



**Perth and Kinross Council
Petitions Procedure**

Date TBC

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Contents page

TO BE FINALISED

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1. Introduction

Perth and Kinross Council aims not only to deliver services which meet the needs of citizens and communities but also to make its decision-making process, open and transparent and as accessible to people, as possible.

The petitions process is one way for individuals, communities, groups or businesses to raise issues with the Council and to be involved in the Council's decision-making process.

Note – Councillors may not submit a petition as they have other methods to progress an issue on behalf of a constituent(s). In addition, in signing a petition a councillor may create a conflict of interest for themselves if they sit on the committee which will hear the petition.

2. Issues that can be considered

Petitions should be about services provided by the Council or issues that affect you or your community that the Council is involved in.

Petitioners may freely disagree with the Council and/or call for changes in policy and the Council will accept petitions about most issues. There are some matters/issues that the Head of Legal and Governance would not consider to be appropriate to deal with by way of a petition, usually because such matters are dealt with by some other legal or corporate process. These are detailed in Section 3 below. A final decision on whether a petition is to be considered will be taken by the Head of Legal and Governance Services, in consultation with the relevant Committee Convener.

3. Issues that are not considered appropriate for the Petitions Procedure

- Matters which are the subject of individual planning, licensing or other similar regulatory processes where there are already [procedures](#) in place to consider objections and an appeal against a decision.
- Matters which are subject to a specific statutory or administrative process (for example, school placing request refusal appeals).
- Matters which are the subject of current or anticipated court proceedings.
- Matters which have been raised through the Council's [Complaints Procedure](#) and the process is not yet completed.
- Matters relating to employees' terms and conditions of employment.
- Operational business matters (for example, individual or personal issues such as housing allocations or a neighbour dispute).
- Issues affecting an individual business interest.
- Complaints against individual councillors, Council staff or other individuals. These matters will either be dealt with by the [Standards Commission](#) or the [Council's Complaints Procedure](#).
- An allegation that an individual or organisation has broken the law as this is a police matter.

- Matters which have been the subject of a decision taken by the Council, a committee or joint committee within the past 6 months.
- A matter which is identical or similar to another petition considered during the preceding 12 months.
- Any matter which is potentially unlawful or deemed by the Head of Legal and Governance Services to be out with the Council's statutory powers.

4. Action before submitting a petition

In addition to considering the information in Section 3, petitioners may also wish to consider the following before submitting a petition:

- Have you raised the issue with the relevant [local elected member](#) or with a [Member of Parliament](#), [Member of the Scottish Parliament](#), [Community Council](#) or [Area Action Partnership](#)?
- Is the subject of your petition covered as part of a current [consultation exercise](#) or engagement process?
- Is the issue something that has been or could be submitted as a [Freedom of Information](#) request?
- Is the matter already scheduled to be considered as an item of business at a [Council / Committee / Sub-Committee](#) meeting?

Petitioners should ensure that any relevant correspondence is included as supporting information and submitted with the petition.

5. Submitting a petition

To assist, a form for petitions is included as an Appendix to this procedure and can be downloaded from the Council's website at www.pkc.gov.uk/petitions - *to be created*.

Petitions can be submitted by email to petitions@pkc.gov.uk, by post or by hand. For all petitions submitted by email, by post or by hand, there are some basic requirements.

The petition should be titled and include a clear statement of no more than 250 words which covers the purpose of the petition and details of the results which the petitioners expect to achieve.

A petition **must** include the following:-

- i. the **name** of the **principal petitioner** who must be on the Register of Electors for the Council area or be a secondary school pupil on the roll of a secondary school in the Council area or in the case of a local business be on the Valuation Roll for the Council area;
- ii. the **contact address** of the **principal petitioner** to which all communications should be sent;

- iii. the **name, address and signature** of any person(s) supporting the petition unless the petition is supported by a community council (see below).

Names and addresses can be gathered both online and on paper. If there are to be both online and paper versions of the petition, please remove repeat / duplicate names before submitting the petition.

For paper petitions, it would be helpful if petitions were typewritten or completed using a black pen. If petitioners have any special requirements, they should email petitions@pkc.gov.uk.

A petition **must** be supported by:-

Petition by individual / community / group - at least 25 signatures from people who live in the Council area and are on the Register of Electors and/or secondary school pupils on the roll of secondary schools within the Council area.

OR the support of the relevant community council.

Note - Fewer signatories may be accepted where the issue concerns a small community which could not reasonably be expected to raise 25 signatories. This discretion may be exercised by the Democratic Services Manager.

Petition from local business(es) - at least 5 other businesses on the Valuation Roll for the Council area

OR the relevant community council.

If the petition is supported by a **community council**, a community council office bearer must countersign the petition, and a copy of the minutes of the relevant community council meeting should be included as supporting information.

6. Support and help with a petition

We will accept petitions in community languages and other formats. We will also arrange for interpretation and translation services, including British Sign Language if you need it. We will take account of your needs when making arrangements to hear petitions. If you need any support, you or your representative, should discuss these with the Democratic Services Manager.

7. How to send in petitions

When the principal petitioner is satisfied that the petition meets the criteria outlined in this procedure, the petition should be submitted to the Council's Democratic Services Manager at petitions@pkc.gov.uk or by post / by hand clearly marked for the attention of the Democratic Services Manager, Council Building, 2 High Street, Perth PH1 5PH.

A written acknowledgement will be sent to the principal petitioner upon receipt of the petition.

8. Validation of petitions

The Council validates (or checks) each petition, and a certain amount of support must be included before consideration of the petition can begin.

During validation, the petition will be checked for: -

- Completeness
- Number of signatories and their qualification
- Compliance with the criteria set out in Sections 3 and 5 of this procedure.

If the petition is valid then the next steps in the process are outlined in Sections 10 and 11 below.

If the petition is not valid, the petition will be returned to the principal petitioner by the Democratic Services Manager outlining the reasons for return.

9. Privacy policy and content of petitions

Information about any individual will not be used for any other purpose than in relation to the petition. Information on how the Council collects and uses information can be found at <http://www.pkc.gov.uk/dataprotection>.

Once a petition has been submitted, validated and acknowledged, the information will be made available for public access on the Council's website at www.pkc.gov.uk/petitions.

Petitioners should therefore take care not to include any information in the wording of their petition that they would not wish to be made available to the public. The name of the principal petitioner will usually be publicly available but details of individual signatories will not be disclosed to the public.

In exceptional circumstances, the Democratic Services Manager may agree that the name and address of the principal petitioner is not made publicly available. If you wish to request that your name is withheld, please email petitions@pkc.gov.uk.

- Petitioners must make sure that the Petition does not include: false, offensive or insulting statements
- information which is protected by any court order
- information which is commercially sensitive or confidential
- information likely to cause personal distress, injury or loss to an individual
- the names of individual officers of public bodies

- the names of other individuals or information whereby they may be easily identified
- offensive language
- duplicate names

Signatories to a petition should not enter the name of another individual as a signatory unless they are in possession of a signed mandate authorising them to do so.

10. Consideration of petitions

Once the petition has been validated, wherever possible it will be considered at the next available meeting of the relevant Committee, subject to the management of business on the agenda for the meeting.

The Democratic Services Manager, in consultation with the Chief Executive / relevant Executive Director(s) and Convener(s), will determine which Committee is the relevant one.

If the petition is received **within 3 weeks** of the date of the next meeting of the relevant Committee, consideration of the petition will be deferred to the next available meeting of that Committee after that.

As soon as the date of the meeting at which the petition will be considered is known, the principal petitioner will be advised of the date, time and venue for the meeting.

The principal petitioner should indicate on the form whether or not they wish to have the opportunity to make a statement before the Committee.

The relevant Executive Director will also prepare a briefing report for the Committee outlining the issues raised in the petition and the preliminary response to these issues. This report will be included in the agenda for the Committee meeting and the principal petitioner will be provided with a copy of this report as soon as the agenda papers are issued.

Where the issues raised in the petition are particularly complex and may require further investigation or consultation with officers or third parties, the principal petitioner will be advised that formal consideration of the petition will be deferred to a future meeting to allow all relevant information to be gathered and presented.

11. Attending the committee meeting

If the principal petitioner has indicated that they wish to have the opportunity to make a statement before the Committee, the Committee will consider that request. If the Committee agrees to the request, the principal petitioner will introduce their petition with a time limit of 10 minutes allowed for speaking.

Any local member, who is not a member of the relevant Committee may, with

the consent of the Committee, address the Committee for no more than 5 minutes in relation to the issues raised in the petition.

The Committee will consider petition and take any of the following actions;-

- i. decide that the issues raised do not require any further action to be taken by the Council; or
- ii. instruct immediate action in response to the issues raised by the Petition; or refer the petition to the relevant Executive Director, in consultation with the Convener and Vice Convener(s), for consideration, without specific direction as to action; or
- iii. refer consideration of the petition to another Committee or full Council; or
- iv. continue consideration of the petition at the next meeting of the Committee, pending the submission of further information.

Following the Committee, the principal petitioner will be advised in writing of the Committee's decision.

12. Petitions log

Every valid petition submitted to the Council will be added to the petitions log on the Council's website. Petitions will be identified as live (actively being pursued) or closed. The principal petitioner will be kept advised of the progress of the petition throughout the process. All information regarding a petition will be retained in line with the Council's relevant retention schedule.

13. Contact information

All correspondence and enquiries should be directed to: -

Democratic Services Manager
Council Building
2 High Street
Perth
PH1 5PH

Email petitions@pkc.gov.uk

PETITIONS FORM



If you wish to submit a petition for consideration by Committee, please complete this template.

Please refer to the Protocol on Petitions before completing the template. If you require any further information or advice, please contact the Democratic Services Manager whose details are provided at the end of this form.

Details of Principal Petitioner

Please enter the name of person and organisation (if applicable) raising the petition. Please include a contact address to which correspondence may be sent, a contact telephone number and e-mail address if available.

Name:

Address:

Tel No:

E mail:

Title of Petition

Petition Statement - Please state (in no more than 250 words) what action the Petitioner wishes the Council to take.

Action Taken (if any) to Resolve Issues of Concern before Submitting the Petition

Before a petition is submitted, petitioners are expected to have taken reasonable steps in attempting to resolve the issues.

Please enter below details of any individuals or organisations approached. Copies of correspondence, including any responses, should be appended. This information will be made available to the Committee prior to its consideration of the Petition.

Appearance before Petitions Committee

Petitioners may have the opportunity to appear before the Committee to speak in support of their petition. Petitioners should indicate whether they wish to make a brief statement to the Committee when it is considering the petition. Note – Proceedings of meetings of the Council, Committees or Sub-Committees held in the Council Chamber at 2 High Street, Perth, and which are open to the public (with the exception of the Licensing Committee) are broadcast live online and recorded / uploaded to the Council's YouTube page.

***I DO wish the opportunity to make a brief statement before the Committee**

☐

***I DO NOT wish to make a brief statement before the Committee**

☐

** tick as appropriate*

Signature of Principal Petitioner

When satisfied that the petition meets all the criteria outlined in the Guidance on Petitions, the Principal Petitioner should sign and date the form in the box below.

Any additional sheets of signatures should be appended to the form.

Signature Date

Name in block capitals

Form A**PETITION TITLE:** _____**A petition must be supported by:-**

at least 25 signatories from people who live in the Council area and are on the Register of Electors and/or school pupils on the school roll of secondary schools within the Council area **OR** have the support of the relevant Community Council by means of a Community Council Office Bearer countersigning the petition at the appropriate point and attaching a copy of the minutes of the Community Council meeting when the support was approved. (see Form C)

NAME	ADDRESS (inc Postcode)	SIGNATURE
1.		
2.		
3.		
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5.		
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10.		
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25.		

**Add additional sheets if required*



PETITION SUBMITTED BY LOCAL BUSINESS(ES)

PETITION TITLE: _____

A petition must be supported by:-

at least 5 other businesses on the Valuation Roll **OR** have the support of the relevant Community Council by means of a Community Council Office Bearer countersigning the petition at the appropriate point and attaching a copy of the minutes of the Community Council meeting when the support was approved.

Name and Position held within Business	Address of Business (inc Postcode)	Signature
1.		
2.		
3.		
4.		
5.		

Or

Support of Community Council

Signature Date
.....

(Office Bearer Community
Council)

Submission

Please submit the original form and attachments to:-

Democratic Services Manager
petitions@pkc.gov.uk
 Perth and Kinross Council
 Council Building
 2 High Street
 Perth
 PH1 5PH

PETITION TITLE: _____

SUPPORT OF COMMUNITY COUNCIL

Signature Date

(Office Bearer Community Council)

** Please include the minutes of the Community Council meeting when the support was approved*

Submission

Please submit the original form and attachments to:-

Democratic Services Manager

petitions@pkc.gov.uk

Perth and Kinross Council

Council Building

2 High Street

Perth

PH1 5PH

Petitions Log

For information or assistance please contact the Democratic Services Manager at petitions@pkc.gov.uk

Ref No.	Petitioner	Subject	Appropriate Committee	Valid/ Not Valid	Status (actively being pursued or closed)	Outcome