

# TONBRIDGE & MALLING BOROUGH COUNCIL

## CABINET

30 April 2024

### Report of the Director of Street Scene, Leisure and Technical Services

#### Part 1- Public

#### Executive Decision

#### **1 PETITION – PRESERVE THE GREEN SPACE AND PLAY AREA AT UPPER CASTLE FIELDS, TONBRIDGE**

The Borough Council has received a petition from Slade Area Residents Association (SARA) and the Save Upper Castle Fields Facebook Group asking that ‘the green space and play area at Upper Castle Fields be preserved’ and ‘urging local authorities to safeguard this vital community asset for present generations and those yet to come’.

#### **Introduction**

- 1.1.1 The Petition was hosted online via the [change.org platform](https://www.change.org) and was created on 7 April 2024 where it gained a significant number of signatures within a short time period.
- 1.1.2 The Borough Council was approached on 9 April 2024 in respect of submission of the petition and next steps.
- 1.1.3 As the petition had received over 1,500 signatures, which was sufficient to trigger a debate at Cabinet, it was agreed with the organisers that this would be submitted by Monday 15 April to enable verification and discussion at an extraordinary meeting of Cabinet on 30 April 2024.
- 1.1.4 At the time of submission, the petition (attached at Annex 1) had gathered 3,097 signatures. To avoid disclosing personal information names have been removed from Annex 1.
- 1.1.5 It should be noted that a number of signatories are outside of the Borough, the County and the country. However, these represent a small minority.
- 1.1.6 In addition, we understand that there is a paper petition and this will be submitted to the Borough Council at the extraordinary meeting of Cabinet on 30 April 2024.

## **1.2 Petition Scheme**

- 1.2.1 In accordance with the Borough Council's adopted petition scheme (attached at Annex 2), petitions containing more than 1,500 signatures will be debated by Cabinet or Full Council, whichever body is appropriate.
- 1.2.2 The petition organiser(s) are also allowed five minutes each to present the petition at the meeting prior to discussion by Councillors. A maximum of two members of a deputation may address Members.
- 1.2.3 As the matter in question relates to an executive function it is appropriate for the matter to be discussed by Cabinet.
- 1.2.4 The organisers have been invited to address the Cabinet.
- 1.2.5 The Cabinet may decide:
- To take the action requested;
  - Not to take the action requested, for reasons put forward in the debate;
  - To commission further investigation into the matter.
- 1.2.6 The petition organiser will receive written confirmation of the decision reached and this will also be published on the Borough Council's website.

## **1.3 Extension of Upper Castle Field car park, Tonbridge**

- 1.3.1 The proposal to extend Upper Castle Field car park was considered and approved by Cabinet on 2 April 2024 on the grounds that demand for parking in this area was high to serve the popular leisure facilities in this area of town including the Castle and Tonbridge Racecourse Sportsground. The proposal would also support the need for parking at events on the castle lawn which have grown in number and popularity in recent years.
- 1.3.2 The report to Cabinet had indicated that following public consultation 866 respondents objected to the proposal, 877 respondents supported the proposal and 19 were not specific. Whilst the numbers were extremely close there was a small difference in favour of the proposal.
- 1.3.3 This approval formed part of Decision Notice D240034CAB which was published on 5 April 2024 and called-in for reconsideration on 8 April. The Overview and Scrutiny Committee reviewed the decision at its meeting on 22 April 2024 and any recommendations arising from that Committee will be debated elsewhere on this agenda.

## **1.4 Legal Implications**

1.4.1 The Council has adopted a Petition Scheme, and this Petition has been submitted by the petitioners for consideration by Cabinet in accordance with the Scheme.

## **1.5 Financial and Value for Money Considerations**

1.5.1 There are no financial and value for money considerations in respect of the petition.

1.5.2 However, the financial and value for money considerations in respect of the proposals that the petition relates to are detailed in the reports reviewed by Cabinet on 2 April and Overview and Scrutiny Committee on 22 April.

## **1.6 Risk Assessment**

1.6.1 There is no assessment of risk in respect of the petition. However, the proposals that the petition relates to had a comprehensive risk assessment undertaken as detailed in the reports reviewed by Cabinet on 2 April and Overview and Scrutiny Committee on 22 April.

## **1.7 Equality Impact Assessment**

1.7.1 The substantive debate in respect of the matters giving rise to this petition will form part of the call-in of Decision Notice D240034CAB elsewhere on the agenda. There is no equality impact assessment in respect of receiving the petition.

## **1.8 Recommendations**

It is recommended that:

1.8.1 Members RECEIVE and NOTE the Petition detailed at Annex 1.

1.8.2 Members consider the matters raised in the petition alongside the consideration of any recommendations arising from the Overview and Scrutiny Committee elsewhere on the agenda.

Background papers:

Nil

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