

## APPENDIX A

# Petitions Scheme for the London Borough of Enfield

Reviewed October 2017

## 1. Petitions

The Council will consider all petitions that fall within the scope of this scheme. A petition template and signature sheet is attached as Appendix 1. This sets out the information we need to consider your petition:

If you need any advice, please contact the Governance & Scrutiny Team on 020 8 379 6151 or by email at [Democracy@enfield.gov.uk](mailto:Democracy@enfield.gov.uk)

We accept both paper and e-petitions. The requirements of the Councils petition scheme apply to both paper and e-petitions. E-Petitions can either use the Councils system which can be found on the Council's website, or one of the many national websites available, however please check that these meet the requirements of the Councils petition scheme before using them.

Paper petitions can be sent to:  
**The Governance & Scrutiny Team**  
Chief Executive's Department  
London Borough of Enfield  
Civic Centre  
Silver Street  
Enfield  
Middlesex  
EN1 3XF  
Tel: 020 8379 6151

### **e-petitions:**

To submit an e-petition you will need to register on the Council's petition page. Registration is simple requiring a few details in case we need to contact you.

On the e-petition page, select 'submit a new petition' and follow the prompts from there. Your online form will be submitted to the Governance & Scrutiny Team.

You must let us know when you would like your e-Petition to go live on the website, and a date for when your e-petition will stop collecting signatures.

The Council accepts no liability for the petitions on these web pages. The views expressed in the petitions do not necessarily reflect those of the Council.

When the e-petition reaches its' closing date, you will no longer be able to sign it online. The petition will then be dealt with in line with the scheme.

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The Council will acknowledge receipt of a petition within ten working days. In all cases **the relevant Cabinet member** and senior officer (**at Assistant Director level**) will be informed, if the petition relates to a particular part of the Borough, then we will also notify the local ward councillors.

### 2. Who can submit a petition?

Any person who lives, works or studies in Enfield **or is resident in a Enfield-owned Council estate outside of the borough (in Potters Bar and Cheshunt)** can organise a petition, including those under the age of 18. The address provided must be an address within the borough of Enfield **or an out-borough estate**: it may be the home, work or study address.

### 3. Who can sign a petition?

Any individual can sign a petition and may be any age and should provide an address which shows that they live, work or study in Enfield **or lives on an Enfield-owned out-borough estate or in temporary accommodation provided by the borough**. You can only sign a petition once.

### 4. What are the guidelines for submitting a petition?

Petitions submitted to the council must:

- Contain the name, a valid address with postcode, and the signature of any person supporting the petition. A valid address is within the Borough of Enfield and can be a home, work or study address **and includes Enfield-owned out-borough estates or temporary accommodation provided by the borough**.
- Include a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the council to take
- have the petition organisers contact 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 placed on the website.
- relate to a matter for which the authority has responsibility and which affects the authority or its area

### 5. Are there petitions the Council cannot accept ?

The majority of petitions we receive will be accepted but there are some circumstances where we will not be able to deal with your petition under this scheme. In order to avoid contempt of court or prejudice to the Council's position, and duplicating procedures where established processes already exist, some matters are excluded from this scheme:

- petitions which in the opinion of the Monitoring Officer are considered vexatious, defamatory, offensive, **frivolous** or

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abusive ~~or otherwise inappropriate~~ will not be accepted.

- **any matter that does not engage the council's responsibilities including, matters which relate to the proceedings of a political party, and matters that are the subject of electoral law.**
- petitions which relate to any matter that is, **or is likely to be, the subject of legal proceedings. This includes petitions which the Monitoring Officer considers would put the Council at risk of constituting a contempt of court, or any petition which is asking the Council to do anything unlawful.**
- 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.
- any matter where there is already an existing way of making representation and a process for right of appeal **such as Planning, Licensing, council tax banding and non-domestic rates, where the existing procedures will be used.**
- **requesting a statutory petition (for example requesting a referendum on having an elected mayor)**
- names or clearly identifies an employee of the authority or any matter relating to an individual
- petitions which are substantially the same as a petition which has been considered under the petition scheme within the last 12 months as agreed by the Monitoring Officer.
- **involve the disclosure of confidential or exempt information as defined under Schedule 12A to the Local Government Act 1972 (as amended by the Local Authorities (Access to information)(Exempt Information)(England) order 2006)**

### 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. It will also be published on our website, except in cases where it would be inappropriate to do so.

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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.

**Where the subject matter of the petition relates to a matter which is, or will shortly be the subject of statutory or non-statutory consultation by the authority, the Monitoring Officer may elect to include the petition in the consultation process. You will be informed if this is the route that has been taken.**

If the petition has enough signatures to trigger a debate at Council or at Overview & Scrutiny 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.

The Council reserves the right to verify signatures as required. Please ensure each signatory has given a valid address and postcode. These signatures will be taken into account when identifying if a debate at Overview & Scrutiny, or Full Council has been triggered. Any signature without a valid address, or duplicates will be discounted.

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:

- a) taking the action requested in the petition
- b) considering the petition at a council meeting
- c) holding an inquiry into the matter
- d) undertaking research into the matter
- e) holding a public meeting
- f) holding a consultation
- g) holding a meeting with petitioners
- h) referring the petition for consideration by the Council's Overview and Scrutiny Committee
- i) writing to the petition organiser setting out our views about the request in the petition
- j) referring the petition for consideration to the Councillor Conduct Committee**

If your petition is about something that a different authority is responsible for, for example a local railway or hospital, we will consider the best method for responding; this may consist of simply forwarding your petition to that body, or the council may consider making representations on behalf of the community to the relevant body. This may depend on whether the petition conflicts with Council policy. In any event, we will always inform you of the action taken.

### **7. Full Council debates**

If the petition contains at least 1% of the assessed population figure from the 2011 Census (3,124) as published by the Office of National Statistics it will be debated by the full Council unless it is a petition asking for a senior council officer to give evidence at a public meeting.

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

The petition organiser will be advised of the date for full Council and the time allowed for presentation of the petition. The petition organiser will be contacted by the Governance & Scrutiny Manager to clarify what remedy is being sought and to advise of the option of having their Councillor present their petition. The Governance & Scrutiny Manager will prepare a report detailing the subject of the petition and what action the Council and/or partners is being asked to take and arrange for this issue to be placed on the appropriate Council agenda to suit all parties.

The petition organiser will be given five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of fifteen minutes.

The council 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 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 the Council's decision. This confirmation will also be published on our website.

### **8. Officer evidence**

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 the petition contains at least 0.5% of the assessed population figure from the 2011 Census (1,562) as published by the Office of National Statistics the relevant senior officer will give evidence at a public meeting of the council's Overview and Scrutiny Committee. The petition organiser will be contacted by the Governance & Scrutiny Manager to clarify what remedy is being sought and to advise of the option of having their Councillor present their petition. The Governance & Scrutiny Manager will prepare a report detailing the subject of the petition and what action the Council and/or partners is being asked to take and arrange for this issue to be placed on the appropriate Overview and Scrutiny Committee agenda to suit all parties.

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

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**If you feel that we have not dealt with your petition properly, the petition organiser has the right to request a review of the steps that the Council has taken in response to your petition.**

**If your petition was considered and a response given by Officers then please send your concerns to the Council via the Council's complaints system which can be accessed via the Council's website. If you remain dis-satisfied you can submit a complaint to the Local Government and Social Care Ombudsman.**

**If your petition was considered and debated at either an Overview & Scrutiny meeting, or Full Council, then please request a referral to the Chair of OSC who will consider how best to respond, depending on the nature of the concerns, please email [democracy@enfield.gov.uk](mailto:democracy@enfield.gov.uk).**

### **10. Privacy policy**

The details you give us are needed to validate your support and your details will not be published on the website. This is generally the same information required for a paper petition. The Council may contact you in relation to any petitions you have signed, unless you have requested not to be contacted when signing the e-Petition.

London Borough of Enfield is the data controller for personal information collected in respect of both the Council's E-petition facility and for paper petitions.

Personal details will automatically be removed 4 years after the closing date of the petition. However, should you wish your name to be removed before this time please contact the Governance & Scrutiny Team via [Democracy@enfield.gov.uk](mailto:Democracy@enfield.gov.uk).