

Date: 11th April 2022
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Our ref: MO/HGL



Mr M Goodman

By email only: mggoodman9@aol.com

Dear Mr Goodman,

Petitions re car parking charges

I refer to your letter of 10th April.

I think it is fair to say that your letter has misinterpreted my letter to the Sidmouth Chamber of Commerce and / or misunderstood the Council's Petition Scheme rules. I will answer your seven points below.

Firstly, the petition has not been rejected. My letter clearly states that notwithstanding some technical difficulties – including that actually the two petitions could have been treated separately – it has been accepted. Having determined it is valid the letter states '*Having determined that this petition does not meet the threshold for Council debate, the Council now has to decide how to respond*' [my emphasis] and the Council's response is then detailed. It is therefore wrong to say that the petition was rejected by Senior Cabinet Members or indeed at all.

Secondly, to repeat the above point, the petition was not rejected. However, the Council's response was informed by the fact that a decision on car parking charges – which the petition sought to prevent – had indeed been taken.

Thirdly, the petition scheme states;

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*‘5.1 Petitions **must** include all of the following;*

5.1.4 Sufficient information to be able to identify that the organiser and signatories live, work, or study in East Devon.

5.4 The Council’s Monitoring Officer may decline to accept any petition where in his opinion the petition does not include any of the above.’

I have read the requirements benevolently in relation to these petitions in that I have not declined to accept either or both. On the contrary I have treated them as one (despite being organised by different people and being phrased differently) to enable a starting point of circa 1990 signatories and I have then only discounted those where in my opinion there wasn’t sufficient information to identify that they live, work or study in East Devon, which was done primarily by way of postcodes. As explained, I have also not further discounted the number of signatories to account for duplication, although there are a number of these. It is worth bearing in mind that the alternative, had I not treated them benevolently, could have been rejection of both petitions and / or them being treated separately. I will be suggesting amending the Council’s Petition Scheme to make it clearer in this regard at the Annual Meeting in May.

Fourthly, I understand the point you are making, although I would say that that paragraph is about ensuring awareness within the Council of a petition. My understanding is that at various points of public speaking at meetings dealing with car parking charges – including at Full Council – there has been reference to the petitions and number of signatories they have received and therefore those stated individuals were all aware of the petition.

Fifthly, as noted above, this is not about whether or not the petition was not accepted – being the issue paragraph 6 addresses – because it was accepted despite the difficulties with it / them.

Sixthly, I think you must be reading the petition webpage, rather than the petition scheme in the Constitution. The relevant paragraph you are referring has been removed from the Scheme. Apologies that the webpage is inaccurate in this regard and I will ensure that this section of the website is reviewed to ensure that webpage accurately reflects the correct version in the Constitution.

Seventh, I note your comment and would simply say that as far as I am aware it came from Cabinet / Cabinet members rather than being a formal resolution of Full Council. As car parking matters are again now the responsibility of Cabinet, I trust that this will reassure you.

Finally, it is worth commenting on the fact that despite the Chamber of Commerce 'submitting' the petitions and being taken as the petition organiser who I have then corresponded with, the Council is now receiving separate communication from you on the matter. The Chamber of Commerce, although expressing disappointment at the outcome, seem accepting of the Council's position and welcome the commitment of the review after the Summer. Their approach is at odds with yours and does beg the question whether I was in fact wrong to treat these as a single petition.

In light of the foregoing, the Council's position remains the same. You do have the right to request that the matter is reviewed by either of the Council's Overview or Scrutiny committees if you do not consider that the petition has been dealt with properly and Section 12 of the Petition Scheme provides more detail in that regard.

Yours sincerely,



Henry Gordon Lennox
Monitoring Officer
