

PART 6

Petitions Scheme

1 Introduction

- 1.1** Anyone living, working or studying in Lewes District who wishes to raise an issue or have their views heard on a council matter can create and submit a petition. Petitions are an easy way for you to let us know your concerns. You can create and submit a petition electronically, on paper, or both.
- 1.2** Our e-petition service is available to use for free. As it is online, it allows you to potentially reach a much wider audience and gives you the chance to gather more names. Once set up, it is easy to send the link to other people for them to sign. Paper petitions are a good way to gain support when knocking door-to-door or at large gatherings with lots of people present.
- 1.3** 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. Paper petitions can be sent to:

Head of Democratic Services
Lewes District Council
Southover House
Southover Road
Lewes, East Sussex BN7 1AB

Petitions can also be created, signed and submitted online by following this link: www.lewes.gov.uk/epetitions

2 What do you need to do?

2.1 Petition Do's

Every petition, whether paper or online, needs to include:

- (a) a short headline title to say what the petition is about.
- (b) a clear and concise statement about the subject of the petition – this should describe what action the petitioner wishes the Council to take.
- (c) your own name and location (address or postcode).
- (d) online petitions must include the starting and closing date of the petition. You can change the closing date later if you need to.

2.2 Petition Don't's

A petition must be submitted in good faith. You must not include:

- (a) potentially libellous, false or defamatory statements.
- (b) matters where the law has said that we must do certain things.

- (c) information protected by a court order (such as the identities of children in custody disputes).
- (d) matters which are subject to appeal processes or legal actions (such as planning appeals, enforcement action or other legal actions in court etc).
- (e) material which is commercially sensitive, confidential or which may cause personal distress or loss.
- (f) the names of individual officials of public bodies.
- (g) the names of individuals, or information where they may be easily identified, in relation to criminal accusations.

The contact details of the petition organiser will not be placed on the website.

3 Number of signatures needed

- 3.1** All petitions must have at least 10 signatures to be considered by the Council. Duplicate signatures will not be counted, but will not invalidate the petition.
- 3.2** If your petition contains at least 750 signatures (or 33% of the population of a town or a parish, if on a localised issue), whichever is the lower figure the relevant senior officer will give evidence at a public meeting of the Council's Scrutiny Committee.
- 3.3** If a petition contains at least 1,500 signatures (or 33% of the population of a town or parish if on a localised issue), whichever is the lower figure, it will be debated by all our councillors as an agenda item at a full Council meeting.
- 3.4** If there is any doubt as to whether the subject of the petition is a localised issue, as opposed to a District wide issue, this will be determined by the relevant Service Director in consultation with the Chief Executive.
- 3.5** If either of these occurs, we will inform you of the date of the meeting and you will have the opportunity to attend.

4 Presenting your petition

Petitions can be presented to a meeting of the Council. 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 Trevor Hayward, Committee Officer, on 01273 471600.

These meetings take place on those dates and times which can be found at: <http://www.lewes.gov.uk/council/16161.asp>

5 How will the Council respond to petitions?

- 5.1** An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let you know what we plan to do with the petition and when you can expect to hear from us again. 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.

5.2 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:

- (a) Taking the action requested in the petition
- (b) Considering the petition at a Council meeting
- (c) Holding an inquiry into the matter
- (d) Undertaking research into the matter
- (e) Holding a public meeting
- (f) Holding a consultation
- (g) Holding a meeting with petitioners
- (h) Referring the petition for consideration by the Council's Scrutiny Committee
- (i) Calling a referendum
- (j) Writing to the petition organiser setting out our views about the request in the petition.

6 Full Council

6.1 The Chair may at the appropriate time in the order of business agree to receive from an elected member or member of the public, a petition on any matter relating to the work of the Council, but the person submitting the petition may only refer briefly (in an address not exceeding five minutes) to the subject matter of the petition and the number of signatures. The ward councillor(s) and a maximum of two other councillors may also address Council on the subject matter of the petition (each address shall not exceed five minutes). The petition will be referred to the Cabinet or any other committee for consideration and the presenter of the petition shall be permitted to address the Cabinet or other committee when the petition is discussed

6.2 However, if a petition contains at least 1,500 signatures (or 33% of the population of a town or a parish if on a localised issue), whichever is the lower figure, it will be debated by all our councillors as an agenda item at a full Council meeting. If the petition is relevant to a matter which appears on the agenda of that meeting of the Council, members may refer to the petition when that item is considered by the Council. The petition organiser will be invited to present the petition at the meeting where they may only refer briefly (in an address not exceeding five minutes) to the subject matter of the petition and the number of signatures. The petition will then be discussed by councillors for a maximum of 15 minutes.

6.3 If the petition needs more investigation, we will tell you the steps we plan to take. 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.

- 6.4** 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'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.

7 Scrutiny Committee

- 7.1** If your petition contains at least 750 signatures (or 33% of the population of a town or parish if on a localised issue), whichever is the lower figure, the relevant senior officer will give evidence at a public meeting of the Council's Scrutiny Committee. The Scrutiny Committee is a committee of councillors which is 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.
- 7.2** If your petition has been considered at the Scrutiny Committee, 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. 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 Scrutiny and Committee Officer up to three working days before the meeting.

8 Planning Applications Committee

Petitions may be presented at the Planning Applications Committee subject to the following conditions:

- (a) The petition must be signed by at least 50 signatories (this may include more than one signatory from any one address), subject to the Director of Business Strategy and Development being authorised, in consultation with the Chair to accept petitions with less than 50 signatories in circumstances where the issue is substantial in its effect on a small community which could not be expected to provide 50 signatories;
- (b) All signatories to the petition must state their addresses on the petition;
- (c) Petitions must be in original form, and any sheets accompanying the petition containing signatures must also contain the full wording of the petition;
- (d) Petitions must be delivered to the Director of Business Strategy and Development three clear working days before the meeting;

- (e) Petitioners may either read or summarise the petition, and state the number of petitioners together with any additional information about the petitioners such as their interests in the proposal which is the subject of the petition;
- (f) Prior to the petition being read, the Chair may give notice that the petition may not be read but summarised;
- (g) Petitioners may not make any statements to the Committee not included in the petition;
- (h) There will be no requirement for the Chair of the Committee to give any response to the petitioners other than that the petition will be taken into account in determining the appropriate matter, and
- (i) The Chair shall retain absolute discretion to terminate the reading of a petition or a summary of a petition if he/she considers that it is appropriate to do so in the interests of the Committee.

9 Officer evidence

- 9.1** 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.
- 9.2** 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, different procedures apply. In these cases the petition route cannot be used.
- 9.3** 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. We work with a large number of local partners and where possible will work with these 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.
- 9.4** 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.
- 9.5** We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this 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 explain the reasons and discuss 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.

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. The petition organiser should give 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's Cabinet 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.