

## **PART 3F PETITIONS SCHEME**

### **How to Petition the Council**

#### **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.

We expect all Petition organisers and signatories – who may be of any age – to live, work or study in the area of Brighton & Hove. For this reason, we require all Petition organisers and signatories to provide the full postcode of either their home address or the address of the organisation they work or study at when submitting a paper Petition or signing an e-Petition via the Council's website.

There is an expectation that supporters of a Petition which is presented via a website external to the Council should also live, work and/or study in Brighton & Hove and supporters of such Petitions are encouraged to include their postcode.

#### **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, contact details and postcode of the Petition organiser so that we can contact them to explain how we will respond to the Petition;
- the name and signature of any person supporting the Petition and, when submitting a paper Petition or signing an e-Petition via the Council's website, the full postcode of either their home address or the address of the organisation they work or study at.

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 which any of our partner authorities could make.

The contact details of the Petition organiser will not be placed on the Council's 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, Hove Town Hall, Norton Road, Hove BN3 3BQ to arrive a minimum of 10 working 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-Petition.

Note re deadline: The Mayor or Chair of any Council body has discretion to accept a late Petition if it relates to an officer report which is before the relevant meeting for consideration.

### **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 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.

As Petitions are normally only considered once, it is recommended that they are referred directly to a meeting of the decision-making body which is responsible for relevant functions. However the Petition organiser is offered options, which may (if the relevant threshold is met) include referring the Petition for debate to a meeting of Full Council.

Once submitted, the Petition organiser (also referred to as 'the Petitioner') will be offered the choice as to whether they wish the Petition to be:-

- i) presented at a full Council meeting for consideration and response; or;
- ii) referred directly to Cabinet or to the appropriate Committee or sub-committee of the Council (including one of its Overview & Scrutiny Committees) for consideration and response; or
- iii) responded to by the relevant officer of the Council.

If the Petitioner wishes to refer the Petition either to a Full Council meeting or directly to a meeting of another decision-making body, they will be invited to attend the relevant 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.

If the Petitioner does wish either to present their Petition to a meeting, or for their councillor or someone else to present it on their behalf, they need to contact Democratic Services at least 10 working days before the meeting to talk them through the process.

If the Petitioner 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, it may be debated by full Council if the Petitioner wishes. 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 in which case the Petition will then be considered at the next meeting of full Council. If the Petitioner prefers, the Petition may alternatively be presented to a meeting of Cabinet or one of the Council's Committees.

If the Petition has enough signatures to trigger a Council debate then the acknowledgment will confirm this and tell the Petition organiser when and where the meeting will take place.

When a Petition is subject to a full Council debate, 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. Full Council will then decide how to respond to the Petition.

Full Council may decide –

- To take the action the Petition requests;
- Not to take the action the Petition requests for reasons stated in the debate;
- To commission further investigation into the matter prior to consideration at a future meeting of the Council, which may include holding an inquiry or public meeting, commissioning research or reference to a particular Committee or body for their views;
- To refer the Petition to Cabinet or to the relevant Committee or Sub-Committee, in which case the Council may make recommendations to the other body.
- To note the Petition.

The Petition organiser will receive written confirmation of this decision. This confirmation will also be published on the Council's 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. Consideration will be given to whether such an action is appropriate and a decision regarding any such request shall be taken at the discretion of the person chairing the relevant meeting.

### **Exceptions**

If the Petition refers to a planning or licensing application, is a statutory Petition (for example requesting a referendum on having an elected mayor), or is on a matter which is subject to an existing right of appeal such as Council tax banding and non-domestic rates, other procedures apply. Further information on this is available on the Council's website, while general information on how you can express your views is available [here](#).

We will not take action on any Petition which the Chief Executive or Mayor or Chair considers, following consultation with the Monitoring Officer, that is:

- not about a matter for which the Authority has a responsibility or which affects Brighton & Hove;
- In the case of Cabinet or any Committee or Sub Committee, it is determined by the Chief Executive, following consultation with the Monitoring Officer, that the meeting to which the question has been addressed is not the appropriate forum;
- defamatory, frivolous or vexatious;

- the same, or substantially the same, as a Petition, Deputation or Public Question which has been put at a meeting of full Council, Cabinet, a Committee or a Sub-Committee in the past six months;
- requires the disclosure of confidential or exempt information;
- from a member of staff on matters affecting them as employees; or otherwise inappropriate.

If the Chief Executive or Mayor rejects a Petition, Deputation or Public Question, then their decision is final.

Where a Petition is rejected then we will write to the Petition organiser to explain the reasons why. To ensure that people know what we are doing in response to the Petitions we receive, we normally will publish the details of all the Petitions submitted to us on our website, unless doing so is not considered to be appropriate.

### **How the Council will respond to a Petition**

The Council's response to a Petition (whether or not it is a qualifying Petition referred to full Council for debate) will depend on what it asks for and how many people have signed it. The options we may consider include:

- To take the action the Petition requests;
- Not to take the action the Petition requests for reasons stated in the debate;
- To commission further investigation into the matter prior to consideration at a future meeting of the Council, which may include holding an inquiry or public meeting, commissioning research or reference to a particular Committee or body for their views;
- To refer the Petition to Cabinet or a relevant Committee or Sub-Committee, with recommendations.
- To note the Petition.

If a Petition is about something which the Council has no direct control over (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 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 Petitioner the reasons for this.

Find more information on the services for which the Council is responsible [here](#). 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 Petitioner of the action we have taken.

### **E-Petitions**

The Council welcomes e-Petitions 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, contact details and postcode. 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 on the Council's website, 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.

Although the Council prefers you to submit your Petition through our website, we can accept Petitions hosted on other well-known external sites like change.org and 38 Degrees. However if you are running a Petition on an external website you must tell us no later than 10 am 10 working days before the meeting. When you contact us, please specify what the Petition is about, how many signatures you've collected and provide a link to the Petition. If you do not provide the information by this deadline, it is likely that your Petition will not be tabled at the meeting.

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 Petitioner 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 again. It will also be published on our website. If the Petitioner 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 Council's e-Petitions homepage, 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.

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 Petitions 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 and your postcode.
- 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.

### Help and advice

If you need any help or advice about Petitions, please contact Democratic Services, Brighton & Hove City Council, Norton Rd, Hove BN3 3BQ, phone 01273-291006, e-mail [anthony.soyinka@brighton-hove.gov.uk](mailto:anthony.soyinka@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? 請在這方格內加別, 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

需要翻译? 请在这方格内划勾, 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 burosuna veriniz Turkish

other (please state)

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