

## **DRAFT Brighton & Hove City Council Petitions Scheme**

### **Petitions**

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the council will receive an acknowledgement from the council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

Paper petitions should be sent to Democratic Services, King's House, Grand Avenue, Hove, East Sussex BN3 2LS at least 10 days before the meeting at which you would like the petition to be presented.

Petitions can also be created, signed and submitted online by following this link [submit a new e petition](#)

Once submitted, you will be offered the choice as to whether you wish the petition to be:-

- (i) Presented at the next full council meeting; or
- (ii) Referred directly to the appropriate public decision-making meeting for a response; or
- (iii) Responded to by the relevant Director.

If you wish to refer the petition to a full council meeting or directly to the relevant decision-making meeting, you will be invited to attend the meeting and will be offered the opportunity to either present the petition yourself or for a councillor or someone else to present it on your behalf. Dates and times of all council meetings can be found here [council meeting dates 2010](#). Alternatively, you may prefer to receive a response from the relevant Director without the petition being presented at a meeting, in which case a response will be sent to you within 21 working days of the closure of the petition and will be posted on the Council's website.

If your petition has received 1250 signatures or more it will be scheduled for a [full council debate](#) and if this is the case we will let you know whether this will happen at the same meeting or a later meeting of the council. If your petition has received 750 signatures or more and is calling for a senior council officer to give evidence about something for which the officer is responsible as part of their job then it will be scheduled for a meeting of the relevant Overview and Scrutiny Committee – see [Officer Evidence](#) below.

If you would like to present your petition to the Council, or would like your councillor or someone else to present it on your behalf, please contact Democratic Services on 01273 291006 at least 10 working days before the meeting and they will talk you through the process.

## What are the guidelines for submitting a petition?

Petitions 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; and
- the name and address and signature of any person supporting the petition.

Petitions can be signed by any person of any age who lives, works or studies in or uses services provided by Brighton and Hove City Council.

Petitions must relate to a function of the Council or relate to an improvement in the economic, social or environmental well-being of the Council's area to which any of our [Partner Authorities](#) could contribute.

Petitions should be accompanied by 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 placed on the website. 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.

## What will the council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 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.

If the petition has enough signatures to trigger a council debate, or a senior officer giving evidence, 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.

If the petition applies to a planning or licensing application, 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:

### [Influence council decisions – make your voice heard](#)

We will not take action on any petition which is considered by the Council's Monitoring Officer to be vexatious, abusive or otherwise inappropriate and, if this is the case, we will explain our reasons in our acknowledgement of the 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 discuss with the

petition organiser 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.

To ensure that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

## **How will the council respond to petitions?**

Our response to a petition will depend on what a petition asks for and how many people have signed it. Among the options that the council may consider are:-

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's overview and scrutiny committee\*
- calling a referendum
- writing to the petition organiser setting out our views about the request in the petition

\*Overview and scrutiny committees are committees of councillors who are responsible for scrutinising the work of the council – in other words, the overview and scrutiny committee has the power to hold the council's decision makers to account.

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 (see [here](#)) 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 here [Council services](#).

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.

## Full council debates

If a petition contains more than 1,250 signatures, and is not a petition requesting [officer evidence](#), it will be debated by the full council. 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 given 3 minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 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 this decision. This confirmation will also be published on our website.

## 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 your petition contains at least 750 signatures, [the relevant senior officer](#) will give evidence at a public meeting of the council's overview and scrutiny committee.

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 may also decide to call the relevant councillor 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 Tom Hook, Head of Scrutiny up to three working days before the meeting. For all overview & scrutiny committees please email [scrutiny@brighton-hove.gov.uk](mailto:scrutiny@brighton-hove.gov.uk) or call Tom Hook, Head of Scrutiny on 291110. The overview and scrutiny meeting does not have power to make or change decisions but may make a report or recommendations to the relevant decision making meeting. A copy of the overview and scrutiny report or recommendations will be sent to you.

## E-petitions

The council welcomes e-petitions which are created and submitted through our website [e-petition](#). E-petitions must follow the same [guidelines](#) as paper petitions. The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for 4 months, but you can choose a shorter or longer timeframe, up to a maximum of 6 months.

When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.

If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-petition has closed for signature, it will automatically be submitted to Democratic Services. In the same way as a paper petition, you will receive an acknowledgement within 10 working days confirming what we plan to do with the petition and when you can expect to hear from us again. It will also be published on our website. If you would like to present your e-petition to a meeting of the council, or would like a Councillor to present it, please contact Democratic Services at least 10 working days before the meeting and they will talk you through the process.

## **How do I start an e-petition?**

On the [e-petitions](#) homepage, select the 'submit a new e-petition' option. You will be prompted to enter a title which the system will automatically check against existing e-petitions to allow you to see if a similar one has been considered recently. There is also a drop down box which allows you to associate your e-petition with any existing issue in the Council's Forward Plan. The [Forward Plan](#) details all of the key decisions to be taken by the council in the coming months. You will then need to fill in the online form. This will be submitted to the Democratic Services team who may contact you to discuss your e-petition before it goes live.

## **How do I 'sign' an e-petition?**

You can see all the e-petitions currently available for signature here [current email petitions](#).

You can only sign an e-petition once. When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible. From time to time, the Council may also submit an e-petition itself to gauge public feeling on a particular issue.

## **Can I still submit a paper petition?**

You can submit petitions in both forms - you can have a paper version and an online version, although repeat names will be removed. Both forms should run for the same period of time and must be submitted together. When submitting an e-petition request, please let us know if you are running a paper petition as well and this can be highlighted on the website.

## **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 council's overview and scrutiny committee review the adequacy of 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. Your requests for review should be sent to the Head of Scrutiny, Kings House, Grand Avenue, Hove, East Sussex BN3 2LS or by email to [tom.hook@brighton-hove.gov.uk](mailto:tom.hook@brighton-hove.gov.uk)

The committee 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 committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the council executive and arranging for the matter to be considered at a meeting of the full council.

Once the appeal has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

## **Alternative formats and languages**

If you would like information published by Brighton & Hove Council in large print, braille, audio tape, in pictures and symbols, or in a community language please call Democracy Service on 01273 291006.

## **Partner Authorities**

For the purpose of this scheme, each of the following is a partner authority:-

- East Sussex Fire and Rescue Authority;
- South Downs National Park Authority;
- East Sussex Police;
- a chief officer of police;

- a joint waste authority established under section 207(1);
- NHS Brighton & Hove;
- The South East England Development Agency (SEEDA);
- Surrey and Sussex Probation Trust;
- South Downs NHS Trust
- the Arts Council of England;
- the English Sports Council;
- the Environment Agency;
- the Health and Safety Executive;
- the Historic Buildings and Monuments Commission;
- the Learning and Skills Council for England;
- the Museums, Libraries and Archives Council;
- Natural England;
- the Secretary of State, but only in relation to—
- his functions under section 2 of the Employment and Training Act 1973 (c. 50) (arrangements with respect to obtaining etc employment or employees);
- functions which he has as highway authority by virtue of section 1 of the Highways Act 1980 (c. 66); and
- functions which he has as traffic authority by virtue of section 121A of the Road Traffic Regulation Act 1984 (c. 27).

**Senior officers who may be called to give evidence in response to a petition**

- Chief Executive
- Director Children's Services
- Acting Direct Adult Services
- Director Strategy and Governance
- Direct of Finance
- Director of Culture
- Director of Environment

