
COUNCIL REFERRAL OF PETITION TO CABINET – PLEASURAMA SITE

To: **Cabinet – 1st August 2013**

Main Portfolio Area: **Operational Services**

By: **Mark Seed, Director of Operational Services**

Classification: **Unrestricted**

Ward: **Central Harbour**

Summary: **The report requests Cabinet to consider the referral from Council of a petition that requires the council not to grant an extension for the practical completion of the Royal Sands development to SFP (Ventures) UK Ltd from February 2014.**

For Decision

1.0 Introduction and Background

- 1.1 On 11 July 2013 Council considered a petition containing 1056 signatures that had been received from the Friends of Ramsgate Seafront. The primary request contained in the petition is as follows:

<p>“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.</p> ”
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- 1.2 Further details of the petition are contained in the Council report and its related annex that are attached as Annex 1 and Annex 2.
- 1.3 At Council members agreed to refer the petition to Cabinet for determination.

2.0 The Current Situation

- 2.1 The Pleasurama Site Development Review Task & Finish Group, a sub-committee of the Overview and Scrutiny Panel has already been set up to consider the options available to the council with regard to agreement with the developer, and the associated legal and commercial implications.
- 2.2 Cabinet at its last meeting has already endorsed the work to be undertaken by Scrutiny and pledged support for that review process.

3.0 Options

3.1 There are two primary options to be assessed in considering the requirement in the petition:

- To contact the developers immediately and indicate that an extension for the practical completion of the development will not be granted.
- To request that the Pleasurama Site Development Review Task and Finish Group consider this matter as part of their review.

3.2 Determining to rule out any potential extension at this stage, before such a request is made, is premature, and may prejudice the council's position in relation to potential legal action. On this basis it is proposed that Cabinet does not agree to the specific requirement in the petition, but seeks the task and finish group to consider this matter.

4.0 Corporate Implications

4.1 Financial and VAT

4.1.1 As set out in the Council report at Annex 1.

4.2 Legal

4.2.1 As set out in the Council report at Annex 1.

4.3 Corporate

4.3.1 In considering legal agreements and leases the council has to act in a reasonable way in responding to requests to enact the provisions of these. However, Cabinet also understands and shares the concern that lies behind the submission of this petition to Council about the obvious lack of progress on site from which this arises.

4.4 Equity and Equalities

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

5.0 Recommendation

5.1 That due to legal considerations Cabinet cannot agree to a request to rule out any extension to the practical completion date for the Royal Sands development, but seeks for the matter to be considered by the Pleasurama Site Development Review Task and Finish Group and form part of the final recommendations from Overview and Scrutiny Panel.

6.0 Decision Making Process

6.1 This is a Cabinet decision. Cabinet can refer matters for further review and receive the resultant advice from the Overview and Scrutiny Panel before making a final decision.

Contact Officer:	Mark Seed, Director of Operational Services
Reporting to:	Sue McGonigal, Chief Executive

Annex List

Annex 1	Pleasurama Site, Ramsgate - Council Report – 11 July 2013
Annex 2	Front Sheet of Friends of Ramsgate Sea Front Petition

Corporate Consultation Undertaken

Finance	Sarah Martin, Financial Services Manager
Legal	Harvey Patterson, Corporate & Regulatory Services Manager