



## Section K

### PETITIONS SCHEME

#### 1. Petitions – introduction

- 1.1 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.
- 1.2 For practical purposes we set a requirement for at least **10 signatures** before we will treat it as a petition. Whilst we like to hear from people who live, work or study in Eastbourne, this is not a requirement and we would take seriously a petition, for example, from visitors to the town on the subject of visitor attractions.
- 1.3 Further details are given in this scheme about how you should go about submitting a petition, the different types of petition and how in certain cases special rules apply.
- 1.4 Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted.
- 1.5 We will not normally consider a petition if it is about the same matter as one considered within the last 6 months.

#### 2. Guidelines for submitting a petition

- 2.1 Paper petitions should be sent to:

Head of Democratic Services, Eastbourne Borough Council, The Town Hall, Grove Road, Eastbourne, BN21 4UG **or** in the case of a consultation petition (see paragraph 3.1.2 below) to the address given in the consultation.

You may also use our online e-petitions facility to create, sign and submit by following this link to the Council's petitions page and then accessing the e-petitions website. (Please note that this website is a shared facility with other Councils in East Sussex.)

- 2.2 Petitions can also be presented to a meeting of the Council. These meetings take place 5 times a year. Dates and times can be found on the Council's website. 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 a member of the Democratic Services Team (contact details are given at the end of this document) at least 10 working days before the meeting and they will talk you through the process.
- 2.3 Petitions 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.
  - the name and address and signature of any person supporting the petition.
- 2.4 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.
- 2.5 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 explain the reasons and discuss the revised timescale which will apply.
- 2.6 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.

### **3. Types of petition**

- 3.1 There are different types of petition as set out below. How we deal with a petition depends on which type you submit.

#### **3.1.1 Ordinary petitions**

These include any petition not included in the types below. Please note that a petition which raises issues of possible councillor misconduct will be dealt with under standards procedures, rather than under the petitions scheme. Similarly, a petition that makes a complaint about the conduct of a council officer may need to be dealt with under the Council's complaints procedure. We will let you know how we intend to proceed.

#### **3.1.2 Consultation petitions**

These are petitions in response to an invitation from the Council for comments as part of a consultation on a particular matter, for example, on a planning or licensing application or a proposed policy or strategy affecting the town. A petition on such a matter will be reported to the meeting, person or body with responsibility for taking the decision.

### 3.1.3 **Governance petitions**

There are certain matters where an Act of Parliament requires the Council to consider a petition from local electors, for example, a petition calling for a referendum on having a directly elected mayor or asking for the creation of a parish or community council in part of the Council's area. This petitions scheme does not apply to such petitions and we regret that the relevant legislation does not yet allow for the online e-petitions facility to be used. Advice about these petitions should be sought from the Democratic Services Team.

### 3.1.4 **Petitions for debate**

If you want your petition to be debated at a meeting of the Council it must have at least 1,500 signatures.

A petition receiving fewer signatures may still be the subject of debate at a public meeting of the Council, or other council body, if it is decided that this is the best way of dealing with the matter. In such cases the organiser of the petition will be notified in advance and have the opportunity of speaking at the meeting and being questioned by councillors.

More information about petitions for debate at full council is given in section 6 below.

### 3.1.5 **Petitions to hold officer to account**

If you want your petition to be considered at a meeting of the Scrutiny Committee\* where a senior council officer will be required to answer questions on the conduct of a particular matter, your petition must have at least 750 signatures. The officer must be identified in the petition by name or job title.

(\*The Scrutiny Committee is a committee of councillors who are responsible for scrutinising the work of the Council – in other words, the Scrutiny Committee has the power to hold the Council's decision makers to account.)

More information about this type of petition is given in section 7 below.

## 4. **What will the Council do when it receives my petition?**

4.1 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.

4.2 If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. 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.

- 4.3 If the petition applies to a planning or licensing application, is a governance 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 on the Council's website or by contacting the Democratic Services team.
- 4.4 We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate. We will explain the reasons for this in our acknowledgement of the petition. We will not normally consider a petition if it is about the same matter as one considered within the last 6 months.
- 4.5 To ensure that people know what we are doing in response to the petitions we receive, the details of all 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). When you sign an e-petition you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

## **5. How will the Council respond to petitions?**

- 5.1 Our response to a petition will depend on what a 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 a meeting of the Council or other council body such as the Cabinet or the Scrutiny Committee
  - 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
- 5.2 In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.
- 5.3 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 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.

- 5.4 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.

## **6. Full Council debates**

- 6.1 If a petition contains more than 1,500 signatures it will be debated by the full council unless it is a petition asking for a senior council officer to give evidence at a public meeting. 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 five minutes to present the petition at the meeting and the petition will then be discussed by councillors for a maximum of 15 minutes.
- 6.2 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.
- 6.3 Where the issue is one on which the Council's Cabinet\* 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 which will also be published on our website.

(\* The Cabinet is the Council's main executive body. It is composed of a small number of leading councillors who have responsibility for many of the services the Council operates and decides many policy matters. It is required to operate within an annual budget and an overall policy framework set by the full council. It cannot deal with certain matters such as planning and licensing applications and staff appointments.)

## **7. Officer evidence**

- 7.1 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.
- 7.2 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. A list of the senior staff that can be called to give evidence can

be found on the Council's website in part 7 of the Council's constitution. The list comprises all the members of the corporate management team. You should be aware that the 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 the Democratic Services Team up to three working days before the meeting.

## **8. E-petitions**

- 8.1 The Council welcomes e-petitions which are created and submitted through our website. E-petitions must follow the same guidelines as paper petitions set out above. 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 six months, but you can choose a shorter or longer timeframe, up to a maximum of 12 months.
- 8.2 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.
- 8.3 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.
- 8.4 When an e-petition has closed for signature, it will automatically be submitted to the Petition Office. In the same way as a paper petition you will receive an acknowledgement within 10 working days. If you would like to present your e-petition to a meeting of the Council, please contact the Democratic Services Team within 10 working days of receipt of the acknowledgement.
- 8.5 A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

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

- 9.1 You can see all the e-petitions currently available for signature by following this link to our petitions page and then accessing the e-petitions website.
- 9.2 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.

## **10 What can I do if I feel my petition has not been dealt with properly?**

- 10.1 If you feel that we have not dealt with your petition properly, the petition organiser has the right to request that the Council's Scrutiny Committee review 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.
- 10.2 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.
- 10.3 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.

## **11. Democratic Services contact details:**

- 11.1 Please send your petition by email to [committees@lewes-eastbourne.gov.uk](mailto:committees@lewes-eastbourne.gov.uk) or by post to the Head of Democratic Services, Eastbourne Town Hall, Grove Road, Eastbourne BN21 4UG. If you have any questions contact the Council on 01323 410000 and ask for a member of the Democratic Services team.