

PART 8.10 PETITIONS SCHEME

How to petition the Council – Petitions Scheme Petitions

The Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. You can send us a paper petition and/or set up an e-petition online.

How to submit a petition

Petitions submitted to the Council must include –

- a clear and concise statement covering the subject of the petition;
- what action the petitioners wish the Council to take;
- the name, address and contact details of the petition organiser so that we can contact them to explain how we will respond to the petition;
- the name, 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 Brighton & Hove or who uses services provided by Brighton & Hove City Council.

Petitions must relate to what the Council does or relate to an improvement in the economic, social or environmental well-being of the area covered by Brighton & Hove City Council to which any of our partner authorities¹ could contribute.

- 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.

Where to send a petition

Paper petitions should be sent to Democratic Services, Brighton & Hove City Council, 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. (For full Democratic Services contact details see end of this scheme.)

E-petitions - follow this link to create, sign and submit an e-petition².

What the Council will do when it receives a petition

The Council will send an **acknowledgement** of all petitions to the petition organiser **within 10 working days** of receipt. This acknowledgement will set out what we plan to do with the petition and when they can expect to hear from us again. The petition will also be published on our website. Whenever

¹ For a list of our partner authorities please see 'Who are the Council's Partner Authorities?'

² <http://present.brighton-hove.gov.uk/mgePetitionListDisplay.aspx?bcr=1>

possible, we will also publish all correspondence relating to the petition (all personal details will be removed).

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.

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

- i) presented at the next Full Council meeting to decide how we will respond; or
- ii) referred directly to the appropriate committee or sub-committee of the Council to decide how we will respond; or
- iii) responded to by the relevant officer of the Council.

If the petition organiser wishes to refer the petition to a Full Council meeting or directly to the relevant decision-making meeting, they will be invited to attend the meeting and will be offered the opportunity to either present the petition themselves or for a Councillor or someone else to present it on their behalf. Dates and times of all Council meetings can be found here³.

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

If the petition organiser prefers to receive a response from the relevant officer without the petition being presented at a meeting, a response will be sent to them within 21 working days of the closure of the petition and will be posted on the Council's website.

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 before a decision is made about how we will respond. The Council will try to consider the petition at its next meeting. This may not always be possible and the petition will then be considered at the next meeting.

The petition organiser will be given 3 minutes to present the petition at the meeting. The petition will then be discussed by Councillors for a maximum of 15 minutes. They will then decide how to respond to it at this meeting. Councillors may decide –

- to take the action the petition requests;

³ <http://present.brighton-hove.gov.uk/mgCommitteeDetails.aspx?ID=117>
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- 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.

The petition organiser will receive written confirmation of this decision. This confirmation will also be published on our website.

Officer evidence

A 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, a 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 has enough signatures to trigger a Council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell the petition organiser when and where the meeting will take place. If the petition needs more investigation, we will tell them the steps we plan to take.

Exceptions

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”⁴.

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 a 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 the petition organiser to explain the reasons. To ensure that people know what we are doing in response to the petitions we receive, we will publish the details of all the petitions submitted to us on our website. However, there may be cases where this would be inappropriate.

How the Council will respond to a petition

The Council’s response to a petition will depend on what it asks for and how many people have signed it. Among the options that we may consider are –

- taking the action requested in the petition;

⁴ <http://www.brighton-hove.gov.uk/index.cfm?request=c1211337>
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- 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;
- calling a referendum;
- writing to the petition organiser setting out our views about the request in the petition.

If a 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 partners⁵ and where possible will work with these partners to respond to a 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 tell the petition organiser the reasons for this.

Find more information on the services for which the Council is responsible⁶. If a 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 mean simply forwarding the petition to the other Council, but could involve other steps. We will always notify the petition organiser of the action we have taken.

E-petitions

The Council welcomes e-petitions⁷ which are created and submitted through our website. 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. They will also need to decide how long they would like their petition to be open for signatures. Most petitions run for 4 months, but they can choose a shorter or longer time, up to a maximum of 6 months. When creating 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 a petition is suitable before it is made available for signature.

If we feel we cannot publish a petition for some reason, we will contact the petition organiser within this time to explain. They will be able to change and resubmit their petition if they wish. If they 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 on the Council's website.

When an e-petition has closed for signature, it will automatically be submitted to the Council. In the same way as a paper petition, we will send the petition organiser acknowledgement of receipt within 10 working days confirming what we plan to do with the petition and when they can expect to hear from us

⁵ <http://www.bandhsp.co.uk/>

⁶ <http://www.brighton-hove.gov.uk/a-z/all>

⁷ <http://present.brighton-hove.gov.uk/mgePetitionListDisplay.aspx?bcr=1>

again. It will also be published on our website. If the petition organiser would like to present their e-petition to a meeting of the Council, or would like a Councillor to present it, they should contact the Council's Democratic Services team on 01273-291006 at least 10 working days before the meeting to find out more about the process.

Frequently Asked Questions

How do I start an e-petition?

On the e-petitions homepage⁸, select the 'submit a new e-petition' option. Enter your petition 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 Committee Work Programme. The Committee Work Programme details all of the 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 Council's 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 on the current email petitions⁹ page of our website.

- 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.

⁸ <http://present.brighton-hove.gov.uk/mgePetitionListDisplay.aspx?bcr=1>

⁹ <http://present.brighton-hove.gov.uk/mgePetitionListDisplay.aspx?bcr=1>

Who are the Council's partner authorities?

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

- East Sussex Fire and Rescue Service (East Sussex Fire Authority);
- South Downs National Park Authority;
- East Sussex Police;
- a chief officer of police;
- a joint waste authority;
- The South East England Development Agency (SEEDA);
- National Health Services for Brighton & Hove;
- Surrey and Sussex Probation Trust;
- South Downs National Health Service 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, in relation to functions which he carries out —
 - for securing local employment under section 2 of the Employment and Training Act 1973; and
 - as highway and traffic authority for trunk roads (such as the A27 Brighton bypass) and special roads.

Who can be called to account?

The senior officers who may be called to give evidence in response to a petition are –

- Chief Executive;
- Executive Director Families, Children and Learning
- Executive Director Economy, Environment and Culture;
- Executive Director Finance & Resources;
- Executive Director Neighbourhoods, Communities and Housing
- Executive Director Health and Adult Social Care

Help and advice

If you need any help or advice about petitions, please contact Democratic Services, Brighton & Hove City Council, King's House, Grand Avenue, Hove, East Sussex BN3 2LS, phone 01273-291006, e-mail mark.wall@brighton-hove.gov.uk

Alternative formats and languages

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

Translation? Tick this box and take to any council office.

ترجمة؟ ضع علامة في المربع وخذها إلى مكتب البلدية. Arabic

অনুবাদ? বক্সে টিক চিহ্ন দিয়ে কাউন্সিল অফিসে নিয়ে যান। Bengali

需要翻譯? 請在這方格內加剔, 並送回任何市議會的辦事處。Cantonese

ترجمه؟ لطفاً این مربع را علامتگذاری نموده و آن را به هر یک از دفاتر شهرداری ارائه نمایید. Farsi

Traduction? Veuillez cocher la case et apporter au council. French

需要翻譯? 請在這方格內划勾, 并送回任何市议会的办事处。Mandarin

Tłumaczenie? Zaznacz to okienko i zwróć do któregoś z biura samorządu lokalnego (council office). Polish

Tradução? Coloque um visto na quadrícula e leve a uma qualquer repartição de poder local (council office). Portuguese

Tercümesi için kareyi işaretleyiniz ve bir semt belediye bürosuna veriniz Turkish

other (please state)

This can also be made available in large print, Braille, or on CD or audio tape