

# Petitions from the public

## 1.0 Paper petitions can be sent to:

Committee Services Manager  
Thanet District Council  
PO Box 9  
Cecil Street  
CT9 1XZ

The council also welcomes e-petitions which are created via recognised e-petition providers Change.org or 38Degrees.org.uk.

## 1.1 What are the guidelines for submitting a petition?

Petitions and Epetitions submitted to the Council must include:

- A clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take
- The name and address and signature of any person supporting the petition in the case of a paper petition and the name and email address of any person supporting the petition in the case of an epetition.
- The contact details of the petition organiser, including an address. 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 disclosed. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser

A petition proforma for paper petitions that will help you to collect the correct information is available to download on the Council's website at [www.thanet.gov.uk](http://www.thanet.gov.uk).

## 1.2 What will the Council do when it receives my petition?

This scheme sets out thresholds for responding to petitions, as follows:

1. Petitions received that total under 50 signatories will be treated as a correspondence and will be dealt with by the relevant Council department.
2. Ordinary petitions - those petitions signed by 50 or more petitioners but fewer than 1500 will be presented to a senior Officer of the Council who, after consultation with the relevant portfolio holder will respond. Then a report on that Petition noting what action has been taken will be referred to the next meeting of Cabinet or Council for their information.
3. Petitions signed by 1,000 or more petitioners will be debated at a meeting of Council, unless the petition relates to an issue for which the executive has responsibility and Council decides, following presentation of the petition, to refer it to Cabinet without debate. In such a case, the person who presents the petition at the Council meeting will be able to re-present the petition at the subsequent meeting of Cabinet at which the petition is considered.

If a petition has 1,500 or more signatures it must be submitted at least 25 working days in advance of a Council meeting in order for it to be considered at that meeting.

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition or epetition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. The petition prayer and the number of people who have signed it will also be published on our website.

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 needs more investigation, we will tell you the steps we plan to take. Otherwise, if the petition can be presented at a Council meeting we will advise you of the date of the meeting, where the meeting will take place, and what you can expect to happen at the meeting.

Further, if your petition has 1,500 or more signatures and relates to an issue for which the executive (Cabinet) has responsibility, we will let you know. Council is unable to take a decision on something that is the responsibility of the executive and may, therefore, decide, following presentation of the petition at the Council meeting, to refer the petition to Cabinet with or without debate. If the petition is referred to Cabinet without debate, you will be able to re-present the petition at the subsequent meeting of Cabinet at which the petition is considered. We will inform you of the date of that Cabinet meeting and what you can expect to happen when you attend to make your presentation.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate as determined above.

When we receive a paper petition we will inform relevant Ward Councillor(s) if it is about a specific issue relevant to one or more Wards.

### **1.3 Reasons your Petition may be rejected**

Petitions of over 1500 signatures which the Monitoring Officer in consultation with the Leader of the Council and the Chairman of the Overview and Scrutiny Panel consider to be vexatious, abusive, otherwise inappropriate or substantially the same as one already received within the preceding twelve months will not be accepted and the reasons for this will be explained in our acknowledgement of the petition. The test that should apply in such circumstances would be the same as that used for Freedom of Information requests i.e. 'Is the request likely to cause distress, disruption or irritation without any proper or justified cause'. Petitions under 1500 signatures can be rejected by the Monitoring Officer acting alone.

In addition if the petition applies to a planning or licensing application, these may also be rejected by the Monitoring Officer alone. If the petition 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 here [www.thanet.gov.uk](http://www.thanet.gov.uk).

Further to the above, the Monitoring Officer will also reject a petition if the matter has already been or is currently subject to an existing consultation exercise. In such a case the petition will be forwarded to the officer responsible for that consultation exercise and considered as part of that process.

If the Council receives a petition that is rejected because it is substantially similar to, or counter to, one already received and the original petition has not yet been presented to a Council meeting, then Democratic Services will ensure that the Council meeting that considers the original petition will be made aware of the existence of the rejected petition.

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. In that case, we will write to you to explain the reasons.

If the deadlines are not met in paragraphs above, the petition submitted will not be considered until the subsequent meeting of either Council or the relevant Overview and Scrutiny Panel (as appropriate).

#### **1.4 How will the Council respond to petitions?**

When a petition is considered by a Senior Officer, Cabinet or Full Council, they will consider all the specific actions that they can potentially take on the issues highlighted in the petition, however it also reserves the right not to take any action.

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 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 at [www.thanet.gov.uk](http://www.thanet.gov.uk).

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.

#### **1.6 Full Council debates**

If a petition contains 1,500 or more signatures it will be debated by the Council unless it falls into the categories described at paragraphs 1.3 above. The report will include the number of signatories providing a Thanet address and the number providing an outside of Thanet address.

This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. Council will endeavour to consider the petition at the meeting following receipt of a petition, although on some occasions this may not be possible and consideration will then take place at the following meeting.

The petition will be accompanied by a report from Officers outlining the implications of undertaking the actions requested in the petition.

The petition organiser will be offered five minutes to present the petition at the meeting and the petition will then be discussed by Councillors.

Council will then decide how to respond to the petition at that 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.

#### **1.7 Re-presentation of petitions at meetings of Cabinet**

If a petition with 1,500 or more signatures that relates to an issue for which the executive (Cabinet) has responsibility is referred by Council to Cabinet without debate, the person who presents the petition at the meeting of Council will be able to re-present it at the subsequent meeting of Cabinet at which it is considered and will have up to five minutes to do so.

#### **1.8 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 relevant Overview and Scrutiny Panel 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.

The Panel 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 Panel determine we have not dealt with your petition, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Cabinet or Full Council.

It is important to note that not taking the action requested in the petition is not a valid reason for an appeal. Any appeal based on this reason will be rejected and not be presented to the Overview and Scrutiny Panel.

Once the appeal has been considered the petition organiser will be informed of the results within five working days. The results of the review will also be published on our website.

#### **1.9 Can I run an e-petition and a paper petition at the same time?**

Yes, you can run an e-petition and a paper at the same time, but there are a number of rules that you must adhere to.

The clear and concise statement covering the subject of the petition stating what action the petitioners wish the Council to take, often known as the "petition prayer", must be identical for both your e-petition and paper petition. If they are not then they would be treated as separate petitions.

The date you submit your e-petition and the date that you submit your paper petition must be the same, if not then they would be treated as separate petitions.

It is important to note that any petition treated as “separate” because of failure to comply with the above two rules would almost certainly be ruled out on the “substantially similar” to a previous petition rule outlined in paragraph 1.3 of this scheme.

The number of signatories to both the e-petition and to the paper petition would then be reported separately but within the same report to a Full Council meeting. The Council will take a course of action based on the largest threshold met by either petition.

The reason for presenting the number of signatories separately is because the Council has no way of judging whether a person has doubled signed as the information required for signing a paper petition is different from that for signing an e-petition.

For example, if the Council received an e-petition with 250 signatures and an accompanying paper petition with 1,500 then the Council would treat the petition as reaching the threshold for a debate at Council. The report to Council would state the number of signatories to both the e-petition and the paper petition, but it would not add them together.