
PETITION TO COUNCIL – PLEASURAMA SITE

To: **Council - 11 July 2013**

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

Classification: **Unrestricted**

Ward: **Eastcliff**

Summary: A Petition to the Council has been received in relation to the Pleasurama site, Ramsgate

For Information

1.0 Introduction and background information

- 1.1 A petition containing 1056 valid signatures was received from Mr Nicholas Cooper on behalf of the Friends of Ramsgate Seafront, on 20 May 2013, as follows:

“We wish TDC to explicitly reassure Friends of Ramsgate Seafront that under no circumstances will a discretionary extension of the practical completion date be given to SFP Ventures (UK) Ltd or any developer of Royal Sands before or after 22nd May 2013. Should SFP Ventures (UK) Ltd fail to meet this deadline, TDC must act immediately and restore the site to the People of Ramsgate to implement their own Vision for the Future.

“We, the undersigned, believe extensions to deadlines for the uncompleted work on the Pleasurama site will only compound the problems and leave the people of Ramsgate with a useless eyesore for many years to come.”

- 1.4 The petition front sheet is attached as Annex 1.
- 1.5 Mr Cooper, as petition originator, has confirmed that he will present the petition to Council at this meeting. Under Council Procedure Rule (CPR) 12.6, he will have five minutes in which to speak.
- 1.6 As the petition has more than 1000 signatures, Council is required to debate it.

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 not to under any circumstances grant an extension of time for the completion of the Development is likely to result in the termination of the Development Agreement. This would impact on the finances of the Council in terms of the loss of a significant capital receipt as well as the unbudgeted costs of any connected or resulting litigation.

4.0 Legal

- 4.2.1 Decisions in relation to the Ramsgate Royal Sands site are the responsibility of the Cabinet and the current Development Agreement gives the Cabinet the absolute discretion to extend the time for completion of the Royal Sands development by up to two years. However, as a public body the Council is required to determine any request from the Developer for an extension of time in a reasonable and rational manner having regard to all the relevant surrounding circumstances. Consequently, as a matter of law, the Cabinet cannot fetter its discretion by, as the Petitioners demand, determining in advance the outcome of any such request from the Developer.

4.3 Corporate

- 4.3.1 In January the Cabinet instructed officers to bring back an options report if by 22 May 2013 the Developer did not have the necessary finances in place to complete the development or have an agreement in place for the construction and operation of the hotel. Cabinet duly considered an options report at the extraordinary meeting of Cabinet held on 29 May 2013 and resolved to support the setting up of an Overview & Scrutiny Task and Finish Group to make recommendations to the Cabinet on how to proceed. As at the date of writing this report, the Overview & Scrutiny Panel has yet to agree the Terms of Reference of a Task & Finish Group.

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 Front sheet
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Corporate Consultation Undertaken

Finance	N/A
Legal	N/A