

Council

18 July 2017

Petitions with over 500 signatures

Joint Report by the Head of Corporate Governance and the Director of Place

Petitions with over 500 signatures

1. Under the Council's Petitions Scheme, the Council will debate any petition with over 500 signatures. The Council will endeavour to consider the petition at the next meeting after it is submitted, although on some occasions this may not be possible and consideration will then take place at the following meeting. The petition organiser is given five minutes to present the petition and the petition can then be discussed by Councillors for a maximum of 30 minutes. The Council will decide how to respond to the petition at the meeting and the petition organiser receives written confirmation of the outcome of the debate.

"Save Our Orchard Heritage" petition

2. A petition with 518 signatories (in hard copy and online) was submitted by Ms Alison Fure to the Council on 5 July 2017 which requests:

"Kingston Environment Centre recognises Kingston's rich history and cultural importance in orchards and apple growing. The Tolworth Apple Store is a significant publicly owned building and is part of the agricultural story that exists from Tolworth to Hook, and New Malden to Norbiton. We feel the Apple Store meets RBK's stated cultural and heritage targets (criteria for designation as a Building of Townscape Merit as well as criteria in the Local Plan)) and has potential as a community asset. We the undersigned call on RBK to protect the building and consult on the feasibility for its future use and public access to celebrate the local apple harvest."

3. It is proposed to submit a report on this petition to the Council meeting on 17 October 2017 to assist the Council to debate this petition.

"BBC Sports Ground" petition

4. A petition, with 519 signatures, was presented at the last Council meeting on 19 April 2017 by Councillor Ken Smith, which requested:

"We the undersigned support our Ward Councillors request that the council use every means possible to secure the long term use of the old BBC sports ground as sports playing fields, ensure that the ground maintains its Metropolitan Open Land status and that any future proposed use of the land for housing is vigorously resisted".

5. A response from officers of the Council to this petition is set out below:

Background

6. The BBC Sports ground was recently subject to marketing by CBRE (a major property adviser) as agent to the landowners. This included reference to the potential use of the land for housing. The Council is aware that in the documentation regarding the sale of land at Motspur Park, New Malden, KT3 6PF, CBRE suggested an option for this land (option 4) that would allow for residential development of the site.

Powers available to the Council

- Planning policy and determination of planning applications:

7. The whole of the site is designated Metropolitan Open Land (MOL) in the Royal Borough of Kingston upon Thames's Core Strategy. London Plan Policy 7.17 clearly identifies the importance of MOL and the strongest protection is given to it, affording it the same planning policy status as Green Belt. With few exceptions (which do not apply to this site) housing is, in principle, an inappropriate use within MOL.
8. The Council wrote to the agents during the marketing of the site in March, advising them of the status as MOL, and the very significant policy presumption against housing on the site. It was noted that both the Council and the Greater London Authority are very likely to resist proposals for housing on the site unless 'very special circumstances' could be demonstrated. They were also advised that the likelihood of the site being made available for residential use at any time in the future is extremely low.
9. De-designation of the site, and therefore removal of the MOL protections, could only happen through the adoption of a new local plan. The Council would need to show 'exceptional circumstances' at an independent public inquiry in order to justify the de-designation of MOL to deliver housing; one of the most difficult tests for a local plans to pass. The Council are preparing to develop a new local plan. For the avoidance of doubt, there is no intention to release this MOL at this current time.
10. For future notifications of this process, details can be registered at 020 8547 6261 or localplan@kingston.gov.uk

- Acquisition of the site, including compulsory purchase

11. An original bid for the site for housing has been withdrawn. Fulham Football Club have now purchased the site for use by the club. Given the circumstances, there is no requirement for the Council to take any further action.

Recommendation

The Council is **recommended** to note the events that have taken place and agree that no further action is taken, and that the lead petitioner be sent written confirmation of the outcome of the debate including advice that residents can register their details so that they are notified of and participate in forthcoming consultation on the future local plan.