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**Report to:** Clackmannanshire Council

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**Date of Meeting:** 30 November 2023

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**Subject:** Petitions Committee

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**Report by:** Chief Executive

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## **1.0 Purpose**

- 1.1. The purpose of this report is for Council to consider additional information in respect of the proposed changes to the governance arrangements for petitions and to consider, and thereafter agree, consequential changes to the Standing Orders and the Scheme of Delegation in relation to the treatment of petitions.
- 1.2. The additional information provided addresses the issues raised prior to, and as a consequence of, Council's amendment to and debate of, the paper it considered at its meeting on the 5 October 2023.

## **2.0 Recommendations**

### **Council is asked to approve:**

- 2.1. To approve the establishment of a Petitions Committee for the purpose of hearing petitions submitted by members of the public and businesses within Clackmannanshire in line with the criteria set out in the Guidance (Appendix 1A and Appendix 2);
- 2.2. Subject to the approval of recommendation 2.1, Council, agrees:
  - 2.2.1. to make consequential changes to Standing Orders and the Scheme of Delegation;
  - 2.2.2. the petitions criteria, and guidance, and the petitions template as set out in Appendices 2 and 3 of this report; and
  - 2.2.3. to nominate eight members and their substitutes to sit on the Petitions Committee (quorum 4), in line with the political balance agreed at the Statutory Meeting of Clackmannanshire Council held on 25 May 2023:  
SNP Group (Administration) – 4  
Labour Group – 2  
Conservative Group – 1  
Either Green Member / Independent Member – 1.

It is recommended that Council notes:

- 2.3. that a Chair and Vice Chair of the Petitions Committee will be appointed from within the nominated Committee membership at the first meeting of the Committee
- 2.4. the additional information set out in paragraphs 3.2 to 3.5 of the report and Table 1, covering the matters escalated by Council following amendment to, and agreement of, the Petitions paper (item 13) on 5 October 2023
- 2.5. that Appendix 2 shows a tracked changes version of the original Guidance and Criteria for submission of Public Petitions presented at October Council. These changes are based on the clarifications provided in Table 1 of this paper together with an analysis of the Council's Petitions database
- 2.6. that the Petitions Committee would report on every petition, in respect of which it had heard representations, to Council with its recommendation on how the petition should be disposed of
- 2.7. that any elected member sitting on the Petitions Committee should consider their responsibilities as set out in the Councillors' Code of Conduct, in terms of their involvement with any petition submitted, particularly where the petition solely concerns their Ward
- 2.8. that as set out in Standing Orders 9.21 to 9.25, should the matter solely relate to a single Ward, Ward Councillors may speak on a matter at a committee they are not a member of, subject to the Chair's approval.

### **3.0 Considerations**

- 3.1. Appendix 1 sets out the report considered at Council on the 5 October 2023. This paper was amended as follows subsequent to Council's scrutiny and debate of the paper:

*'That Council agrees to defer this item to allow for an escalation of the issues raised including the provision of executive powers to the Petitions Committee and membership of the Committee'*

- 3.2. The matter of the potential delegation of executive authority for the Petitions Committee has been further considered. As stated at the meeting, ultimately this remains a matter for Council to decide. It would, however, be a departure from the principle of no delegation of executive authority to non-regulatory committees of the Council, which was most recently considered as part of the arrangements to streamline the Council's decision-making arrangements in May 2022, following the Local Government Election. These discussions were held on a cross-party basis. Should the Council wish to proceed with delegating executive authority, Council may additionally wish to consider the rationale for exceptionally highlighting this Committee for such authority.
- 3.3. To facilitate Council in its consideration of the matter, the Chief Executive has reviewed the Council's petitions database. Records are held for all petitions received since the 30 March 2012 to date. The key metrics are as follows:

|                    |        |   |
|--------------------|--------|---|
| Petitions Received | 25     |   |
| Competent*         | 10     |   |
| Themes             | Budget | 8 |
|                    | Other  | 2 |
| Not Competent*     | 15     |   |
| Themes             | Budget | 6 |
|                    | Other  | 9 |

\* based on the Council's agreed Guidance on Submission of Public Petitions

- 3.4 Additionally, Council is asked to note that a total of 14 of the 25 petitions received by the Council since 30 March 2012 relate to the setting of the Council's Budget and the subject matter of the 11/25 petitions which were non-budget related was variable with no clear trends: petition subjects included consultation approach, green space, traffic calming, skate park, parking and street lighting.
- 3.5 Given the significant proportion of petitions that the Council has received are budget related (56% of all petitions received; and 80% of those received assessed as competent for consideration by Council), there is a considerable potential risk in delegating executive authority to the Petitions Committee that the decision-making of full Council is fettered in respect of budget setting in terms of law and the Council's governance framework.
- 3.6 Given this risk, officers have also considered whether it would be possible to provide restricted/de-coupled executive powers to the Committee which excluded any budget proposals. Having reviewed the individual petitions received, there are two key elements to highlight: firstly, there is no clear pattern re the subject matter on which petitions may be received, making it extremely difficult to establish clear parameters within which the Committee might exercise its authority; secondly, the nature of some of the petitions received, even if not explicitly in response to budget consultation proposals, may have budget implications. At present, authority in respect of budget governance rests with Full Council. This option is, consequently potentially problematic and may lead to differences of interpretation over the extent of the Committee's authority relative to the individual petitions received.
- 3.7 As a consequence, the proposals submitted to Council in this paper do not incorporate the provision of executive authority to the Petitions Committee pending Council's consideration of the additional information provided.
- 3.8 Other matters raised during the debate of the original Council paper are summarised within Table 1 below, along with a proposed action/ response:

Table 1: Matters raised in debate on 5 October 2023

| Discussion theme            | Proposition/ Query  | Proposed action/response   |
|-----------------------------|---|--|
| Casting vote                | Will the Chair have a casting vote in terms of what should be recommended to Council?   | <p>The proposal is that the final decision will be taken by Full Council for the reasons/ risks highlighted in paragraphs 3.2-3.5. On this basis, should the Committee not reach consensus, the actual Committee outcome, along with the range of views expressed, would be reported to Council. At Council, normal governance would apply with the Convener having a casting vote.</p> <p>Subject to Council's agreement, Appendix 2 proposes revised wording to make these aspects clear</p>   |
| Political Balance           | <p>Why has political balance been applied to the proposed membership of the Committee?</p> <p>Does political balance create a risk in terms of ward positions being adopted by groups?</p>  | <p>Political balance is applied to all Council committees unless an alternative membership requirement is prescribed by legislation. The proposal, therefore provides for consistency with Council's current arrangements</p> <p>As a point of principle, this risk could be perceived in respect of all fora, including Council. However, Council is democratically elected by the constituents of Clackmannanshire to represent their views and the resultant political balance reflects the balance of those democratically expressed views/wishes. Given that the proposal would see a recommendation from the Committee to full Council, this would seem to be appropriate.</p> <p>Additionally, and conversely, it could be proposed that should the Petitions Committee hold executive authority and that the membership of the Committee is not in line with political balance, there is a risk of the Committee coming into conflict with Council – wide policy and decision-making as illustrated in paragraphs 3.2 to 3.5</p> |
| Timescales/ Process flow    | <p>The Guidance does not set out the timescales that will apply, should a petition be assessed as competent under the Council's agreed guidance</p> <p>The Guidance does not detail the process that follows consideration of the petition by the Petitions Committee. Can this be clarified in the next version?</p> | <p>Appendix 2 has been updated to include timescales</p> <p>Appendix 2 has been updated to include the final stage of consideration of the Petition by Council</p>   |
| Role of Petitions Committee | Does the Petitions Committee lend itself more to the Planning Committee process rather than service committees  | <p>The Planning Committee is a quasi-judicial committee which takes decisions in terms of planning legislation. Members receive specific training to sit on the Committee and decisions are not referred to Council for approval.</p> <p>The Petitions Committee proposed is a Council Committee and does not derive its authority from subject-specific legislation. As a Committee of Council, its authority level and parameters are determined by Council. The proposed scope of the Petitions Committee is to provide an enhanced scrutiny function of Petitions received; ensure that Petitioners have a positive, full engagement and experience. A separate Petitions Committee has the added benefit of allowing Council to maximise the efficiency and effectiveness of Council meeting management without potentially curtailing the Petitioner engagement/experience due to the volume of decision-making items also being considered</p>  |
| Appeals process             | Was any consideration given to the possibility of an appeals process?   | The proposals submitted to Council, provide for a final decision of Full Council, following full scrutiny by the Petitions Committee. Under Standing Order   |

|  |  |   |
|--|--|---|
|  |  | <p>17.1, 'the six month rule' decisions could only be revisited outwith this period unless there is a material change in circumstances.</p> <p>Additionally, given the majority of petitions received relate to the setting of the Council's budget, Council would potentially be revisiting/resetting the budget in-year should timescales and appeals outcomes align within certain parameters.</p> <p>On this basis, an Appeals process has not been recommended, additionally informed by the discussion at the Council meeting on the 5 October, officers understand that this explicit aspect was also removed from the amendment</p> |
|--|--|---|

3.9 Sustainability Implications - None.

#### 4.0 Resource Implications

##### 4.1. Financial Details

4.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

4.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

##### 4.4. Staffing

#### 5.0 Exempt Reports

5.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

#### 6.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

- Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all
- Our families; children and young people will have the best possible start in life
- Women and girls will be confident and aspirational, and achieve their full potential
- Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

**7.0 Equalities Impact**

7.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?

Yes  No

**8.0 Legality**

8.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

**9.0 Appendices**

9.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1A : Council report: Petitions, 5 October 2023

Appendix 1B: Guidance on Submission of Public Petitions

Appendix 2: Tracked Changes version Guidance on Submission of Public Petitions

Appendix 3: Petitions Template

**10.0 Background Papers**

10.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes X (please list the documents below) No

**Reports to Clackmannanshire Council:**

The Council's Decision-Making Framework - 1 June 2012

Council Decision-Making Framework - 12 April 2018


Council Decision-Making Framework Update - 23 August 2018

Political Balance – 25 May 2022

**Author(s)**

| NAME          | DESIGNATION  | TEL NO / EXTENSION |
|---------------|--|--------------------|
| Lee Robertson | Senior Manager – Legal and Governance (Monitoring Officer) | X 2087             |
| Nikki Bridle  | Chief Executive  |                    |

**Approved by**

| NAME         | DESIGNATION     | SIGNATURE   |
|--------------|-----------------|---|
| Nikki Bridle | Chief Executive |  |

## CLACKMANNANSHIRE COUNCIL

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**Report to:** Clackmannanshire Council

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**Date of Meeting:** 5 October 2023

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**Subject:** Petitions

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**Report by:** Chief Executive

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### 1.0 Purpose

- 1.1. The purpose of this report is for Council to consider proposed changes to the governance arrangements for petitions received from members of the public and businesses within Clackmannanshire and to consider consequential changes to the Standing Orders and the Scheme of Delegation in relation to the treatment of petitions.

### 2.0 Recommendations

#### Council is asked:

- 2.1. To approve the establishment of a Petitions Committee for the purpose of hearing petitions submitted by members of the public and businesses within Clackmannanshire in line with the criteria set out in the Guidance (Appendix A);
- 2.2. To note that the Petitions Committee would report on every petition, in respect of which it had heard representations, to Council with its recommendation on how the petition should be disposed of;
- 2.3. Should 2.1 be approved, the Council:
- 2.3.1. Agrees to make consequential changes to Standing Orders and the Scheme of Delegation;
  - 2.3.2. Approves the petitions criteria and guidance and the template as set out in Appendices 1 and 2 of this report; and
  - 2.3.3. In line with the political balance agreed at the Statutory Meeting of Clackmannanshire Council held on 25 May 2023, agrees to nominate eight members to sit on the Petitions Committee (quorum 4):
    - SNP Group (Administration) – 4
    - Labour Group – 2
    - Conservative Group – 1
    - Either Green Member / Independent Member – 1

- 2.3.4. Appoints a Chair and Vice Chair of the Petitions Committee.
- 2.4. To note that any elected member sitting on the Petitions Committee should consider their responsibilities as set out in the Councillors' Code of Conduct, in terms of their involvement with any petition submitted, particularly where the petition solely concerns their Ward (paragraph 3.5).
- 2.5. To note that as set out in Standing Orders 9.21 to 9.25, should the matter solely relate to a single Ward, Ward Councillors may speak on a matter at a committee they are not a member of, subject to the Chair's approval (paragraph 3.6).

### **3.0 Considerations**

- 3.1. At its meeting held on 1 June 2012, the Council agreed that decisions on Petitions received would be considered by the appropriate Service Committee. The Service Committee would report on every petition, in respect of which it had heard representations, to Council with its recommendation on how the petition should be disposed of. At subsequent meetings of Council on 12 April 2018 and 23 August 2018, when considering the Council's Decision Making Framework and revised remits of Service Committees, Petitions were removed from the remit of Service Committees.
- 3.2. The current situation is that any petitions have to be considered at a meeting of full Council. Reverting back to consideration by Service Committees is not an option as the Service Committees were disestablished at the Statutory Meeting of Clackmannanshire Council held on 25 May 2022.
- 3.3. The recommendation therefore, is to establish a Petitions Committee to hear petitions submitted in line with the criteria set out in the Guidance (Appendix A). A Petitions Committee will provide a more suitable forum for interacting with petitioners and will ensure that petitioners are given the opportunity for greater discussion of petitions.
- 3.4. In line with the political balance set out in the Political Balance report to the Statutory Meeting Council held on 25 May 2022, that Council should appoint 8 members to the Petitions Committee with the political balance as set out below:  
SNP Group (Administration) – 4  
Labour Group – 2  
Conservative Group – 1  
Either Green Member / Independent Member – 1
- 3.5. Any elected member sitting on the Petitions Committee should consider their responsibilities as set out in the Councillors' Code of Conduct, in terms of their involvement with any petition submitted, particularly where the petition solely concerns their Ward.
- 3.6. It is also recognised that councillors have an important role in representing ward matters, therefore they may wish to make representation on any petitions submitted solely relating to their ward. As set out in Standing Orders 9.21 to 9.25, Ward Councillors may speak on a matter at a committee they are not a member of, subject to the Chair's approval. Any Councillor using this right may speak for no more than 5 minutes unless the Chair determines



otherwise. If the matter covers more than one ward, Standing Order 9.21 does not apply.

#### 4.0 Sustainability Implications

4.1. None.

#### 5.0 Resource Implications

5.1. *Financial Details*

5.2. The full financial implications of the recommendations are set out in the report. This includes a reference to full life cycle costs where appropriate. Yes

5.3. Finance have been consulted and have agreed the financial implications as set out in the report. Yes

5.4. *Staffing*

#### 6.0 Exempt Reports

6.1. Is this report exempt? Yes  (please detail the reasons for exemption below) No

#### 7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box )

Clackmannanshire will be attractive to businesses & people and ensure fair opportunities for all   
Our families; children and young people will have the best possible start in life   
Women and girls will be confident and aspirational, and achieve their full potential   
Our communities will be resilient and empowered so that they can thrive and flourish

(2) **Council Policies** (Please detail)

#### 8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?  
Yes  No

## 9.0 Legality

- 9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes

## 10.0 Appendices

- 10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

Appendix 1: Guidance on Submission of Public Petitions  
Appendix 2: Petitions Template

## 11.0 Background Papers

- 11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)

Yes  (please list the documents below) No


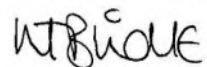
### Reports to Clackmannanshire Council:

The Council's Decision-Making Framework - 1 June 2012  
Council Decision-Making Framework - 12 April 2018  
Council Decision-Making Framework Update - 23 August 2018  
Political Balance – 25 May 2022

### Author(s)

| NAME          | DESIGNATION  | TEL NO / EXTENSION |
|---------------|--|--------------------|
| Lee Robertson | Senior Manager – Legal and Governance (Monitoring Officer) | X 2087             |

### Approved by

| NAME          | DESIGNATION  | SIGNATURE   |
|---------------|--|---|
| Lee Robertson | Senior Manager – Legal and Governance (Monitoring Officer) |  |
| Nikki Bridle  | Chief Executive  |  |

## **Guidance and Criteria for Submission of Public Petitions**

### **Matters To Consider Before Submitting A Petition**

There are various ways you can put your views to the Council before taking the step of submitting a petition. For instance, you can:

- Contact the relevant Council service to discuss your concern or request.
- Make a comment or complaint via the Council's comments and complaints procedure.
- Contact one of your local ward Councillors to bring the matter to their attention.
- Respond to the relevant Public Consultation

### **Drawing Up Your Petition**

If you have used these routes and feel that you still want to submit a petition you must follow the guidance set out below.

### **Submitting a Petition as an Individual or Organisation**

- Details should include the full name of the principal petitioner, address and contact details (email and phone number).
- An individual raising a petition must live in the Clackmannanshire Council area.
- If the petition is raised by an organisation or group, that organisation or group must have a registered or service address in Clackmannanshire. They must provide the address of the group and contact details of an officer
- A template (Form A) for completion by individuals or organisations is available on the Council's website. It is advisable to use the template as it covers all of the matters covered in this guidance.

### **Submitting a Petition as a Business**

- Petitions must include details of the business (e.g. company, partnership, sole trader) raising the petition.
- Details should include full name of the principal petitioner, business name, address and contact details (e-mail and phone number).
- The business must have a registered or service address in Clackmannanshire.
- There must be at least 5 other registered Clackmannanshire businesses or businesses having a place of business in Clackmannanshire supporting the petition.
- A template (Form B) for completion by business(es) is available on the Council's website. It is advisable to use the template as it covers all of the matters covered in this guidance.

### **Signatories**

- Individual signatories to a petition must live in the Clackmannanshire Council area.
- For issues relating to Clackmannanshire as a whole or individual geographic areas within Clackmannanshire, petitions will require at least 250 individual signatories before they will be considered by the council.

### **Content**

- The petition should be titled and include a short, clear and concise statement (no more than 250 words) which covers the main subject of the petition and details of action which the petitioner wishes the Council to take.
- If the petition is in paper format, the top of every page of signatories must have the title of the petition and the petition statement which people are supporting.
- Only petitions regarding some interest or issue within Clackmannanshire will be considered by the appropriate Committee.
- Petitions must not contain language which is offensive, for example swear words, inflammatory, sarcastic or provocative language or other terms that could reasonably be considered as offensive by the reader.

## Appendix 1B

- petitioners must ensure that information is submitted in good faith and does not include:
  - false or defamatory statements
  - information which is protected by an interdict or court order
  - material which is commercially sensitive, confidential or which may cause personal distress or loss
  - reference in the petition statement to the names of individuals.

### **Exclusions**

Petitions should not be submitted (and will not be accepted by the Council) where they:

- challenge a decision if there is recourse to a legal remedy (such as the right of appeal to the Sheriff, recourse to the Lands Tribunal)
- relate to objections to Planning applications as these will be considered through separate guidelines governed by the appropriate legislation.
- relate to licensing decisions
- relate to decisions which could result in court action
- refer to an issue where there is recourse to the complaints procedure or to the Ombudsman available
- relate to any situation where litigation may be involved
- request the direct reversal of a decision/action approved by Council in the last six months.
- are related to a subject that is the same or similar to a petition considered within the last 12 months.

## Submitting Your Petition

Once you have drawn up your petition and checked it meets the criteria set out in this guidance, you should address your petition to:

- Monitoring Officer, Clackmannanshire Council, Kilncraigs, Alloa, FK10 1EB

Alternatively, you may submit a scanned copy of the full petition (including signatures) by email to [petitions@clacks.gov.uk](mailto:petitions@clacks.gov.uk).

Please note that Council officers *cannot* participate in any photo call relating to the submission/receipt of a petition.

## Once Your Petition Is Received

Your petition will be acknowledged within three working days of receipt. The members of the Petitions Committee, the Chief Executive and Strategic Directors will be notified that your petition has been received so you do not need to send in multiple copies.

Petitions which do not follow the guidelines will be rejected and you will be informed in writing of the reasons.

Once your petition has been verified as being correctly completed and meeting the criteria set out in this guidance, it will be considered at a meeting of the Petitions Committee. The Monitoring Officer will invite petitioners to attend the meeting to speak in support of their petitions. If petitions have been submitted on similar issues they may be considered at the same meeting.

The Petitions Committee will listen to the views of the petitioners and ask questions to help decide on the most appropriate course of action. Where the matter is solely related to a single ward area, local Ward Councillors may also be invited to make representation to the Petitions Committee by the Chair. The Petitions Committee will report on every petition, in respect of which it has heard representations, to Council with its recommendation on how the petition should be disposed of, which could include:

- agreeing that the issue raised does not merit further action.
- instructing an officer to complete an investigation and submit a report with recommendations on the disposal of the petition to a future Council meeting .

Within 7 working days of the Petitions Committee meeting, the Clerk to the Committee will write to the Principal Petitioner advising of the Committee's decision.

\* \* \*

If you require further information on submitting a petition please contact Committee Services, Kilncraigs, Alloa (Tel 01259 452004/452106) or contact us by email at [petitions@clacks.gov.uk](mailto:petitions@clacks.gov.uk)



## **Guidance and Criteria for Submission of Public Petitions**

### **Matters To Consider Before Submitting A Petition**

There are various ways you can put your views to the Council before taking the step of submitting a petition. For instance, you can:

- Contact the relevant Council service to discuss your concern or request.
- Make a comment or complaint via the Council's comments and complaints procedure.
- Contact one of your local ward Councillors to bring the matter to their attention.
- Respond to the relevant Public Consultation

### **Drawing Up Your Petition**

If you have used these routes and feel that you still want to submit a petition you must follow the guidance set out below.

### **Submitting a Petition as an Individual or Organisation**

- Details should include the full name of the principal petitioner, address and contact details (email and phone number).
- An individual raising a petition must live in the Clackmannanshire Council area.
- If the petition is raised by an organisation or group, that organisation or group must have a registered or service address in Clackmannanshire. They must provide the address of the group and contact details of an officer
- A template (Form A) for completion by individuals or organisations is available on the Council's website. It is advisable to use the template as it covers all of the matters covered in this guidance.

## **Submitting a Petition as a Business**

- Petitions must include details of the business (e.g. company, partnership, sole trader) raising the petition.
- Details should include full name of the principal petitioner, business name, address and contact details (e-mail and phone number).
- The business must have a registered or service address in Clackmannanshire.
- There must be at least 5 other registered Clackmannanshire businesses or businesses having a place of business in Clackmannanshire supporting the petition.
- A template (Form B) for completion by business(es) is available on the Council's website. It is advisable to use the template as it covers all of the matters covered in this guidance.

## **Signatories**

- Individual signatories to a petition must live in the Clackmannanshire Council area.
- For issues relating to Clackmannanshire as a whole or individual geographic areas within Clackmannanshire, petitions will require at least 250 individual signatories before they will be considered by the council.

## **Content**

- The petition should be titled and include a short, clear and concise statement (no more than 250 words) which covers the main subject of the petition and details of action which the petitioner wishes the Council to take.
- If the petition is in paper format, the top of every page of signatories must have the title of the petition and the petition statement which people are supporting.
- Only petitions regarding some interest or issue within Clackmannanshire will be considered by the appropriate Committee.
- Petitions must not contain language which is offensive, for example swear words, inflammatory, sarcastic or provocative language or other terms that could reasonably be considered as offensive by the reader.



## Appendix 2

- petitioners must ensure that information is submitted in good faith and does not include:
  - false or defamatory statements
  - information which is protected by an interdict or court order
  - material which is commercially sensitive, confidential or which may cause personal distress or loss
  - reference in the petition statement to the names of individuals.

### **Exclusions**

Petitions should not be submitted (and will not be accepted by the Council) where they:

- challenge a decision if there is recourse to a legal remedy (such as the right of appeal to the Sheriff, recourse to the Lands Tribunal)
- relate to objections to Planning applications as these will be considered through separate guidelines governed by the appropriate legislation.
- relate to licensing decisions
- relate to decisions which could result in court action
- refer to an issue where there is recourse to the complaints procedure or to the Ombudsman available
- relate to any situation where litigation may be involved
- request the direct reversal of a decision/action approved by Council in the last six months.
- are related to a subject that is the same or similar to a petition considered within the last 12 months.

## Submitting Your Petition

Once you have drawn up your petition and checked it meets the criteria set out in this guidance, you should address your petition to:

- Monitoring Officer, Clackmannanshire Council, Kilncraigs, Alloa, FK10 1EB

Alternatively, you may submit a scanned copy of the full petition (including signatures) by email to [petitions@clacks.gov.uk](mailto:petitions@clacks.gov.uk).

Please note that Council officers *cannot* participate in any photo call relating to the submission/receipt of a petition.

## Once Your Petition Is Received

Your petition will be acknowledged within three working days of receipt. [You do not need to submit multiple copies of the Petition. Once the Petition is confirmed as valid, the Clerk to the Petitions Committee will ensure that the Petition is sent to the](#) Petitions Committee, the Chief Executive and Strategic Directors. ~~\_\_ will be notified that your petition has been received so you do not need to send in multiple copies.~~

[Your Petition will be confirmed as valid if correctly completed and meeting the criteria set out in this guidance within 10 working days of receipt of the Petition.](#)

Petitions which do not follow the guidelines will be rejected and you will be informed in writing, [by the Clerk to the Petitions Committee](#) of the reasons [with ten working days of receipt of the Petition](#).

~~Once your petition has been verified as being correctly completed and meeting the criteria set out in this guidance, it will be considered at a meeting of the Petitions Committee. A meeting of the Petitions Committee will be convened within 21 working days of your Petition being confirmed as valid, as detailed above.~~ The [Clerk of the Petitions Committee Monitoring Officer](#) will invite petitioners to attend the [Petitions Committee meeting](#) to speak in support of their petitions. If ~~\_\_~~ petitions have been submitted on similar issues they may be considered at the same meeting.

The Petitions Committee will listen to the views of the petitioners and ask questions to help decide on the most appropriate course of action. Where the matter is solely related to a single ward area, local Ward Councillors may also be invited to make representation to the Petitions Committee by the Chair. The Petitions Committee will report on every petition, in respect of which it has heard representations, to Council [at the next available Council meeting](#), with its recommendation on how the petition should be disposed of. [The Council will make the final decision on the Petition. Please note that where there are an equal number of votes for recommendation of the Petition the Council's governance will apply with the Convenor having the casting vote.](#)

~~\_\_~~ which could include:

## Appendix 2

~~agreeing that the issue raised does not merit further action.~~

~~instructing an officer to complete an investigation and submit a report with recommendations on the disposal of the petition to a future Council meeting.~~

Within ~~seven~~7 working days of the decision of Council on the Petition ~~Petitions Committee meeting~~, the Clerk to the Council~~ommittee~~ will write to the Principal Petitioner advising of the Council's decision. ~~the Committee's decision.~~

\* \* \*

If you require further information on submitting a petition please contact Committee Services, Kilncraigs, Alloa (Tel 01259 452004/452106) or contact us by email at [petitions@clacks.gov.uk](mailto:petitions@clacks.gov.uk)





### PETITIONS FORM

If you wish to submit a petition for consideration by Clackmannanshire Council, you must complete this template.

***Please refer to the Guidance on Submission of Public Petitions before completing the template. If you require any further information or advice, please contact us (details of how to contact us 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.

|  |  |
|--|--|
| <b>Full Name</b>                       |  |
| <b>Name of Organisation / Business</b> |  |
| <b>Address</b>                         |  |
| <b>Postcode</b>                        |  |
| <b>Telephone Number</b>                |  |
| <b>E-mail address</b>                  |  |

I am submitting the petition as a(n) :

Individual/Organisation     Business     Both     \* tick as appropriate

**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 Petitions Committee prior to its consideration of the Petition.

**Appearance before the Petitions Committee**

Petitioners may be invited to appear before the Petitions Committee to speak in support of their petition if it is considered that this would be useful in assisting the Committee to reach a decision.

Please indicate below whether you wish to submit a request to make a brief statement to the Committee that may consider your petition.

**\*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 Submission of Public Petitions, the Principal Petitioner must sign and date the form in the box below.

Any additional sheets of signatures should be appended to the form. Please note that the top of every page of signatories should have the statement which people are supporting.

Signature ..... Date .....

Name in block capitals .....

**PETITION FORM SUBMITTED BY INDIVIDUAL/ORGANISATION**

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

At least 250 individual signatories **who live in the Clackmannanshire Council area**, before they will be considered by the Council.

**Petition Title:**

**Petition Statement:**

| <b>FULL NAME<br/>(First Name and Surname)</b> | <b>HOUSE<br/>NUMBER /<br/>NAME</b> | <b>STREET</b> | <b>TOWN</b> | <b>POSTCODE</b> | <b>SIGNATURE</b> |
|---|------------------------------------|---------------|-------------|-----------------|------------------|
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**PETITION FORM SUBMITTED BY INDIVIDUAL/ORGANISATION**
**Petition Title:**
**Petition Statement:**

| FULL NAME<br>(First Name and Surname) | HOUSE<br>NUMBER /<br>NAME | STREET | TOWN | POSTCODE | SIGNATURE |
|---------------------------------------|---------------------------|--------|------|----------|-----------|
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**Submission:**

Once you have drawn up your petition and checked it meets the criteria set out in this guidance, you should address your petition to the Monitoring Officer, Clackmannanshire Council, Kilncraigs, Alloa, FK10 1EB. Alternatively, you may submit a scanned copy of the full petition (including signatures) by email to [petitions@clacks.gov.uk](mailto:petitions@clacks.gov.uk)



**PETITION FORM SUBMITTED BY LOCAL BUSINESS(ES)**

If the petition is raised by a local business, the business should have a registered address in Clackmannanshire and there should be at least 5 other registered Clackmannanshire businesses supporting the petition.

**Petition Title:**

**Petition Statement:**

| <b>FULL NAME<br/>(First Name and Surname)</b> | <b>POSITION HELD<br/>WITHIN THE<br/>BUSINESS</b> | <b>BUSINESS ADDRESS</b> | <b>TOWN</b> | <b>POSTCODE</b> | <b>SIGNATURE</b> |
|---|--|-------------------------|-------------|-----------------|------------------|
|   |  |                         |             |                 |                  |
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**Signature** ..... **Date** .....

**Submission:**  
Once you have drawn up your petition and checked it meets the criteria set out in this guidance, you should address your petition to the Monitoring Officer, Clackmannanshire Council, Kilncraigs, Alloa, FK10 1EB. Alternatively, you may submit a scanned copy of the full petition (including signatures) by email to [petitions@clacks.gov.uk](mailto:petitions@clacks.gov.uk)

