

# Resident Petitions (Petition Scheme)

## Chapter 3 of the Council Constitution

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### Introduction

Hillingdon Council's petition process enjoys high resident participation and satisfaction and, as a part of that process, the Council promises to:

- Value all petitions – residents' views are important
- Give friendly advice – how to best pursue the issue that residents have
- Make it easy – different ways to submit a petition
- Keep you informed – update the petition organiser about a petition's progress
- Let you have your say – enable residents to speak to and directly influence Council decision-makers

The petition process allows the residents of Hillingdon to have direct influence on the decision-making process and to raise concerns that are important to them. All petitions sent or presented to the Council will receive a written acknowledgement within 5 working days of receipt. This acknowledgement will set out what the Council plans to do with the petition and when the petition organiser can expect to hear from the Council again. More than one petition can be received on a particular issue, whether for or against that issue.

### What is a petition and who can submit one?

Petitions are a formal written request, typically one signed by many people, asking the Council to consider a particular issue. Petitions can be either paper or electronic. For the purposes of this scheme, the Council will treat as a petition anything which identifies itself as a petition, or which a reasonable person would regard as a petition, and which is signed by people that live within the Borough.

Anyone who lives in the Borough, including under 18 years of age, can sign or organise a paper or electronic petition. They are known as the lead petitioner. The lead petitioner must, therefore, live within the Borough. If they do not, they may choose another representative who lives in the Borough to lead their petition.

Before submitting a petition, lead petitioners are advised to first check with their Ward Councillors or with the Council to see if the Council is already acting on the concerns raised.

### Personal data in petitions

By signing a petition, every signatory provides the Council with their name, address and signature (and sometimes their contact details) in order to demonstrate support for an issue and influence the decisions the Council makes. The Council will ensure the

personal data within a petition is not released for any purpose other than to consider the petition as set out in this Petition Scheme and the associated public-facing democratic process. The handling of petitions falls under the “public task” legal requirement for processing personal data under the GDPR and Data Protection Act 2018, necessary for activities that support or promote democratic engagement. Details of the signatories to a petition will not be available for public inspection by any third party outside the Council or published on the Council website.

Should someone signing a petition wish for their name and address to be removed from a petition either a) because they no longer support it or b) wish for their personal details to be removed for privacy reasons, then this will be done upon receipt of a request in writing to the Head of Democratic Services.

### What is a valid petition?

The Council will treat a paper or electronic petition as valid if:

1. It relates to a single issue within the Council’s responsibilities, e.g. a planning application, road traffic calming, change in a policy or a new community facility.
2. It reaches the required number of signatories of residents in the Borough based on whether it relates to a local or borough-wide issue as set out below:

Type of petition (issue)	Minimum number of signatories
Local petitions - those relating to a planning / licensing application or a specific issue in your street or neighbourhood.	<b>20</b>
Borough-wide petitions - those relating to Council services, policies or Council matters that are not local and apply across Hillingdon.	<b>100</b>

3. The lead petitioner also lives in the Borough.

A petition will not be valid, and thereby not accepted, if it falls into one of the categories below in the Table below, in the opinion of the Head of Democratic Services that it:

<b>Table - Petitions not accepted</b>	
Is not within the direct responsibility of the Council’s services;	Does not contain specific proposals for action or relates to multiple different issues
Is received within six months of another petition having already been considered by the authority on the same matter.	Relates to proposals that are not legal, operationally feasible or financially affordable within the Council’s approved service programmes or budget;
Upon receipt, directly seeks to overturn a democratically approved decision within the last year by the Council upon which statutory and/or local public consultation has already	Where the specific matter requested has already been agreed to be implemented within the Council’s approved budget to the benefit of the

taken place, as determined by the Head of Democratic Services.	petitioners, e.g. bowls club refurbishment in the capital programme;
A matter whereby there is an existing statutory process, appeals or higher complaints process, e.g., ombudsman, planning inspectorate	The matter would be considered through established alternative resident engagement programmes of the Council, e.g. Chrysalis or Ward Budget Scheme [unless these programmes have already been exhausted].
Requires the disclosure of personal data, exempt or confidential information or relate to any specific council employee(s) or contracted member of staff.	Where the petition (including any adaptations made to it) has originated from international, national or regional bodies and organisations for their own promotional purposes to canvass support for an issue that is not specific to Hillingdon.
Petitions, that in the opinion of the Head of Democratic Services, are vexatious, frivolous, abusive, illegal or otherwise inappropriate.	Raises issues of alleged Member misconduct which will instead be taken as a complaint arising under the Local Government Act 2000 and the Localism Act 2011 and, where appropriate, will be reported to the Council's Monitoring Officer.

If a petition is deemed unacceptable, the petition organiser will be contacted with an explanation as to why the petition will not be accepted or by what alternative route the matter will be considered. If a petition is about something over which the Council has no direct control (for example the local railway or hospital) for which another authority is responsible, the lead petitioner will be provided with the necessary information and advice to refer their petition directly to the relevant authority concerned. Where petitions span multiple issues or services, the petitioner organiser will be contacted appropriately for clarification about which single matter they wish the Council address as part of their active petition.

A certain number of signatories to any petition will be validated to ensure that they live in the Borough by comparing the names and addresses with records held by the Council. For electronic petitions, the Council requires a name, valid email address and an indication of residency in the Borough as part of the electronic petition system being used.

The Head of Democratic Services will ultimately determine the validity of any petition in accordance with this Petition Scheme and also signatories to any petition.

### **What information should be in a petition?**

Petitions submitted to the Council must include a clear and concise statement covering the subject of the petition and should also state what action the petitioners wish the Council to take. If about a planning application, it should state the application number. Petitions should be accompanied by contact details for the petition organiser (including an address in the Borough and, where possible, a contact telephone number and/or email address). This is the person that will be contacted to explain how the petition will be responded to. If a paper petition does not identify a petition organiser, normally only the first person on the petition will be contacted.

## **Petitions received under the valid number**

If a petition is under the required number of signatories, it will be treated as a service request or representation, e.g. on a planning application, whichever is appropriate, and will be passed to the appropriate department to take forward and respond.

The appropriate Ward Councillors will also be notified of these petitions and may, in the case of petitions about council services (not planning or licensing applications), request that the relevant Cabinet Member treat such petitions as valid. Upon their agreement, the petition will become valid and proceed forward through the democratic process.

As an alternative route to raise issues in petitions under 20 signatures on planning applications, ward councillors may exercise their right to call-in the application with valid material planning reasons to Committee and speak on behalf of residents, though speaking rights for the petitioner will not apply.

## **Paper petitions**

The Council provides a template for paper petitions on its website which residents can use, though other forms are accepted. Paper petitions can be sent by post, hand delivered or scanned and emailed to:

Head of Democratic Services  
London Borough of Hillingdon  
Civic Centre  
High Street  
Uxbridge  
Middlesex UB8 1UW  
Email: [democratic@hillingdon.gov.uk](mailto:democratic@hillingdon.gov.uk)

## **Electronic Petitions**

Electronic petitions may be submitted through the Council's website ([www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)), although it is recognised that other online electronic petition facilities are available and the Council is happy to accept these where it can be identified that the people signing the petition live in the Borough. You can send these to the email address [democractic@hillingdon.gov.uk](mailto:democractic@hillingdon.gov.uk)

When an electronic petition is created using the Council facility, it may take up to 7 working days before it is published on the Council's website. This is because of the need to check the content of the petition before it is made public and available for people to sign. If the Council considers that it cannot publish and must reject a petition, the petition organiser will be contacted within this period to explain why. Where possible, the petition organiser will have the opportunity to change and resubmit the petition within 15 working days, otherwise it may be rejected.

Once an electronic petition is accepted, the petition organiser will need to decide how long they want their petition to be open for signatories. Most petitions will run for a few

weeks but the petition organiser can choose a shorter or longer timeframe, up to a maximum of 1 month. If no time is selected, the petition will automatically be kept active for 1 month. The Council will advise further on timings in the case of electronic petitions on current planning applications so that they can be submitted before determining the matter.

When a resident wishes to sign an electronic petition using the Council facility, they will be asked to provide their name, address and a valid email address. Once this information has been validated, the petitioner's signature will be added to the petition.

Completed electronic petitions using an alternative system to the Council's facility can also be printed off, posted, hand delivered or scanned and emailed.

### **Combining paper and electronic petitions**

If deemed appropriate by the Head of Democratic Services, a paper petition and an electronic petition that are on the same subject from the same petition organiser may be combined as a single petition and the lead petitioner will be advised accordingly.

### **Multiple Petitions on the same topic**

For issues of practicality, where the Council receives more than one petition in relation to the same issue (e.g., a planning application), the Cabinet Member / Chair of the relevant Committee will have discretion to amend the speaking rights, the number of speakers and speaking timings. Please note that it is not an automatic right that each petition organiser will get 5 minutes to speak if there is more than one petition.

### **Petitions received during an Election Period**

Due to restrictions imposed in the period immediately before any election or referendum, the Council may need to deal with petitions differently. If this is the case, the petition organiser will be contacted to explain the reasons and discuss the revised timescale that will apply.

### **How the Council responds to a valid petition**

A written acknowledgement will be sent to the petition organiser within 5 working days of receiving the petition. This acknowledgement will let the petition organiser know what the Council plans to do with the petition and when they can expect to hear from the Council again.

The Council's response to a valid petition will depend on what the 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 an appropriate Cabinet Member petition hearing or Committee meeting enabling the lead petitioner to speak or address councillors on the matter before a decision is made
- Hold an investigation into the matter

- Undertaking research into the matter
- Considering the petition at a Petition Hearing with the relevant Cabinet Member, enabling the lead petitioner to speak directly to the decision-maker
- Carrying out a consultation
- Holding an informal meeting with the petition organiser
- Writing to the petition organiser setting out the Council's views about the request in the petition and what the Council can or cannot do about it

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

In considering a valid petition, it will usually fall into one of the four categories below and the process for how the Council responds to it will be slightly different:

- a. Cabinet Member Petitions
- b. Planning Petitions
- c. Licensing Petitions
- d. Petitions to be considered at another Council committee.

### **Cabinet Member Petitions**

Such petitions are on matters relating to Council services within the remit of the Cabinet or relevant Cabinet Member.

If the petition needs more investigation, the Council will tell the petition organiser what steps the Council plans to take and how the matter can be resolved. The lead petitioner will be asked if they are satisfied with the proposed action or outcome and whether they would like to close their petition. If the lead petitioner is not satisfied, the Council will hold a petition hearing with the Cabinet Member at the earliest opportunity.

In the majority of cases, valid petitions will be considered by the relevant Cabinet Member at a Petition Hearing where s/he will decide what action (if any) will be taken. At that hearing the lead petitioner has the right to argue their case or promote a particular issue to the Cabinet Member and the following procedures shall apply:

- a) A written report from officers must be published at least 5 clear working days before the meeting;
- b) The meeting shall normally take place at the Civic Centre, unless the Cabinet Member decides otherwise;
- c) The meeting shall be open to the public and press (subject to the Access to Information Act rules);
- d) The meeting shall be attended by officers from the appropriate service area and by a representative of Democratic Services;
- e) The appropriate Ward Councillors shall be informed of the date and time of the meeting and may attend and have the right to speak at the meeting for up to 3 minutes;
- f) The lead petitioner or their nominated representative, where they have been either invited to attend by the Cabinet Member or where they have the right to attend,

shall have the right to speak about the matter raised in the petition for a maximum of 5 minutes\* and the Cabinet Member may ask them questions about the petition. Where it is a single petition, the time limit may be extended with the consent of the Cabinet Member;

- g) The Cabinet Member shall either announce their decision once they have heard the petitioner (and this decision shall be recorded and published), or they may decide that they wish to consider the matter and make a decision at a later date. Where the Cabinet Member decides to make a decision at a later date, the Member shall inform the Head of Democratic Services as soon as they have made a decision and this shall be recorded and published. There shall be no further right for a petition organiser to meet with the Cabinet Member;
- h) The petition organiser will be informed of the decision in writing, and if their request is agreed, subsequently kept informed of progress in implementing the matter.

*\* Please note that the Cabinet Member has ultimate discretion on speaking rights and reserves the right to vary all speaking time limits if there is more than one petition in relation to one issue.*

## **Planning Petitions & Speaking Rights**

### a. Where public speaking rights apply

Public speaking rights to the Planning Committee will only apply where:

1. a valid petition is received on a planning application as defined in [Chapter 7 – Planning Decisions](#) - of the Council's Constitution, and
2. a valid petition's desired outcome is not in accordance with the planning officers' recommendation.

Note: in cases where a valid petition's desired outcome accords with the planning officer's recommendation on the planning application, the planning officer may determine the application without referral to the Planning Committee. In all such cases, the lead petitioner will be notified by the planning officer of the outcome when the decision is made.

### b. Speaking by the lead petitioner, applicant/agent.

Where a lead petitioner is invited to the Planning Committee to speak, they will be contacted a week before the date of the Planning Committee meeting about participating in the democratic process.

The petition organiser (or their nominated representative) will be invited to attend and speak for up to 5 minutes in relation to that matter at the meeting at which the application will be considered.

The applicant (or their agent) will also get the opportunity to speak for 5 minutes where a valid petition has been accepted by the Council in relation to their application.

Notification of the intention to speak and the name of the speaker must be supplied to the Head of Democratic Services at least 24 hours before the meeting.

Members of the Committee will also be able to ask questions of the petitioners. Statements made by members of the public speaking will be broadcast and in the public domain.

c. Ward Councillors and other speaking rights

Ward Councillors will be permitted to speak for up to 3 minutes in relation to an application if they have notified their intention to do so in advance to the Committee Chair. Additionally, under general committee speaking rules in this Constitution, any Councillor may also speak at a committee meeting, but only with the permission of the Chair.

When a proposed development falling within a Conservation Area is considered by the Planning Committee, a representative of the relevant Area Panel will be entitled to attend and address the committee for a maximum of five minutes. Notification of the intention to speak and the name of the speaker must be supplied to the Head of Democratic Services 48 hours prior to the meeting.

d. Chair's discretion on speaking times

The Committee Chair reserves the right to vary all speaking time limits if there is more than one petition in relation to one issue.

e. Receipt of petitions

Petitions should be received during the consultation period on the planning application if possible and must be received before a decision is made on the application.

Where a planning application is scheduled to be considered at the Planning Committee and already on the published agenda, any valid, or further valid petitions in relation to it, should be received by the Head of Democratic Services no later than 48 hours prior to the meeting. Discretion to allow petitions after this deadline can only be approved by the Chair of the Planning Committee, in exceptional circumstances.

f. Supplementary information submitted.

Any supplementary information to be presented by anyone entitled to speak at the meeting should be provided to Democratic Services no later than 48 hours prior to the meeting, unless the Chair of the Committee agrees otherwise in exceptional circumstances.

g. Second opportunity to speak

If the organiser of a petition, having exercised their right to speak at a planning committee, would like to address a second or subsequent meeting which is to consider the issue which gave rise to their petition (e.g. if the matter is deferred), they will need to organise a new valid petition.

h. Written representations in lieu of speaking

Any person entitled to speak at a Planning Committee may opt instead to submit a written representation to be read out. This would be in lieu of speaking directly to the committee. The Planning Committee may agree a local protocol for this and, similarly, any written representation and supplementary supporting information should be received no later than 48 hours prior to the meeting. Statements read out will be broadcast and on the public record.

## **Licensing Petitions**

Such petitions would be on matters, for example, in relation to street trading, entertainment, alcohol or premises related licensing, sex establishments, scrap metal or gambling. In such cases, petitions may only be submitted to the Licensing Authority or Licensing Team as relevant representations and, if applicable, during any statutory consultation period on the matter. The lead petitioner / applicant (or their nominated representative) will then have the opportunity to address a Licensing Sub-Committee on the matter as set out in the relevant hearing protocol or legislation. The Council will advise the lead petitioner further on this different process upon receipt of such a petition.

## **Petitions to another appropriate Council Committee**

In the case of petitions concerning subjects which would normally fall to be considered by a Council body other than those above, the Head of Democratic Services, in consultation with the Leader of the Council, will determine which Council decision making body should hear and determine the petition. The petitioner organiser (or their representative) will be invited to attend and speak for up to 5 minutes\* in relation to that matter at the meeting at which the application will be considered.

## **Petitions requesting a referendum**

For further information on the submission of petitions to the Council requesting a referendum, please contact the Democratic Services Team at [democratic@hillingdon.gov.uk](mailto:democratic@hillingdon.gov.uk) or by calling 01895 250636.

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Latest scheme as of 26 September 2024

Approved by the Full Council of the London Borough of Hillingdon

This petition scheme is an extract from the Council's Constitution