

EXTRAORDINARY OVERVIEW AND SCRUTINY PANEL

Minutes of the extraordinary meeting held on 15 October 2014 at 3.00 pm in Council Chamber, Council Offices, Cecil Street, Margate, Kent.

Present: Councillor Jo Gideon (Chairman); Councillors Campbell, Alexandrou, Bayford, Driver, Dwyer, Fenner, Gibson, I Gregory, Huxley, Marson, Matterface, Moore, Poole, D Saunders and M Tomlinson

In Attendance: Councillors Binks, Everitt, D Green, E Green and Johnston

423. APOLOGIES FOR ABSENCE

Apologies were received from the following Members:

Councillor K. Gregory, substituted by Councillor Bayford;
Councillor Worrow, substituted by Councillor Alexandrou;
Councillor Hornus, substituted by Councillor Marson.

424. DECLARATIONS OF INTEREST

There were no declarations of interest.

425. EXCLUSION OF PUBLIC AND PRESS

Councillor Driver proposed that the main item on the agenda, the 'Pleasurama – Consideration of External Legal Advice' be debated in a public session rather than in private. The proposal did not receive a seconder.

Councillor Bayford proposed, Councillor Campbell seconded and Members agreed that the public and press be excluded from the meeting for agenda item 4 as it contains exempt information as defined in Paragraph 5 of Schedule 12A of the Local Government Act 1972 (as amended).

426. PLEASURAMA - CONSIDERATION OF EXTERNAL LEGAL ADVICE

Members asked a number of key questions in order to understand the current circumstances regarding options to progress the issue of the redevelopment of Pleasurama site.

Mr Stuart Wortley, Partner at Pinsent Mason, LLP and Mr Tim Mitford-Slade, Partner at Strutt & Parker, LLP who were in attendance responded to the questions and provided legal and valuation clarifications on a number of questions raised by Members of the Panel.

During debate some Members indicated that because this was such a high profile and significant issue for the district, the final decision should be made by full Council in order to maximise participation by elected Members.

Councillor Bayford proposed and Councillor Marson seconded the following:

1. That if Cabinet decides to continue negotiations with Cardy; that any new development agreement is sent to the Overview & Scrutiny Panel for review;

2. Cabinet delegate the final decision on a new development to Full Council as being the reasonable course of action to take considering that Thanet District Council was a minority hung Council.

When the first motion was put to vote it was lost.

Mr Steven Boyle, Interim Legal Services Manager, advised the Panel that according the Council's Constitution, the decision making authority regarding this matter lay with Cabinet as this issue was an executive function. Mr Boyle suggested that the wording to the second part of the motion be changed to read:

"Cabinet to consult Full Council on the final decision on a new development agreement."

Councillor Bayford and Councillor Marson and the Panel agreed to the amendment to the second motion, and when that motion was put to vote, the motion was also lost.

Councillor Campbell proposed, Councillor Gibson seconded and Members agreed that the Overview and Scrutiny Panel recommends that: "Cabinet instructs officers to negotiate with Cardy to obtain the best consideration for Council in relation to the Royal Sands Development."

Meeting concluded: 4.20 pm