

---

## PETITION TO COUNCIL – PLEASURAMA SITE

To: **Council - 18 April 2013**

By: **Harvey Patterson, Corporate and Regulatory Services Manager**

Classification: **Unrestricted**

Ward: **Eastcliff**

---

**Summary:** **A Petition has been received by the Council requesting the Council to stop the freehold site being sold.**

### For Information

---

#### **1.0 Current Situation**

1.1 A petition containing 1072 valid signatures was received by the required deadline of 11 March 2013 for submission to this meeting of Council, from the Friends of Ramsgate Seafront. On 13 March 2013, the Council received a supplementary sheet for that petition, containing 5 valid signatures.

1.2 The petition requests the Council to:

“Stop the Freehold of the Pleasurama site being sold”.

1.3 It states:

“We the undersigned believe the proposed sale of the Pleasurama freehold to the current developer is an unacceptable solution, since this developer has lost public trust and confidence and this proposal will not achieve the stated aim, of regenerating the Ramsgate Seafront. We now call on Thanet District Council to dismiss this developer and this proposal on the following grounds:”

1.4 The grounds for the petition, referred to at Para 1.3 above, are as set out in a copy of the petition frontsheet, attached as Annex 1 to this report.

1.5 Janet Woods, the petition originator, has confirmed that she will present the petition at the Council meeting. Under Council Procedure Rule (CPR) 12.6, she will have five minutes in which to speak.

#### **2.0 Petition to be Debated**

2.1 As the petition has more than 1000 signatures Council must, in accordance with CPR 12.6, debate it. In this regard Council is reminded that decisions in relation to the terminations of the Development Agreement in respect of the Ramsgate Royal Sands site are the sole preserve of the Cabinet.

2.2 Council is further reminded that on 22 January 2013 Cabinet considered a Notice on Motion referred to it by full Council regarding the Ramsgate Royal Sands development where Cabinet resolved to impose a four months review period beginning on 22 January 2013 and at the end of this period requested officers to prepare an options report if either the finances were not in place for the completion of the development or no agreement

was in place for the construction and operation of a hotel (Cabinet Minute 49/2012 refers). Should it be necessary to present an options report to Cabinet that is likely to be considered at the extraordinary meeting of Cabinet fixed for 29 May 2013 and in that event any recommendations made by Council in the course of debating this Petition will be referred Cabinet at that time.

### **3.0 Options**

3.1 The Council may take any of the following actions:

- i) Make recommendations to Cabinet
- ii) Hold an inquiry into the matter
- iii) Undertake research into the matter
- iv) Hold a public meeting
- v) Hold a consultation
- vi) Hold a meeting with Petitioners
- vii) Refer the Petition for consideration by the Overview and Scrutiny Panel
- viii) Require a Senior Officer to attend a meeting of the Overview and Scrutiny Panel to give evidence
- ix) Write to the Petition Organiser setting out its view about the request in the Petition

### **4.0 Corporate Implications**

#### **3.1 Financial**

3.1.1 A decision by the Cabinet to terminate the Development Agreement will impact the finances of the Council in terms of the loss of a significant capital receipt and the unbudgeted costs of any connected or resulting litigation.

#### **4.0 Legal**

4.2.1 As noted in paragraph 2.1 above decisions in relation to the Ramsgate Royal Sands site are the responsibility of the Cabinet. Given the investment in the site to date it is likely that any decision by the Cabinet to terminate the Development Agreement and forfeit the £1m deposit bond will be challenged by the Developer in court. In addition, the successful termination of the Development Agreement will not effect the validity of the three 199 year site leases granted to the Developer and these will have to be the subject of separate forfeiture proceedings. Given these complexities and the costs and risks of litigation, any decision by the Cabinet to terminate the Development Agreement and forfeit the site leases will need to be supported by the advice of senior counsel.

#### **4.3 Corporate**

4.3.1 Cabinet has already instructed officers to bring back an options report in the event that by 22 May 2013 the Developer does not have the necessary finances in place to complete the development or an agreement in place for the construction and operation of a hotel.

#### **4.4 Equity and Equalities**

4.4.1 None apparent

### **5.0 Recommendation**

5.1 Members are requested to debate the Petition in accordance with the above.

## **6.0 Decision Making Process**

- 6.1 Under Council Procedure Rule 12.6, Council is required to debate the Petition. However, only Cabinet can make substantive decisions in respect of the Ramsgate Royal Sands site.

Contact Officer:	Harvey Patterson, Corporate & Regulatory Services Manager, Ext 7005
Reporting to:	Dr Sue McGonigal, Chief Executive and S. 151 Officer

### **Annex List**

Annex 1	Petition Frontsheet
---------	---------------------

### **Corporate Consultation Undertaken**

Finance	Sarah Martin, Financial Services Manager
Legal	N/A