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**PETITION REFERRED TO CABINET BY COUNCIL – FORMER SWIMMING POOL SITE, RAMSGATE**

To: **Cabinet - 21<sup>st</sup> January 2014**

By: **Director of Operational Services**

Classification: **Unrestricted**

Wards: **Newington and Central Harbour Wards**

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**Summary:** **A petition in relation to the former swimming pool site in Ramsgate was received by Council on 5<sup>th</sup> December 2013, and under council rules was referred to Cabinet for formal consideration.**

**For decision**

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**1.0 Introduction and background information**

1.1 A petition containing 204 valid signatures was reported to Council on 5th December containing the following request:

"We, the undersigned, believe that the swimming pool site at the Warre Recreation Ground should remain as a sports facility for public use (not developed for housing or a fire station) and parking retained for the community of St Lawrence."

1.2 Under the Council's constitution the request was not debated but was referred to Cabinet for consideration within three ordinary meetings. However, as the sale of the site is under current negotiation it is appropriate to consider this request at Cabinet at the earliest opportunity.

**2.0 Current situation**

2.1 The council agreed the disposal of the old Ramsgate Pool site at Cabinet on 8<sup>th</sup> November 2012. Subsequently, a decision notice was published on the council's website on 11<sup>th</sup> January 2013. The agreed decision was as follows:

"Officer Delegation Ref: Financial Procedure Rules – Appendix C: Financial Procedure Note: Risk Management and Control of Resources – Rule 6.3

It has been decided by the S.151 Officer to authorise officers to open negotiations for the freehold sale of the old Ramsgate Swimming Pool site, Newington Road, Ramsgate by means of private treaty sale, in accordance with Rule 6.3: Annex C of the Financial Procedure Rules."

2.2 As a result of the published decision the council have been in negotiation with Kent Fire and Rescue Service, who wish to relocate from their current site in Effingham Street, and having reviewed several locations in Ramsgate consider the old pool site as providing the best location to suit their service requirements.

2.3 The council have not attempted to second guess the choice of this site by the Fire Service, but have a role as a planning authority in determining an application, if this

is submitted. The proposal has raised local concerns about the impact on non-pool related parking that occurred at the site previously.

### **3.0 Discussion**

- 3.1 The council has no current plans to retain leisure uses on the site. The main swimming provision for Ramsgate has been relocated adjacent to the Ramsgate Sports Centre, with the construction of a considerably improved pool, linked in with complementary sport and therapeutic facilities, and serving a much expanded walking catchment area. In relation to other leisure uses the council has no funding to repair, refurbish and fit out such a facility, and no current plans to do this.
- 3.2 As with any disposal there are considerable costs involved liaising with the various professionals involved in the sale. Should the council unilaterally withdraw from these negotiations the Fire Service may seek compensation for costs incurred.
- 3.3 In relation to the current building on the site, this is no longer usable as a pool due to its condition and will have to be demolished by the purchaser of the site. The level of investment required on the building due to its condition is large, and would not be warranted, even if other uses were proposed.
- 3.4 The petition also covered the retention of parking on the site. This could not be accommodated if the Fire Service proposal is taken forward, but as this has been raised by local members on behalf of residents the council are currently designing an alternative provision to serve the recreation ground. This will be the subject of a separate planning application that is due to be submitted shortly. Although the council is under no obligations to provide car parking for third party uses in the area, as the parking provision on the site was for the pool, the design of the alternative provision would allow its use for overspill parking.
- 3.5 Separately, it is proposed in the budget to replace the play area adjacent to the site, and the construction of a skate park has already been approved.

### **3.0 Corporate Implications**

#### **4.1 Financial**

- 4.1.1 A capital receipt is already anticipated from this site which will be used to support the Council's capital programme. If this site is not sold, then the capital programme will have to be scaled back accordingly. The council's revenue budget also assumes that the council will have no continuing costs for maintaining the site either as a facility, or to keep it in a safe condition. Unless these costs are taken on by a third party they will represent a pressure on the General Fund at a time when every effort is being made to reduce unnecessary costs.

#### **4.2 Legal**

- 4.2.1 The council has already made decisions to dispose of the site, and undertake this through private treaty. The council has to seek best consideration for the site, but this can include the wider social benefits that would accrue from a use such as proposed by the Fire Service.
- 4.2.2 The council is under no obligation to provide parking to third party uses in the area, as short term parking does not accrue these rights.
- 4.2.3 Separately, the issue about covenants on the site has been raised again although this matter was looked at prior to the disposal decision by Cabinet in November 2012, and has been rechecked since. There were covenants contained in a lease for the site dating from 1900. However, these were extinguished when the Ramsgate Corporation bought this site and the associated land for £100 in 1930.

The conveyance document does not contain any covenants restricting the use of the land, and neither does the Register of Title K910948 held by the Land Registry.

### **4.3 Corporate**

- 4.3.1 The corporate objectives are to provide a broad range of sports and leisure facilities. Following an extensive consultation process and consideration by members this had led to the provision of the new swimming pool and refurbished leisure facilities located at Ramsgate Sports Centre. These replaced the facilities provided at the former swimming pool site. In addition, a skate park has already been approved for the area, and funding proposed for the replacement of the adjacent play area.
- 4.3.2 The new facilities support the council's priorities to ensure that we encourage and provide environmentally sustainable properties which are more energy efficient.
- 4.3.3 The former pool has passed the end of its useful life, with major repairs required to allow the building to be used again, and high running costs. There is no funding to retain a leisure use on the site.
- 4.3.4 The council, as part of considering the impact of the potential development of the site, is already exploring the provision of public parking for the recreation ground.

### **4.4 Equity and Equalities**

- 4.4.1 There are no specific equity and equalities issues arising from this report.

### **5.0 Recommendation**

- 5.1 That Cabinet agrees to continue with the disposal of the site, and does not propose to retain it for the provision of leisure or community uses. The council will aim to provide alternative parking provision for the recreation ground, which could be also used by third parties, in association with the sale of the site.

### **6.0 Decision Making Process**

- 6.1 The issue of property disposals is delegated to Cabinet and the decision is non-key.

Contact Officer:	Mark Seed, Director of Operations
Reporting to:	Dr Sue McGonigal, Chief Executive and S. 151 Officer

### **Corporate Consultation Undertaken**

Finance	Sarah Martin, Financial Services Manager and Deputy S.151 Officer,
Legal	Steven Boyle, Interim Legal Services Manager