation
- 4 minutes of questions from Members
- 2 minutes for a response. The response may come from a Member or officer as appropriate.

If the petition relates to an item on the agenda, it will be considered during the discussion of that particular agenda item.





Key:
Blue for paper
petitions
Green- e-petitions

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