

**Scottish Borders Council**  
**DRAFT**  
**Deputations Procedure**

**Deputations**

1. Deputations can be made on behalf of a recognised community organisation or a group. Individuals wishing to raise matters should do so using the Council's Petitions Procedure.
2. Deputations should raise issues which relate to matters within the responsibility of Scottish Borders Council or the general well-being of the residents of the Scottish Borders. Deputations should demonstrate that there is a public interest in the issue that they are raising.
3. Details of a deputation should be submitted to the Clerk to the Council in writing, either by email or letter, including a clear statement which covers the main subject. Any further information, for example, about measures already taken or approaches made to other bodies, should be included but limited to no more than 4 sides of A4 paper.
4. Elected Members may not lead or be part of a deputation and no deputation will be accepted from a political party.
5. Where there are already regulatory procedures in place or the matter relates to individuals, then it would not be appropriate to accept such deputations, therefore deputations shall not be accepted:
  - (i) about planning, licensing, or other matters where there are already regulatory procedures in place;
  - (ii) about personal or business issues;
  - (iii) about commercially sensitive or confidential material;
  - (iv) about individual Councillors, members of Council staff, or other individuals who may easily be identified;
  - (v) about employees' terms and conditions of employment;
  - (vi) about information which is protected by an interdict or court order;
  - (vii) about an allegation that someone has broken the law;

- (viii) which contain language which is defamatory, offensive, provocative or otherwise inappropriate;
  - (ix) which relate to a complaint or grievance (which should be handled through the Council's complaints procedure);
  - (x) which relate to a decision made by the Council or a committee during the preceding six months; and
  - (xi) which are identical or similar to other petitions made within the preceding twelve months.
6. The Clerk to the Council, or her representative, shall ensure deputations keep to procedures and are admissible. All valid deputations, with accompanying information if any, shall be passed to the next scheduled meeting of the Petitions and Deputations Committee. Any Deputations which are the same, or substantially similar, shall be considered together.
  7. A summary report shall be prepared for the Committee by the Clerk to the Council about any deputations received during the period that are considered inadmissible for any of the reasons listed in paragraph 5 above. The Committee will make the final decision as to whether these are valid.

### **Meetings of the Petitions and Deputations Committee**

8. When hearing a deputation, the relevant Director(s), Executive Member(s) and Community Planning Partner representative(s) shall be invited to attend the meeting to provide further information, as appropriate.
9. The principal speaker for the deputation should indicate whether further information will be provided to be sent out in advance to the Committee.
10. No deputation to the Meeting of the Petitions and Deputations Committee shall exceed 10 in number and, at the discretion of the Chairman, only one speaker shall be heard by the Committee. The time allowed to present the petition shall not exceed 10 minutes, except at the discretion of the Chairman. The speaker should also be prepared to answer questions.
11. Notice of deputations scheduled to be considered by the Petitions and Deputations Committee will be through the usual on-line public access facility to committee papers. Those participating in a deputation should be made aware that the detail of the deputation, with their name and address may be published on the Council website as part of the agenda pack for the meeting of the Petitions and Deputations Committee.
12. The procedure at the meeting, for each deputation considered, shall be as follows:
  - (i) the meeting shall be in public unless the subject matter of the deputation would be deemed to be confidential under the terms of Section 7A of the Local Government (Scotland) Act 1973;

- (ii) the principal speaker, or named deputy, shall give a statement in explanation of the deputation;
- (iii) there will be an opportunity for Members of the Committee to ask questions of the speaker;
- (iv) there will be an opportunity for any Director(s), Executive Member(s) and Community Planning Partner representative(s) present to ask questions of the speaker;
- (v) a response to the deputation may be heard from a Director, Executive Member and/or Community Planning Partner representative present at the meeting;
- (vi) there will be an opportunity for Members of the Committee to ask questions of any Director, Executive Member(s) and Community Planning Partner representative(s) present at the meeting;
- (vii) there will be an opportunity for the speaker to ask questions of any Elected Member, Director or Community Planning Partner representative present at the meeting;
- (viii) Members of the Committee shall then discuss the information available and consider their findings. The Committee may defer a decision should further information be required.

Note: any contribution on behalf of the deputation from a second or other speaker(s) shall be at the discretion of the Chairman. The public will not be allowed to speak at the meeting unless invited to do so by the Chairman.

13. The Petitions and Deputations Committee shall agree to one of the following:-
  - (i) refer the subject of the deputation to another Committee or Director, with or without a recommendation or comment. That Committee or Director shall then make the final decision which could include taking no further action;
  - (ii) refer the subject of the deputation to the relevant Community Planning Partner, with or without a recommendation or comment, if appropriate;
  - (iii) that the issue(s) raised do not merit or do not require further action.
  
14. The decision of the Petitions and Deputations Committee, and any reason for that decision, shall be recorded in the Minute of the Meeting and a copy of the Minute shall be sent to the principal speaker by Democratic Services staff. Where the subject of a deputation is referred to a Director or another body, the responsibility for communicating the final outcome of the petition is also referred. Updates on these outcomes will be provided to the Petitions and Deputations Committee.

15. There will be no right of appeal in response to a final decision made in response to a deputation.