

A. PETITION SCHEME

1. Introduction

1.1. Camden Council has agreed a Petition Scheme ('the Scheme') setting out how petitions received by the Council should be treated. The Council considers a petition to be any communication, which:

- is signed by 10 or more people who live, work or study in the borough of Camden; and
- asks the Council to either take action on a matter or to not to enact an action already agreed.

The Council has an e-Petitions facility on its website that people can use to submit petitions.

Petitions related to parking policies, Controlled Parking Zones and single parking issues will be addressed as per section 8.

2. What should your petition contain?

2.1. Every petition should contain the following elements in order to be valid:

a) A clear statement of the issue and what action you would like the Council to take or action not to enact

2.2. The subject matter of any petition must relate to something which is:

- the responsibility of the Council, or
- relates to an improvement in the economic, social or environmental wellbeing of Camden to which any of the Council's partner organisations could contribute.

2.3. If your petition relates to a forthcoming decision or matter to be considered by the Council, then please identify this as part of the statement.

b) Contact details for a Petition Organiser

2.4. A name and contact details, preferably including address, telephone number and email address of a Petition Organiser or Organisers, who officers can contact to discuss the petition.

c) The names and signatures of at least 10 persons, together with the address at which they live, work or study in Camden

2.5. Electronic signatures will be accepted in respect of an e-Petition. Part-addresses are acceptable as long as it is clear the person lives, works or studies in the borough e.g. a street name or postcode.

- 2.6. These details will be maintained in line with data protection rules and any petitioners should be aware of the Council's Privacy Notice, available on the Council's website.

3. What types of petition are not accepted under this Scheme?

- 3.1. Petitions will not be accepted under this Scheme where they:

- a) Are not signed by at least 10 people who live, work or study in Camden.
- b) Do not relate to something that is the responsibility of the Council, or to an improvement in the economic, social or environmental wellbeing of the Camden area to which another local public authority could contribute.
- c) Where a petition falls within the responsibility of another public authority, we will ask the petition organiser whether s/he would like us to redirect the petition to that other authority.
- d) Relate to a planning decision, including about a development plan document or the Community Infrastructure Levy.
- e) Petitions related to a general failure of the planning system rather than individual decisions will be acceptable.
- f) Relate to an alcohol, gambling or sex establishment licensing decision.
- g) Petitions related to a general failure of the licensing system rather than individual decisions will be acceptable.
- h) Relate to any matter regarding an individual or an organisation where that individual or organisation has a statutory right of a review or appeal.
- i) Concern alleged councillor misconduct, which will be considered under the Council's 'Dealing with misconduct complaints against Members' process.
- j) Concern alleged incompetence or misconduct by an officer, which will be addressed under the Council's corporate complaints process.
- k) Would be considered a statutory petition. The law requires the Council to consider certain types of petition, for example, a petition for a directly-elected Mayor. Where you submit a petition under such a specific statute, you should submit it as required in the legislation and we will report, consider and respond to it in accordance with the statutory requirements.
- l) Relate to substantially the same matter as a petition received in the previous 12 months, other than in exceptional cases.
- m) Are otherwise inappropriate through due to:

- being vexatious or frivolous such as by seeking only to create disproportionate and/or unjustified disruption to the work of the Council or being unjustified or repetitious;
- having abusive, provocative, discriminatory or otherwise offensive language or intent;
- aiming to cause distress to any individual;
- being defamatory; or
- containing false statements.

3.2. The Monitoring Officer will decide if a petition falls into one of the above categories and the decision is final.

4. What is the role of the Petition Organiser?

4.1. The Petition Organiser(s) will generally be responsible for:

- Communicating with the Council regarding the petition and arrangements thereto;
- Speaking at any agreed meeting about the petition, or nominating others to do so, including answering questions.
- Receiving any response in respect of the petition.
- Notifying Committee Services of their intention to appeal to a scrutiny committee against the decision of the Council relating to the petition in accordance with paragraph 7 below.

5. Who should I send my petition to?

5.1. Petitions responding to consultations by the Council should be returned to the address identified in that consultation.

5.2. All petitions covered under this Scheme should be sent to:

Vicky Wemyss-Cooke
 Committee Services Manager
 Town Hall
 Judd Street
 London WC1H 9JE
 020 7974 5726
vicky.wemyss-cooke@camden.gov.uk

5.3. An acknowledgement of the petition will be sent to the Petition Organiser within 10 working days of it being received and will explain how the petition will be dealt with. If it has been deemed invalid or exempt then the reasons why will be explained as part of this response.

5.4. For any queries on submitting a petition or the processes within this Scheme please use the contact details above.

6. What will happen to my petition?

6.1. When the Council receives a valid petition it will take the following steps:

1) Determine if it is valid and not exempt

6.2. Officers will firstly consider if the petition meets all of the requirements set out in Section 2 to be valid and is not exempt as per Section 3. The Council's Monitoring Officer will be ultimately responsible for making this decision and this may involve validating some of the signatures on the petition through whatever means the Monitoring Officer deems necessary and proportionate.

2) Set out to the Petition Organiser what options are available in response

6.3. Officers will then set out the options available to the Petition Organiser, which will vary depending on the number of signatures on the petition:

a) Petitions with more than 10 signatures

6.4. Where a petition has more than 10 signatures, officers will ask the Petition Organiser if they want the petition to be presented to the next available ordinary meeting¹ of the Council or relevant committee, where the deputations/petitions deadline for that meeting has not yet passed, subject to the agreement of the Mayor/Chair of the committee.

6.5. If the petition relates to a forthcoming Cabinet decision, the Petition Organiser will also be offered the opportunity to present the petition to Cabinet or Cabinet Member meeting, subject to the agreement of the Leader of the Council or Cabinet Member.

6.6. The petition will then be considered in line with the relevant procedure rules and standing orders as set out in Part 4 of the Constitution.

6.7. Steps that the Council body hearing the petition can take in response include:

- making a decision to take the action or stopping the action requested in your petition, if they have the power to do so;
- establishing an inquiry;
- requiring further consultation, which may include a public meeting;
- arranging a meeting between the Petition Organiser and officers and/or councillors;
- seeking a further report from officers.

¹ To be defined as the next ordinary meeting of the Council/committee i.e. not the statutory annual Council meeting or an extraordinary meeting of the Council or relevant committee.

6.8. If the petitioner is not permitted to present the petition to a formal Council body, or does not wish to do so then they will receive a written response from a relevant Chief Officer setting out what, if anything, they propose to do in response. Such a response will be sent within 10 working days of it being agreed that a Chief Officer response will be provided.

6.9. Steps a Chief Officer responding in writing may also take include:

- making decision to take the action or stopping the action requested in your petition, if they have the power to do so;
- establishing an inquiry;
- requiring further consultation, which may include a public meeting;
- arranging a meeting between the Petition Organiser and officers and/or councillors;
- referring the matter to a relevant Council body;
- outlining that more time is needed to consider the matter and a further response will be provided.

6.10. The response will set out the reasons for the decision.

b) Petitions with more than 2000 signatures related to boroughwide issues or 500 signatures on a matter related to one or two electoral wards

6.11. A petition with more than 2000 signatures on a boroughwide issue, or 500 signatures on a matter affecting one or two electoral wards, will be eligible to be debated at the relevant scrutiny committee meeting. Where a petition is in relation to no more than 2 electoral wards, the signatures for that petition must come from those wards.

6.12. The petition will be considered at the next available meeting² of the relevant scrutiny committee. This will generally be the next meeting for which the agenda has not already been despatched, though the Monitoring Officer will decide what is appropriate in the circumstances.

6.13. The petition will be presented to the Committee as follows:

- a) The Petition Organiser(s) introduces the petition for up to 5 minutes;
- b) A relevant Chief Officer responds to the petition. They may invite other officers and / or Cabinet Members to participate in this response.
- c) The Committee can then pose questions to all parties and debate the matter. At the conclusion of the discussion, the Committee will make a decision on what should be done in response, including that:
 - No further action is necessary;
 - A further report should come back to the Committee;

² This will not include extraordinary meetings of the relevant scrutiny committee.

- The matter should be referred to the relevant decision-making body or officer of the Council with a recommendation on what to do.

6.14. The Petition Organiser will be formally notified of the outcome of consideration of the petition, normally within 5 working days of such decision.

c) Petitions with more than 4000 signatures related to boroughwide issues

6.15. A petition with more than 4000 signatures will be eligible to be debated at full Council. The petition will generally be presented to the next available Council meeting. This will be defined as being the next ordinary Council meeting³ where there are at least 10 working days between submission of the petition and Council meeting. The Monitoring Officer will have discretion to decide which meeting of the Council the petition will be presented to having considered the circumstances.

6.16. The petition will be presented to the Council to debate as follows:

- a) The Petition Organiser(s) introduces the petition for up to 3 minutes;
- b) Councillors can ask questions of the Petition Organiser(s) for up to 3 minutes;
- c) The Council will then debate the subject matter of the petition for up to 12 minutes;
- d) After the petition has been debated the appropriate Cabinet Member or Committee Chair may respond in a speech of no longer than 3 minutes and will put to the meeting a suggested course of action.
- e) At the end of the debate the Council will decide what action should be taken, including:
 - Referring the matter to be considered by the relevant decision-making body (e.g. the Cabinet) or relevant Chief Officer with its recommendation for action;
 - Referring the matter to the relevant scrutiny committee for further consideration within its powers;
 - Referring the matter to a relevant partner organisation;
 - Where the matter is one which is not an executive function, call for a report from the relevant Director to be brought to a future meeting of the Council;
 - Deciding to take no further action

7. How do I appeal if I am not satisfied?

³ To be defined as the next ordinary meeting of the Council i.e. not the statutory annual Council meeting or an extraordinary meeting.

- 7.1. If the Petition Organiser is not satisfied with the outcome of the consideration of the petition, s/he may appeal to a scrutiny committee (or, if the complaint relates to the actions of a scrutiny committee, to another scrutiny committee) by notifying the Committee Services Manager of their appeal within 20 working days of the petition having been considered by a Council body or a response having been received.
- 7.2. Within 5 working days of receipt of intention to appeal, the Monitoring Officer will determine if the grounds to appeal are reasonable. Where the appeal relates to a decision or response by the Monitoring Officer, the Executive Director Corporate Services will determine the appeal. Reasonable grounds will include, but are not limited to:
- The Chief Officer response or body did not provide sufficient reasoning for their decision;
 - The decision/response suggests the Chief Officer or body misunderstood or did not consider the petition in full;
 - The decision was disproportionate to the issue raised by the petition;
 - An unjustified procedural irregularity in the way the petition was considered.
- 7.3. Matters which are not reasonable grounds for appeals include, but are not limited to:
- The Petition Organiser is unhappy with the decision / response, for which clear, justifiable reasons have been given;
 - A course of action has been agreed but not implemented, unless the decision was to implement it immediately;
 - The Petition Organiser wishes to introduce new or different information.
- 7.4. If the appeal is accepted, the Committee Services Manager will, in consultation with the Monitoring Officer, determine the relevant scrutiny committee to hear the appeal and will notify the Petition Organiser accordingly. The appeal will be considered in line with the rules of hearing deputations and petitions at scrutiny committees set out in Part 4 of the Constitution.
- 7.5. The scrutiny committee may not override the decision made by the officer or body that has made the original decision, but may either:
- make recommendations, which must be considered by that officer or body; or
 - confirm that they agree with the original decision-maker.
- 7.6. There will be no further right of appeal.

8. Petitions to challenge parking policies

8.1. Camden Council regularly reviews and agrees its parking policies and undertakes consultation on various parking schemes as part of this process. However, residents can also submit petitions regarding relevant parking policies between such reviews, which call for changes to policies in response to changes to local circumstances.

i) Validity

8.2. Parking related petitions should relate to either:

- a) Boroughwide parking strategies and policies such as levels of fees and charges for parking permit schemes, parking bay policies and enforcement practices in general; or
- b) A single issue or specific Controlled Parking Zone (CPZ). Single and CPZ issues could include, for example, alteration to yellow lines on a single street, CPZ operational hours or CPZ boundaries.

8.3. In order to be valid a petition must have all of the same elements of any petition as set out in section 2:

- a) A clear statement of the issue and what action you would like the Council to take or action not to enact;
- b) Contact details for a Petition Organiser;
- c) The names and signatures of at least 10 persons, together with the address at which they live, work or study in Camden.

8.4. In addition, parking petitions should set out the parking policy and the area of concern. For example, a petition should cite the specific traffic regulation the petition relates to along with what aspects of those traffic regulation orders they want to be reviewed.

8.5. The Monitoring Officer will determine if a parking petition is valid and the decision is final.

ii) Exemptions

8.6. Valid parking petitions will be rejected if they fall into one of the categories set out in Section 3 and additionally for parking petitions where:

- A review of the relevant parking policy has been undertaken in the past 2 years, unless a significant material change has occurred, such as a change in the parking controls of a neighbouring borough or a development of significant size and scale;
- A review of the relevant parking policy is underway or due to begin within the next six months;
- The resolution being sought by the petition would significantly compromise the Council's wider strategic objectives;
- The petition calls for a review of many traffic regulation orders over too wide an area.

8.7. The Monitoring Officer will determine if the petition is exempt and the decision is final.

2. Thresholds

8.8. Parking petitions are also subject to different thresholds as follows:

a) Petitions with 10 or more signatures

8.9. Petitions with 10 or more signatures which do not meet the higher thresholds for parking petitions will be dealt with as per normal petitions as set out in the earlier part of this Scheme.

b) Petitions on a single parking issue signed by at least 10% of the adult⁴ population based on the census Output Areas (OAs) in which the street is located.⁵

c) Petitions related to a CPZ signed by at least 5% percent of the adult⁴ population within the relevant CPZ.

d) Petitions on boroughwide parking issues with at least 4000 signatures.

8.10. Illustrative examples of single issues and CPZs are set out in Appendix A, including a table setting out how many signatures 5% equates to for CPZs.

8.11. Where a petition meets one of these thresholds, the Council will undertake a review of the matter. Officers will inform the Petition Organiser(s) of:

- The form of the review;
- What, if any, consultation will be undertaken as part of the review;
- The timescales for the review to be conducted.

8.12. The review may result in a report with recommendations for action. Any decision on such recommendations will be made by councillors and the appropriate route for such a decision will be determined according to the nature of the petition, the current delegation scheme and with regard to the statutory guidance. The Petition Organiser(s) will be made aware of any such recommendations and decision-making and may, where able, submit a deputation request in line with the process for doing so.

8.13. If following the review, officers conclude no action is needed then the petition and review will be reported to the next available meeting⁶ of the relevant scrutiny committee. The Petition Organiser(s) will be informed of which meeting the petition and review will be considered at and may submit a deputation request in line with the process for doing so.

⁴ 18 years or older

⁵ An OA is the smallest geographical area for which census figures are available.

⁶ Defined as the next meeting where there is time to prepare and publish a report in line with all the relevant constitutional and legal requirements.

8.14. There will be no right of appeal in respect of parking petitions that have been subject of a review and reported to councillors.

Appendix A: Single issues and Output Areas and Controlled Parking Zone guidance

Single issues and Output Area examples:

A resident in Shirlock Road wishes to petition the Council to change a motorcycle bay in their street into a resident parking bay. Shirlock Road falls within a single Output Area (OA) with an adult population of 197 (2011 census data). In order for the petition to be considered, a minimum 10% threshold in favour of the change should be achieved from residents within the relevant OA which equates to 19 signatures.

A resident in Downshire Hill wishes to petition the Council to replace all the paid for parking bays in their street with residents' parking. Downshire Hill falls within a multiple OA, with a combined adult population of 900. In order for the petition to be considered, a minimum 10% threshold in favour of the change should be achieved from residents within the relevant OAs, which equates to 90 signatures.

A resident in North End wishes to change the use of a single yellow line to a double yellow line as they and other residents are experiencing high levels of parking outside of controlled hours. North End falls within an OA with an adult population of 120. In order for the petition to be considered, a minimum 10% threshold in favour of the change should be achieved from residents within the relevant OA, which equates to 12 signatures.

Controlled Parking Zone thresholds

The table below provides the approximate adult population in each of the Council's CPZs. The 5% minimum threshold figure is provided for guidance purposes.

Controlled Parking Zone	No of adults ⁷	5% threshold
CA-B (Belsize)	24,700	1,235
CA-C (Holborn and Covent Garden)	5,700	285
CA-D (King's Cross area)	24,000	1,200
CA-E (Bloomsbury and Fitzrovia)	5,900	295
CA-F (Camden Town)	14,600	730
CA-G (Somers Town)	22,100	1,105
CA-H (Hampstead)	10,300	515
CA-J (Primrose Hill)	7,800	390
CA-K (Kilburn Priory)	9,500	475
CA-L (West Kentish Town)	11,600	580
CA-M (East Kentish Town)	13,500	675
CA-N (Camden Square)	6,400	320
CA-P (Fortune Green)	11,800	590
CA-Q (Kilburn)	12,400	620
CA-R (Swiss Cottage)	9,600	480
CA-S (Redington and Frognal)	3,600	180
CA-U (Highgate)	9,100	455
CA-V (North End)	220	11
CA-X (Elm Village)	1,500	75

⁷ 2019 figures based on latest available data, and rounded to nearest 100/10 as appropriate