

Henry Gordon Lennox
Monitoring Officer EDDC.

Mike Goodman
Sidmouth

April 10th 2022

Dear Henry

The petition regarding car parking charges which contained two petitions one from the Chamber of Commerce and the other under my name Mike Goodman was delivered to the officers by the CoC. They have now been informed that the petition will not be heard by Council on the 20th April.

I have read the letter from you and wish to challenge this decision. I am basing this on the following seven points which I ask is urgently investigated.

Point one

The petitions were accepted by Henry Gordon Lennox, but then effectively rejected by 'senior Cabinet members', on the grounds that the decision had already been taken.

Where does it say that senior cabinet members can reject a petition?

Point two

The petition was started prior to any decision being made on car parks, it was also delivered on the 10th March and if EDDC wanted to hear it they could have done so at the Council meeting on the 22nd March.

There is nothing that I can find in the 'rules' which states that petitions will be rejected on the grounds you describe in your letter. Nowhere does it say that I can find that says petitions can be rejected if the decision as already been made. If this was to be the case what is the purpose of any petition.

Having investigated local Government petitions, I cannot find other occasions when local authorities have rejected a petition on the grounds you are making. If this is not the case, can you confirm which local authorities are following your decision that you will not hear a petition if Council have already made their decision.

Where does it say that petitions can be rejected because decisions have already been made?

Point three

Your statement in the letter says

Having determined that this petition does not meet the threshold for Council debate

The numbers that have signed the petition point 4 of the EDDC guide on petition says:

Anyone who lives, works or studies in East Devon, including under 18's, can sign or organise a petition.

So how did you decide that the number came down to 1476, as many of the people who signed the petition would have been working in East Devon but live outside so this meets their criteria.

The Council cannot assume that those signing with an address outside of East Devon does not work in East Devon.

Point four

Under item eight of EDDC petition it says details of your petition will be provided to the Chairman of the Council, the political party group leaders, the Monitoring Officer and the Chief Executive so they are informed of the details of the petition.

I understand that this was not followed, and I ask why.

Point five

The following paragraph of the letter says:

Having determined that this petition does not meet the threshold for Council debate, the Council now has to decide how to respond. Given that the Council approved the increasing of car parking charges at its 23rd February 2022 Council meeting, it is not a matter that can be subject to further consideration at this time. As this matter is Cabinet's responsibility now, I have consulted with senior Cabinet Members and there is consensus that it is not appropriate for any further action to be taken on the petitions at this time.

Accordingly, the Council's position is that the petitions will not be progressed any further.

However, when you examine Point 6 of the petition guidelines none of the reasons for not accepting the petition applies see below.

The vast majority of petitions will be accepted provided they meet with the requirements. However, there are certain circumstances when petitions will not be accepted by the Council's Monitoring Officer, including:

- Petitions considered to be vexatious, abusive or otherwise inappropriate (such as for political campaigning). We will explain the reasons in our acknowledgement of receipt of the petition.
- Petitions which are identical or very similar to a petition that has already been presented to the Council in the past 12 months.
- The period immediately before an election or referendum we may need to deal with the petition differently – if this is the case, we will explain the reasons and give the petition organiser revised timescales which will apply.
- Petitions which relate to planning or licensing application or is a statutory petition (such as requesting a referendum on whether the Council should continue to have an elected mayor) or is a matter where there is already an existing right of appeal such as council tax banding

and non-domestic rates. We will advise the petition organiser what will happen to petitions under this category.

- Petitions which relate to a subject where consultation by the Council is currently being undertaken or is due to be undertaken in the next six months. We will ensure the petition is included as part of the consultation and contact the petition organiser to give them details of the consultation.
- Where the identities of the signatories to the petition cannot be verified.

The above confirms that EDDC have not followed their own guidelines.

Point six

Part of point 8 of EDDC guidelines says

To ensure that people know what we are doing in response to the petitions we receive, we will publish the details of petitions we receive on our website (except in cases where this would be inappropriate). Wherever possible we will also publish all correspondence relating to the petition on our website but will remove all personal details first. The name and address of the petition organiser will also be published on the Council's website unless the petition organiser expressly requires their contact details to be kept confidential.

Was this followed because I cannot see this on EDDC web site.

Point seven The last paragraph of the letter says:

It is noted in passing that there has been a commitment to look at the position in relation to car parking charges later in the year following the summer period based upon the usual financial monitoring information that Members receive.

Having checked the recording and the minutes of the meeting this was not agreed at the Council meeting therefore although welcomed when was this formally voted on.

The above are valid reasons why this petition should be heard, it is important that the views of residents are heard and petitions are a good example when Councils can listen to the views of residents. I urge you to reconsider your decision.

Yours Sincerely

Mike Goodman

Cc Sidmouth Chamber of Commerce



Sidmouth Herald.