

Petition: Memorial Playing Field Paddock Wood

For Overview and Scrutiny Committee on 26 July 2021

Summary

Lead Member: Councillor Tom Dawlings (Leader of the Council)

Lead Director: Lee Colyer – Director of Finance, Policy and Development

Head of Service: Jane Clarke – Head of Policy and Governance

Report Author: Mark O’Callaghan – Scrutiny and Engagement Officer

Classification: Public document (non-exempt)

Wards Affected: Paddock Wood East, Paddock Wood West

Approval Timetable	Date
Overview and Scrutiny Committee	26 July 2021

Recommendations

1. That the petition be considered and resolved accordingly (see section 2 of the report).

1. Introduction and Background

- 1.1 A petition has been received in accordance with the Council's published Petition Scheme. The petition was signed by more than 500 people (but less than 1,000 people) and therefore will be considered by the Overview and Scrutiny Committee.
- 1.2 This report sets out the terms of the petition and the procedure for dealing with petitions.
- 1.3 The petition was conducted via the Council's online petition portal and supplemented by paper forms collected in and around Paddock Wood by supporters of the petition.

Petition Statement

- 1.4 The petition states:
"We the undersigned petition Tunbridge Wells Borough Council to lobby Paddock Wood Town Council to reconsider their plans to build a Community Centre on the Memorial Playing Field."
- 1.5 The petition was signed by 517 people. A copy of the notice confirming receipt of the petition and the number of signatures is attached at Appendix A.
- 1.6 It is important to note that the petition request that the Borough Council 'lobby' the Town Council. The Borough Council cannot impose any course of action on the Town Council.

Meeting procedure

- 1.7 The petition organiser(s) will have up to 10 minutes to address the Committee and set out any information relevant to the petition. Members of the Committee may ask any questions of the petition organiser(s).
- 1.8 Members of the public and representatives of any Town or Parish Council within the Borough, who have duly registered under the normal public speaking rules, may comment on the petition.
- 1.9 Members of the Committee, having given prior notice to the Clerk, may call witnesses to address the Committee. Members of the Committee may ask questions of the witnesses.
- 1.10 Following the speakers, members of the committee may ask any questions of officers and debate a resolution.

2. Outcomes

- 2.1 Members are asked to consider the specific issue of the petition statement i.e. whether the Council should lobby Paddock Wood Town Council. It is not for this Committee to decide whether the project should go ahead. The resolution of the Committee may take various forms but will likely fall into one of the following categories.
- 2.2 **No further action** – Members may disagree with the premise of the petition or decide that the issues have been sufficiently aired and resolve to take no further action.
- 2.3 **Forward the petition without prejudice** – Members may wish to formally advise Paddock Town Council of the view contained in the petition without making a specific recommendation as to a desired outcome. Details of the petition would be sent to Paddock Wood Town Council for their consideration.
- 2.4 **Make a recommendation to Full Council** – The Council's stated position (through the adopted Five-Year Plan) is to support the delivery of the Town and Parish Council's plans for community centres. For the Borough Council to seek to influence the plans of a Town Council (a sovereign body) it would require a departure from adopted policy. The Committee cannot overturn the Council's policy. Therefore, if members were minded to make a recommendation to Paddock Wood Town Council that it should reconsider their plans, a motion would need to be put to Full Council.

3. Appendices and Background Documents

Appendices:

- Appendix A: Notice of a Petition 210628

Exempt appendices (if any):

- None

Background Papers:

- None

4. Cross Cutting Issues

A. Legal (including the Human Rights Act)

The Local Government Act 2000, section 21 enables an Overview and Scrutiny Committee to undertake the following functions:

- (a) Make reports and recommendations to the Executive or Council;
- (b) Review or scrutinise executive decisions;
- (c) Review or scrutinise non-executive decisions;
- (d) Report on any matter affecting the Council's area.

The arrangements outlined in this report are in accordance with functions permitted to be discharged by the Committee.

Patricia Narebor, Head of Legal Partnership, 15 July 2021.

B. Other Implications

This report is for information. There are no decisions directly from this report which would have cross-cutting implications. Any recommendations which may be formed from the discussion would be subject to separate decision-making procedures whereby the implications can be fully considered.

Mark O'Callaghan, Scrutiny and Engagement Officer, 16 June 2021.