

## Cabinet

01 April 2025

### Part 1 - Public

#### Executive Non-key Decision



Cabinet Member	Martin Coffin, Cabinet Member for Transformation and Infrastructure
Responsible Officer	Robert Styles, Director of Street Scene, Leisure and Technical Services
Report Author	Allison Parris, Principal Democratic Services Officer

#### Petition – Save West Malling Farmers Market

##### 1 Summary and Purpose of Report

- 1.1 The Council has received a petition asking that the four-hour parking restriction for traders at the West Malling Farmers Market be lifted.

##### 2 Corporate Strategy Priority Area

- 2.1 Investing in our local economy to help support residents and businesses and foster sustainable growth.

##### 3 Recommendations

- 3.1 To receive and consider the petition at Annex 1; and
- 3.2 To either take the action requested in the petition, not take the action requested in the petition or identify a different action.

##### 4 Introduction and Background

- 4.1 The petition organisers feel that the recently introduced car parking restrictions in West Malling have caused the loss of a quarter of the Farmers' Market traders. The four-hour restriction in Ryarsh Lane car park opposite 'The Bull' is not long enough for traders who need to set up from 7am and pack up from 1.30pm.
- 4.2 The petition organisers call on Tonbridge and Malling Borough Council to lift the four-hour parking restriction for traders, so that they can continue to provide a Farmers Market on the fourth Sunday of each month in West Malling.

## **5 Proposal**

- 5.1 The Cabinet are invited to receive the petition to consider whether there is opportunity to progress the action requested or whether there is potential to introduce other measures to support traders.

## **6 Online Petition**

- 6.1 An online petition was created on 22 September 2024 and was hosted on the change.org website. Whilst no end date was applied by the organisers the petition had received 2,166 signatures by 10 December 2024.
- 6.2 The online petition was sent to Democratic Services via email on 19 February 2025 and had a total of 2,249 signatures.
- 6.3 A copy of the petition is available as a background paper but has not been included with the report to avoid disclosing personal information of signatories.
- 6.4 It should be noted that a number of signatories are outside of the Borough although they could be considered as visitors to a popular Farmers Market.

## **7 Paper Petition**

- 7.1 At the same time a paper petition was also in operation. This was received by the Deputy Mayor on 27 February 2025 and had a total of 172 signatures.
- 7.2 The opening statement, the request to the Cabinet Member for Waste and Transformation and comments of traders are attached as Annex 1.
- 7.3 The full version of the printed petition can be viewed on request.

## **8 Borough Council Petition Scheme**

- 8.1 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.
- 8.2 The petition organisers are also allowed five minutes to present the petition at the meeting prior to discussion by Councillors.
- 8.3 As the matter in question relates to an executive function it is appropriate for the matter to be discussed by Cabinet.
- 8.4 The organisers have been invited to address the Cabinet.
- 8.5 The petition organiser will receive written confirmation of the decision reached and this will also be published on the Borough Council's website.

## **9 Other Options**

- 9.1 There are no other options or measures identified by the petition organisers.

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

- 10.1 It is not felt there are any financial and value for money considerations in considering the petition.

## **11 Risk Assessment**

- 11.1 It is not felt there are any risks associated with considering the petition.

## **12 Legal Implications**

- 12.1 The matters raised in this report are considered to be routine, uncontroversial or not legally complex and a legal opinion has not been sought on these proposals.
- 12.2 If Cabinet were minded to take action requested in the petition, an Amendment to the Off Street Parking Order would be required to alter the charging period, subject to a suitable tariff suggested as a linear extension of the current charging arrangement. This could be done by issuing of a Notice of Variation, and its' display in the car park affected and in the local press for a period of not less than 21 days prior to the changes coming in to effect. Any changes would need to be reflected by alterations to the signs in the car park.

## **13 Consultation and Communications**

- 13.1 The petition organisers have undertaken consultation with signatories.
- 13.2 The Borough Council undertook public consultation in respect of proposals for car parking charges during 2024.
- 13.3 Any outcomes arising from consideration of the petition would be communicated to the organisers and traders as soon as possible.

## **14 Implementation**

- 14.1 Any action identified as part of consideration of the petition will be implemented as soon as practicable.

## **15 Cross Cutting Issues**

- 15.1 Climate Change and Biodiversity

- 15.1.1 Adaptation and resilience have not been considered.

- 15.1.2 Climate change advice has not been sought in the preparation of the options and recommendations in this report.

15.2 Consideration of a petition does not impact on climate change and biodiversity.

15.3 Equalities and Diversity

15.3.1 The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

15.4 Other If Relevant

- None

Background Papers	None
Annex 1	Petition opening statements, request to Cabinet Member and comments from traders
Annex 2	Petition Scheme