

Thomas Morelli

Cllr John Ward, Leader of the Council and Cabinet Member for Finance
Cllr Elisabeth Malvisi, Cabinet Member for the Environment
Mr Arthur Charvonia, Chief Executive
Ms Kathy Nixon, Strategic Director
Mr Tom Barker, Assistant Director for Planning & Communities
Ms Fiona Duhamel, Assistant Director for Economic Development & Regeneration
Babergh District Council
Endeavour House
8 Russell Road
Ipswich
Suffolk
IP1 2BX

*Sent via email: john.ward@babergh.gov.uk, elisabeth.malvisi@babergh.gov.uk,
arthur.charvonia@baberghmidsuffolk.gov.uk, kathy.nixon@baberghmidsuffolk.gov.uk,
tom.barker@baberghmidsuffolk.gov.uk, fiona.duhamel@baberghmidsuffolk.gov.uk*

13th January 2021

Dear Cllr Ward, Cllr Malvisi, Mr Charnovia, Ms Nixon, Mr Barker, Mr Duhamel

RE: Babergh District Council's refusal to accept petition delivered on the 11th January 2021

We write in staggered disbelief in response to an email from Robert Carmichael at 17:01 on the 12th January 2021¹. In this email, Mr Carmichael states that Babergh District Council "cannot accept [the petition²] in its current form", as the petition does not contain a "full address" for each signature – only a postcode.

For Babergh District Council to refuse to accept this petition (which, as of the time at which it was handed in, contained 1,662 signatures) based on what can very strongly be argued to be a technicality would be for Babergh to wilfully disregard the voices of those 1,600+ people – an action that would go against the principles of democracy itself.

A petition is a democratic voicing of the wishes of the people who have signed, regardless of whether it is their full address or postcode that is listed next to their name. While, in the eyes of Babergh District Council, it might be preferred for each person signing to provide their full address, to disqualify such a strong showing of opinion on this basis can only be considered to be arbitrary.

On the petition as handed in, the earliest signature was on the 31st December, and the latest was on the 10th January. It is proof of the backing of this petition that over 1,600 signatures were obtained in just 10 days – and, had it not been for Covid restrictions in place (and now

¹ Attached as Appendix 1 to this letter

² The petition text is attached as Appendix 2 to this letter

the national lockdown), doubtless many more people would have signed. To pretend that these signatures do not exist on the basis of a full address not being provided is utterly abhorrent.

In his email, Mr Carmichael states that “[t]he need for [a] full address is to ensure that due diligence checks on a petition can be carried out”. However, it is unclear what “due diligence checks” are being referred to here (none are specified within the email). In any event, if Babergh is concerned that some of the signatures are fraudulent and/or fake, it should not be. As mentioned above, as of the date of being handed in, this petition had been running for less than two weeks. It is inconceivable that any signature faking, on a large enough scale to justify the total invalidation of the petition, could have been organised and carried out within that short timescale.

This petition was organised at very short notice, due to the issues raised on the petition having been raised relatively recently. While, if I had run this petition again, I may have had the foresight to include an address field, the fact of the matter is that the petition gathered over 1,600 signatures, the vast majority of which provided a full postcode. Arguably, if a full address (rather than a postcode) had been required on the petition, it would have disqualified the legitimate concerns of people who might want to sign, but would not want their address known by myself or Babergh in order to protect their personal privacy.

At the end of the day, whether the petition is accepted by Babergh or not, it is fact that 1,662 signatures (and more after handing in) have been achieved in a period of little more than a week. We do not believe that history will look favourably on a Council that refuses to accept such a strong showing of the will of the people of its District.

We urge you to take **immediate** action to reverse this decision and accept this petition, so that the voices of the people can be properly heard. If this petition were not accepted, it would be a damning indictment of Babergh’s utter contempt for the voices and views of its citizens.

Yours sincerely,

Thomas Morelli

Co-signed by:

Cllr Sue Ayres, Babergh District & Sudbury Town Councillor for Sudbury South West
Cllr Ellen Murphy, Deputy Mayor of Sudbury & Sudbury Town Councillor for St Leonards
Cllr Oliver Forder, Sudbury Town Councillor for Sudbury South
Cllr Louise Fowler, Sudbury Town Councillor for Elm & Hillside
Cllr Trevor Cresswell, Babergh District Councillor for Sudbury North West & Sudbury Town Councillor for Sudbury East

cc. Robert Carmichael, Governance Support Officer (BMSDC)
cc. BMSDC Committee Services
cc. Ciaran Griffin, Town Clerk, Sudbury Town Council
cc. All Sudbury Town Councillors
cc. All Babergh District Councillors
cc. James Cartlidge MP, Member of Parliament for South Suffolk

APPENDIX 1 TO LETTER

Email from Robert Carmichael to Thomas Morelli, dated
17:01 12th January 2021

Subject: RE: IMPORTANT: PETITION DELIVERY
Date: Tuesday, 12 January 2021 at 17:01:42 Greenwich Mean Time
From: Robert Carmichael <[REDACTED]>
To: Thomas Morelli <[REDACTED]>
CC: BMSDC Committee Services <committees@baberghmidsuffolk.gov.uk>
Attachments: image001.jpg, image003.jpg

Dear Thomas Morelli,

Please be advised that following assessment of the petition yesterday 11.01.2021 I can confirm that we cannot accept it in its current form for the reasons as detailed below:

- The petition scheme (that I have linked below) requires that “The name, address or place of work or study and signature of any person supporting the petition”. A postcode does not count as an address. The need for the a full address is to ensure that due diligence checks on a petition can be carried out.
- [Petitions Scheme](#).

The Council welcomes all petitions and engagement in the democratic process and we will be more than willing to assist in this process.

To validate this petition the scheme as detailed above requires 20 valid signatures. To move to this next step I would propose the following steps. Please could you provide the addresses of 20 people who have already signed the petition. Then I will be able to validate this petition.

Further to this I would advise the following regarding the statement of the petition.

1. The subject of car parking (including in Sudbury) will be debated at the next Babergh District Council meeting on 19 January 2021(item 6A) ([agenda can be viewed here](#)). Further to this the petitions scheme (paragraph 2.8) outlines that “*Petitions which are the same or substantially the same as petitions which have been considered in the previous twelve months will be dealt with having regard to the consideration and outcome of the earlier petition. This may result in the Council declining to take any action on the later petition. It will be for the Council to determine whether a petition is the same or substantially the same as an earlier petition.*” As such if the petition did receive 1000 valid signatures the topic of car parking would not be debated at council again or as a separate item.
2. The subject of Belle Vue House details that the action supported in the petition of any decision on Belle Vue being deferred until the end of February has been undertaken, with the decision being taken at the March Cabinet meeting (11/3/2021) This can be viewed on the Forthcoming decisions list as linked here ([Forthcoming decisions list 8 January 2021](#)).
3. In your email (11.01.2021) you advise that the signature count is different for the issues specifically. Please note that we can only validate signatures that endorse the petition as a whole, not for the individual elements.

Further to this please note that during the current period we would encourage people to use the E-Petitions system on our website which can be found at the following link: [Epetitions](#).

I realise that a lot of work has gone into the petition and am available to talk to regarding any of the elements listed above so that we can resolve this.

Best Wishes

Robert Carmichael
Governance Support Officer
Babergh and Mid Suffolk District Councils - Working Together

e: [REDACTED]
tel: [REDACTED]
Mobile: [REDACTED]
w: <http://www.babergh.gov.uk> <http://www.midsuffolk.gov.uk>

 Please consider the environment before printing this email

Thank you for contacting us

We are working hard to keep services running safely to support and protect our residents, businesses, communities and staff through this period and beyond.

We will respond to your query as soon as possible. In the meantime, you can find the latest council information, including our response to Covid-19, on our website.



Please note: While I may email you outside working hours, I do this because it fits with my workload and working pattern. That doesn't mean I expect you to respond outside your normal working hours.

From: Thomas Morelli <[REDACTED]>
Sent: 11 January 2021 15:28
To: Robert Carmichael <[REDACTED]>
Subject: Re: IMPORTANT: PETITION DELIVERY
Importance: High

EXTERNAL EMAIL: Don't click any links or open attachments unless you trust the sender and know the content is safe. Click [here](#) for more information or help from Suffolk IT

Dear Mr. Carmichael,

I have attached the full wording of the petition – [REDACTED] while it is written on each scanned petition sheet, this is a more accessible and readable format. I meant to send this with my earlier email – sorry about not doing so.

Many thanks,
Thomas Morelli

From: Thomas Morelli <[REDACTED]>
Date: Monday, 11 January 2021 at 14:23

To: "[REDACTED]"
<[REDACTED]>
Subject: Re: IMPORTANT: PETITION DELIVERY

Dear Mr. Carmichael,

[REDACTED]

Please confirm receipt of the email below [REDACTED]

Many thanks,
Thomas Morelli

From: Thomas Morelli [REDACTED]
Date: Monday, 11 January 2021 at 14:10
To: <[REDACTED]>
Subject: IMPORTANT: PETITION DELIVERY

Dear Mr. Carmichael,

This email is to inform you that the petition I have organised is ready for delivery to Babergh District Council.

[REDACTED]

Please confirm receipt of this email [REDACTED]

[REDACTED]

[REDACTED]

Please let me know if you have *any* queries or problems regarding [REDACTED] the petition.

Many thanks,
Thomas Morelli
[REDACTED]

Emails sent to and from this organisation will be monitored in accordance with the law to ensure compliance with policies and to minimize any security risks. The information contained in this email or any of its attachments may be privileged or confidential and is intended for the exclusive use of the addressee. Any unauthorised use may be unlawful. If you receive this email by mistake, please advise the sender immediately by using the reply facility in your email software. Opinions, conclusions and other information in this email that do not relate to the official business of Babergh District Council and/or Mid Suffolk District Council shall be understood as neither given nor endorsed by Babergh District Council and/or Mid Suffolk District Council.

Babergh District Council and Mid Suffolk District Council (BMSDC) will be Data Controllers of the information you are providing. As required by the Data Protection Act 2018 the information will be kept safe, secure, processed and only shared for those purposes or where it is allowed by law. In some circumstances however we may need to disclose your personal details to a third party so that they can provide a service you have requested, or fulfil a request for information. Any information about you that we pass to a third party will be held securely by that party, in accordance with the Data Protection Act 2018 and used only to provide the services or information you have requested.

For more information on how we do this and your rights in regards to your personal information and how to access it, visit our website.

APPENDIX 2 TO LETTER

The full text of the petition in question

WE, THE UNDERSIGNED RESIDENTS OF SUDBURY:

OBJECT IN THE STRONGEST POSSIBLE TERMS to any removal of free parking facilities in Sudbury,

OBJECT IN THE STRONGEST POSSIBLE TERMS to the closure of the Customer Access Point located on Gaol Lane, and

EXPRESS OUR GRAVE CONCERN about the manner in which the proposed sale of the land at Belle Vue is being conducted.

It would be a devastating act of economic self-harm to remove free parking facilities from Sudbury, especially in the midst of the Covid-19 pandemic. As businesses in the town are already struggling, the introduction of additional car parking charges would further dissuade potential visitors to the town centre.

The removal of the Customer Access Point on Gaol Lane would have a heavily disproportionate effect on the elderly and vulnerable in our community. Removing this essential service – which provided over 6,400 minutes of assistance between May and October 2020 – would lead to these members of our society being less able to access critical council services at a time when the Covid-19 pandemic is causing these members of our society to feel increasingly isolated.

The proposals to sell the land at Belle Vue Park, having been published at short notice and over the Christmas period, cause us grave concerns about the manner in which this sale (and the accompanying consultation) is being conducted. We support Sudbury Town Council's request that any decision about the sale be deferred until the end of February 2021.

Name (printed)	Signature	Postcode	Date