

# Notice of meeting and agenda



## Petitions Committee

**Venue:** Council Chambers, Midlothian House, Dalkeith, EH22 1DN

**Date:** Tuesday, 20 December 2016

**Time:** 10:00

**John Blair**  
Director, Resources

**Contact:**

Clerk Name: Verona MacDonald

Clerk Telephone: 0131 271 3161

Clerk Email: [verona.macdonald@midlothian.gov.uk](mailto:verona.macdonald@midlothian.gov.uk)

**Further Information:**

This is a meeting which is open to members of the public.

**Audio Recording Notice:** Please note that this meeting will be recorded. The recording will be publicly available following the meeting. The Council will comply with its statutory obligations under the Data Protection Act 1998 and the Freedom of Information (Scotland) Act 2002.

<b>1</b>	<b>Welcome, Introductions and Apologies</b>	
<b>2</b>	<b>Order of Business</b>	
<b>3</b>	<b>Declarations of Interest</b>	
<b>4</b>	<b>Minutes of Previous Meeting</b>	
<b>4.1</b>	Minutes of Petitions Committee of 27 September 2016	<b>3 - 4</b>
<b>5</b>	<b>Items of Business for Consideration</b>	
<b>5.1</b>	Procedure for dealing with petitions	<b>5 - 8</b>
<b>5.2</b>	Petition regarding Bus Service - Report by Head of Commercial Operations	<b>9 - 14</b>



## Petitions Committee

Date	Time	Venue
Tuesday 27 September 2016	10.00 am	Council Chambers, Midlothian House, Dalkeith, EH22 1DN

### Present:

Councillor Coventry (Chair)	Councillor Baxter
Councillor Bryant	Councillor de Vink
Councillor Rosie	Councillor Russell

### In attendance:

John Blair	Director, Resources
Andrew Ralton	Economic Development Officer
Gordon Aitken	Democratic Services Officer

## 1. Apologies

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1.1 No apologies were received.

## 2. Order of Business

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The order of business was as per the Agenda.

## 3. Declarations of interest

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No declarations of interest were received.

## 4. Reports

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Report No.	Report Title	Presented by:
4.1	Minutes of Meeting of 24 March 2015	Director, Resources
<b>Decision</b>		
The Minutes of the Meeting of 24 March 2015 were submitted and approved as a correct record.		
Report No.	Report Title	Presented by:
5.1	Broadband Speed at Cockmuir, Talisker House, Scarcerigg Cottage, Mount Lothian Farm and Mayfield Cottage.	Director, Resources
<b>Outline of report and summary of discussion</b>		
There was submitted report dated 21 September 2016, by the Director, Resources incorporating a petition from Morleymor Fisher calling upon the Council to address the issue of inadequate broadband speed at Cockmuir, Talisker House, Scarcerigg Cottage, Mount Lothian Farm and Mayfield Cottage with the appropriate authorities.		
The Committee then heard from Mr Fisher in support of the petition particularly highlighting that he would be grateful if the Council could address this issue with the relevant authorities to improve the line speed within his location.		
There followed a general discussion on the detail of the petition, during which several Members, whilst sympathising with Mr Fisher's situation and suggesting possible areas to pursue, stressed that the Council had very little power in initiating any solution to the problems being experienced by him.		
Mr Ralton also provided information on several Government supported schemes that may be accessible to Mr Fisher which could possibly assist him in this area and agreed to investigate any other potential assistance that could be provided by the Council.		
<b>Decision</b>		
That Mr Ralton continue to liaise with Mr Fisher in order to explore all possible areas that may assist him in achieving a better broadband system within his area.		

The meeting terminated at 10.50am

**MIDLOTHIAN COUNCIL - PROCEDURE FOR DEALING WITH PETITIONS****1 Introduction**

- 1.1** Petitions allow you to raise issues with us, either as an individual or on behalf of an organisation. Councillors cannot send us petitions but everyone else can. We will consider your petition as long as it keeps to the following procedures.
- 1.2** We will consider petitions at meetings of our Petitions Committee which are open to you and the press.

**2 The Role of the Petitions Committee**

- 2.1** The Petitions Committee will consider each petition, listen to you, ask you questions and take one of the following actions for each petition.
- No action, in which case we will give you the reasons.
  - Pass the petition to the relevant director or other Council Committee to look into, with or without any specific recommendation.
  - If the petition relates to another public organisation, we may pass it on to that organisation with or without any specific recommendation.
- 2.2** The Petitions Committee cannot change Council decisions, although they may ask for us to review a policy or procedure.

**3 Valid Petitions**

- 3.1** Petitions should be about what we are doing or issues that are relevant to you. They can be about services provided by other organisations such as the police and health services, although the Petitions Committee has a limited say in what these organisations do.
- 3.2** You cannot make petitions for the following:-
- Petitions where the subject matter is currently; has recently been; or will shortly be the subject of public consultation. In these circumstances the consultation process will be the mechanism to allow all parties to express their views.
  - Petitions about complaints or issues that should go through our normal procedures.
  - Petitions about individual planning, licensing or other applications (including decisions we have already made) where there are already procedures.
  - Petitions about personal or business interests.

- Petitions about complaints about the behaviour of individual officers or councillors which should go through the normal procedures.
- Petitions about employees' terms and conditions of employment which should go through the normal procedures.
- Petitions which could be defamatory (contain information which is not true), discriminate against someone or contain offensive or inappropriate language.
- Petitions which accuse someone of breaking the law or codes of practice.
- Petitions which are, or are from petitioners who are, trying to cause trouble.
- Petitions which are the same or are very similar to petitions the board have already considered in the last 12 months.
- Petitions about any decision we have made, or decisions a board, committee, joint committee or officer has made in the last six months.
- Petitions which support any political parties.

#### 4 Format of Petitions

You should send in petitions using the template which we include in the annex to this document. If you are sending us a petition, you must be an individual or an organisation and will need to provide the following information. You are known as the Principal Petitioner.

- You should include your details including your name, address, phone number and e-mail address.
- You should include the text of the petition, which should clearly show the issue and what you want us to do.
- You should include any extra information you have to support the petition on no more than four sides of A4 paper.
- You should include any action already taken to deal with the issue.
- Please also list the names of other petitioners, if there are any.

**Important** – Please note that petitions will be rejected and returned to the Principal Petitioner in cases where the wording contained within the Petition Statement box differs from that on any accompanying petition signature sheets.

## **5 How are Petitions dealt with?**

- 5.1** Our Monitoring Officer will check all petitions to make sure that they keep to our procedures. The Monitoring Officer will be the sole arbiter as to whether a petition is valid. Petitions which are deemed not to be valid will not be reported to the Petitions Committee.
- 5.2** Only petitions that are fully valid be accepted. Petitions that are partly valid will be rejected and returned to the Principal Petitioner with an explanation why and asking them to re-submit a fully valid petition.
- 5.3** If your petition is valid we will give you a reference number. We will also give you five working days' notice of the date of the meeting where we will consider your petition.
- 5.4** Depending on the rules about access to information, we will consider all petitions in public. We will ask you to make a statement (that lasts no longer than 10 minutes) to support your petition. You can bring one supporter to speak on your behalf. You and/or your supporter should be prepared to answer questions from the Petitions Committee.
- 5.5** The Petitions Committee can stop you or your supporter speaking if you talk about something which would have made the petition invalid if it was included in the petition, or if you behave in an inappropriate way when you present your petition or statement.
- 5.6** The Petitions Committee can consider two or more petitions together if they are similar or if they deal with the same subject. You will be told beforehand about this and will be asked to make either joint statements or individual statements for each petition.
- 5.7** Where appropriate, our officers will be present to provide any information about the petition that may be necessary.
- 5.8** The Petitions Committee will reach a decision about the petition at the meeting and this will be confirmed in writing. The Committee can take longer to consider a petition if they are waiting for more information.
- 5.9** The procedures depend on our standing orders which deal with how we organise our meetings.

## **6 Annual Report**

We will put details about each petition the Petitions Committee has considered on our website. The Committee will also consider in its annual report the petitions considered and the results achieved.

## **7 Reviewing procedures**

The Petitions Committee will review these procedures every year.

## **8 Can we help?**

This procedure is available in Braille, in large print, on computer disk, on audio tape or in other languages. If you need the procedure in one of these formats or if you need help filling in the form, please contact:-

Petitions Staff  
Democratic Services  
Resources Directorate  
Midlothian Council  
Midlothian House  
Buccleuch Street  
Dalkeith  
EH22 1DN  
Telephone: 0131 270 7500  
Email: [petitions@midlothian.gov.uk](mailto:petitions@midlothian.gov.uk)



**Bus Service Through Auchendinny**  
**Report by Ricky Moffat, Head of Commercial Operations****1 Purpose of Report**

To present a petition from A. Steadman calling upon the Council to ensure the Number 40 bus service which is used by persons residing in Auchendinny is not withdrawn; advising that a recent survey undertaken by the Council relating to the usage of the service is understood to be inaccurate and requesting that the Number. 37 or 15 bus service could be rerouted through Auchendinny.

**2 Petition**

- 2.1** The attached petition has been received from A. Steadman and has been signed by another 87 residents.

**3 Petitions – Rules and Procedures**

- 3.1** The adopted Midlothian procedures identify 11 categories for which petitions cannot be entertained. The submitted petition is not proscribed by any of these categories and is therefore valid.

- 3.2** The petition is in the following terms, viz:-

*There is a great need for a bus service passing through Auchendinny and in particular going on to Edinburgh.*

*Rumours are that having deprived us of the No. 15 service there is now a plan to take even the 40 which is less well used. We believe that your survey showed only 5 passengers to have used the bus service in 26 journeys. We believe your survey to be inaccurate as every morning 6 passengers go to Penicuik on the 8.26 alone. It is a vital service for families with young children, working people and pensioners alike. Most senior citizens are unable to walk up to the A701 and find the taxi service too expensive and hard to arrange, especially if they do not have a phone. By removing the bus, you will be condemning some needy people to imprisonment in their own homes. Many of the new families who recently moved into Dalmore Mill also depend on the bus.*

*Perhaps there is a tolerance for the frequency of the service to be adjusted, but complete removal of Edinburgh and Penicuik services altogether is damning for our community. We want you to provide adequate services for Auchendinny travelling to Edinburgh, Penicuik, Roslin and Dalkeith.*

*If the No. 37 or 15 were routed through Auchendinny once per hour and at least once between 8 pm and 11 pm it would be a great help.*

## **4 Report Implications**

### **4.1 Resource**

There are no resource implications arising from this report.

### **4.2 Risk**

There are no risk implications arising from this report.

### **4.3 Single Midlothian Plan and Business Transformation**

Themes addressed in this report:

- ☐ Community safety
- ☐ Adult health, care and housing
- ☐ Getting it right for every Midlothian child
- ☐ Improving opportunities in Midlothian
- ☐ Sustainable growth
- ☐ Business transformation and Best Value
- ☒ None of the above

### **4.4 Key Priorities within the Single Midlothian Plan**

Not applicable

### **4.5 Impact on Performance and Outcomes**

Not applicable.

### **4.6 Adopting a Preventative Approach**

Not applicable.

### **4.7 Involving Communities and Other Stakeholders**

The availability of a Petitions Committee allows stakeholders to raise issues for consideration by the Council.

### **4.8 Ensuring Equalities**

Not applicable.

### **4.9 Supporting Sustainable Development**

Not applicable.

### **4.10 IT Issues**

Not applicable.

## **5 Recommendation**

The Committee is invited to consider the petition submitted by A. Steadman calling upon the Council to ensure that the No. 40 bus service is not withdrawn from Auchendinny and requesting that an adequate bus service for persons residing in Auchendinny is provided.

**9 December 2016**

**Report Contact:**

**Verona MacDonald      Tel No 0131 271 3161**

**E-mail [verona.macdonald@midlothian.gov.uk](mailto:verona.macdonald@midlothian.gov.uk)**

**Background Papers: Petition from A. Steadman**

**MIDLOTHIAN COUNCIL – FORM TO BE USED TO LODGE A PETITION**

Before completing this form you should read Midlothian Council's "Procedures for Dealing with Petitions" which can be found on the Council's website at [www.midlothian.gov.uk/petitions](http://www.midlothian.gov.uk/petitions) Copies can also be obtained by telephoning the Council Secretariat on 0131 271 3456. 3/59

The completed form should be delivered:-

- by email to [petitions@midlothian.gov.uk](mailto:petitions@midlothian.gov.uk); or
- by mail or by hand to Petitions Staff, Council Secretariat, Resources Directorate, Midlothian Council, Midlothian House, Buccleuch Street, Dalkeith, EH22 1DN.

If you require any further information or advice, please contact the Petitions Staff, Council Secretariat by telephoning 0131 271 3456. 3/59

**Details of Principal Petitioner**

Please enter the name of person raising the petition. Please include a contact address to which correspondence may be sent and a contact telephone number. Only the principal petitioner's name and no other details will be made public.

<b>Name:</b>	ANN ELIZABETH STEADMAN
<b>Address:</b>	46A THE BRAE AUCHENDINNY PENICUIK EH26 0RB
<b>Tel No:</b>	01968 673 663
<b>e-mail:</b>	

**Petition Statement**

Please state clearly in the box below the purpose of your petition and what action you wish Midlothian Council to take.

(Important – Please note that petitions will be rejected and returned to the Principal Petitioner in cases where the wording contained within the Petition Statement box below differs from that on any accompanying petition signature sheets.)

SEE ATTACHED PETITION STATEMENT. re.  
Bus Service Through Auchendinny.

(Continued)

#### Action taken to resolve issues of concern before submitting the Petition

Before a petition is submitted, you may have already raised the issue in question with the relevant Council department or other agency and it would be helpful if you could briefly outline what measures if any you have taken. This could include, for example, details of any individuals or organisations approached. Please limit any information to no more than 4 sides of A4 paper.

Dr Jimi Willis has already presented an on line Petition, received a reply from Council saying the service - which in the past was always subsidised - was <sup>not</sup> financially viable.

If the Council tax were unfrozen and in particular the higher banded houses e.g. E-H increased this could be afforded.

Helen-Anne Black is also approaching Scottish Parliament via Christine Graham

#### Presenting your Petition

As the principal petitioner you will be invited to appear before the Council's Petitions Committee to speak in support of the petition and also to answer any questions which members of the Committee may wish to put to you and assist them in reaching their decision.

You may be accompanied by one supporter who may speak on your behalf.

#### Signature of Principal Petitioner

When satisfied that the petition meets all the criteria outlined in the Procedures for Dealing with Petitions, the Principal Petitioner should sign and date the form in the box below.

All other signatures gathered should be appended to the form.

(Important - Please remember that petitions will be rejected and returned to the Principal Petitioner in cases where the wording contained within the Petition Statement box above differs from that on any accompanying petition signature sheets.)

Signature

[Redacted Signature]

Date

30/10/16

(Please type your name if sending by e-mail)

Name in block capitals

ANN E. STEADMAN

(Please type your name if sending by e-mail)

## Save Auchendinny bus service



There is a great need for a bus service passing through Auchendinny, and in particular going on to Edinburgh.

Rumours are that having deprived us of the No. 15 service there is now a plan to take even the 40 which is less well used. We believe that your survey showed only 5 passengers to have used the bus in 26 journeys. We believe your survey to be inaccurate as every morning 6 passengers go to Penicuik on the 8.26 alone. It is a vital service for families with young children, working people and pensioners alike. Most senior citizens are unable to walk up to the A701 and find the taxi service too expensive and hard to arrange, especially if they do not have a phone. By removing the bus, you will be condemning some needy people to imprisonment in their own homes. Many of the new families recently move into Dalmore Mill also depend on the bus.

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