

# East Sussex County Council

## Petition Scheme

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The Council welcomes your views and recognises that petitions are one way in which people can let us know their concerns. **Anyone who lives, works or studies in East Sussex can submit a petition provided that it includes not less than 10 signatures. A petition may be signed by anyone living, working or studying in East Sussex.**

### Where to send your petition

There are three ways of submitting a petition to the County Council.

#### By post

Petitions can be sent to:

Andy Cottell  
Democratic Services Manager  
East Sussex County Council  
County Hall  
St Anne's Crescent  
Lewes  
BN7 1UE

#### E-Petitions

Petitions can also be created, signed and submitted on line by following this link: <http://petitions.eastsussex.gov.uk>

#### Presented in person to the Chairman of the County Council

Petitions can also be presented by a County Councillor to the Chairman of the County Council immediately before a meeting of the council. These meetings take place approximately every 2 months. Dates and times can be found here <http://www.eastsussex.gov.uk/yourcouncil/about/committees/meetings/fullcouncil.htm>.

Please contact Andy Cottell on 01273 481955 at least 10 working days before the meeting and he will talk you through the process. You can attend with the

County Councillor at the presentation of your petition, or they can do it on your behalf should you be unable to make it on the day.

## **Guidelines for petitions**

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
- the name and address and signature of any person supporting the petition.
- So that we can let you know how we can respond to your petition, it 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. If the petition does not identify a petition organiser, we will contact the first three signatories to the petition to agree who should act as the petition organiser.

Whilst we welcome your views there are some circumstances where a petition may be rejected. These are if it is received within six months of another petition having been considered on the same or a very similar matter or if the petitions is vexatious, abusive or otherwise inappropriate.

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.

If we can't deal with your petition for any reason, we will write to you to explain why.

### **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.

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

If we can do what your petition asks for immediately, we will acknowledge that we have received your petition and tell you that we have taken the action requested and the petition will be closed.

Otherwise our response to a petition will depend on what a petition asks for and how many people have signed it. This could include one or more of the following:

- 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 appropriate 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.

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

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. You can find more information on the services for which the council is responsible on the Council's [website](#).

If your petition is about something that a different council is responsible for we consider 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.

### **Petitions presented to the Chairman of the Council**

The Chairman will report to the County Council details of the petitions which have been presented to him/her and these will be recorded in the minutes. If appropriate, the Chairman will ask the Cabinet or relevant Cabinet member or, the relevant Scrutiny Committee to consider the petition.

The petitioner will then be invited to speak to the Cabinet, relevant Cabinet Member or Committee on the subject matter of the petition. The petitioner will be given five minutes at the meeting to talk about their concerns and what they would like the Council to do. A petitioner cannot address the Cabinet or relevant Cabinet member where the petition relates to the exercise by the Council of its regulatory or quasi-judicial functions or other matters as set out in the Council's Constitution.

### **Full Council debates**

If a petition has more than 5000 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 try 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. The Council will decide how to respond to the petition at this meeting. It 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's Cabinet is 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.

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.

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.

### **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 such a petition contains at least 2500 signatures, the relevant senior officer will give evidence at a public meeting of the council's appropriate overview and scrutiny committee. A list of the senior staff that can be called to give evidence is attached at appendix 1

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 chairman of the committee by contacting Claire Lee on 01273 335517 or by email to [claire.lee@eastsussex.gov.uk](mailto:claire.lee@eastsussex.gov.uk) at least three working days before the meeting. The Chairman of the Committee will have total discretion on the appropriateness of any questions submitted which will also be supplied in advance of the meeting to the officer being called to give evidence.

### **E-Petitions**

The Council welcomes e-petitions which are created and submitted our website (<http://petitions.eastsussex.gov.uk>). E-petitions must follow the same guidelines as paper petitions. This is a shared site run in partnership with Eastbourne and Hastings Borough Councils and Lewes and Rother District Councils.

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. When you create an e-petition, it may take up to 5 working days before it is published on the e-petition website. 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 the reasons. 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, the organiser will be sent an automatic email to confirm whether to submit the e-petition to the Council. 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 Democratic Services on 01273 481955 or by email to [petitions@eastsussex.gov.uk](mailto:petitions@eastsussex.gov.uk) within 10 working days of receipt of the acknowledgement.

A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgement and response will also be published on this website.

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

You can see [all the e-petitions currently available](#) for signature on the shared website. You may also see those that have been submitted to the partner authorities, but you will be unable to sign them, unless you live study or work and can provide a valid post code and email address for that authority.

When you sign an e-petition you will be asked to provide your name, 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.

### **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 appropriate Overview and 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.

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 that your petition has not been dealt with adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council's Cabinet or relevant Cabinet

Member 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.

**List of officers that may be called to give evidence following the submission of a petition under this scheme**

<b>Name</b>	<b>Position Held</b>	<b>Areas of Responsibility</b>
Becky Shaw	Chief Executive	All Functions listed in this Appendix
Phil Hall	Chief Operating Officer	Finances, financial control, ICT, management of Council's property estate, internal audit, risk management , insurance, personnel and training
Mark Stainton	Director of Adult Social Care	Care for older people, care for people with mental health problems, care for people with learning disabilities, care for people with physical disabilities, implementing Putting People First, Community Safety
Stuart Gallimore	Director of Children's Services	Children's services including schools, social care, special education and childcare, standards in schools
Philip Baker	Assistant Chief Executive, Governance Services	Legal and democratic services, communications and consultation
Rupert Clubb	Director of Communities, Economy and Transport	Road maintenance, waste management, rights of way and countryside management, enhancing the environment, economic development, trading standards, traveller team, emergency planning and libraries