

Thanet District Council

**The Thanet District Council (Land at Dreamland, Margate) Compulsory Purchase
Order 2011**

**S226(1)(a) The Town and Country Planning Act 1990 and
The Acquisition of Land Act 1981**

Statement of Case

10 OCTOBER 2011



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1.0 Introduction

- 1.1 Thanet District Council ('the acquiring authority') has made the Thanet District Council (Land at Dreamland, Margate) Compulsory Purchase Order 2011 (the 'Order') under Section 226 (1) (a) of the Town and Country Planning Act 1990 (the 'Act') and the Acquisition of Land Act 1981.
- 1.2 If confirmed by the Secretary of State for Communities and Local Government the Order will enable the acquiring authority to acquire compulsorily the land forming the Dreamland Amusement Park (the 'Park'), including the Dreamland Cinema and Scenic Railway, in Margate. A map of the Order land can be found at Appendix A.
- 1.3 The Dreamland site has remained vacant and virtually unused for over five years. It is a 'hole' in the centre of Margate, which has potential to deliver enormous economic, social and environmental benefits to the District. The acquisition of the Park will enable the Acquiring Authority, working together with Partners and funding agencies, to deliver a new and viable Heritage Amusement Park (HAP) on the Dreamland site.
- 1.4 The Dreamland Amusement Park is a unique site, which contains three uniquely important sets of listed buildings which are rapidly deteriorating, two of which are Grade II* Listed; the cinema building and the Scenic Railway. The Scenic Railway, has recently been upgraded from Grade II to Grade II*.
- 1.5 There is a compelling case for the compulsory acquisition of the site, which is crucial to the revitalisation of Margate and will result in a significant improvement to the social, economic and environmental well being of the area in accordance with the requirements of the Act.
- 1.6 The Council has not been able to acquire the site by agreement and it is not certain that it will be able to acquire it by agreement.
- 1.7 This document is the Council's Statement of Case for making the Order.
- 1.8 This statement will outline the Council's case and demonstrate the following:
 - that there is a compelling case in the public interest to acquire the Order lands in their entirety;

- the proposal will contribute significantly to the promotion and improvement of the economic, social and environmental well-being of the area;
- the purpose for which the acquiring authority intends to use the site complies with the adopted planning framework for the site;
- the Council has the necessary funding and resources to bring forward the first phase of the scheme, and the proposal has a viable business model;
- the acquiring authority has maintained a dialogue and pursued negotiations with the owners since the closure of the Park was announced in 2003, but has not been able to reach an acceptable agreement to bring the site back into use as an amusement park, in accordance with the development plan.
- the Council has no certainty that a practical or acceptable agreement could be reached and no alternative proposals which would be satisfactory or acceptable in planning terms have been put forward by the owners of the site.

2.0 Reasons for the Compulsory Purchase Order and Use of Enabling Powers

- 2.1 The Council has made the Order pursuant to its powers under section 226(1)(a) of the Town and Country Planning Act 1990.
- 2.2 Section 226(1)(a) of the Town and Country Planning Act 1990 enables the compulsory acquisition of land where an acquiring authority thinks the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the Order Land and where the acquiring authority thinks the development, redevelopment or improvement is likely to contribute to the achievement of the promotion of improvement of the economic, social and environmental well-being of the area. Circular 06/2004 provides guidance to acquiring authorities on the use of compulsory purchase powers and the Council has taken full account of this guidance in making this Order.
- 2.3 The Order Land is needed to facilitate the regeneration of the site, which is an essential element of the Council's broader aspiration for the regeneration of Margate. The Council considers that the proposal will contribute to the promotion and improvement of the economic, social and environmental well-being of the area. Further justification of which is set out in section 8 of this statement.
- 2.4 The Council is utilising its powers under Section 226(1)(a) because it has not been possible to acquire the site by agreement and it is not certain that it will be able to acquire it by agreement, and the Council needs to take immediate action in order to ensure that the grant funding which is in place for the project is not lost, and to preserve and enhance the listed buildings on the Order lands, including the recently upgraded Grade II* Listed Scenic Railway. This is explained further in sections 8 and 9 of this statement.
- 2.5 The Council will continue to consider whether there are ways to acquire the land by negotiation with the landowners and will keep an open dialogue with the objectors to the Order, but only on the basis of achieving a viable proposal with the necessary regeneration benefits, in accordance with the provisions of the development plan.

3.0 Order Lands, Location, Description and Ownership

Introduction

- 3.1 The site is that of the Dreamland Amusement Park, an amusement park renowned for its unique character and history.

Location

- 3.2 The Order land can be seen in its context on the location plan at Appendix B. Dreamland lies in the centre of Margate, between the railway station and the Harbour. The High Street is to the east of the Dreamland site and runs north to south away from the Harbour. The majority of Dreamland is located behind a terrace of seafront buildings, most used recently as amusement arcades and/or food and drink establishments, fronting Marine Terrace and opposite the Beach. Immediately to the west of Dreamland is Arlington Square and House, a 1960's development of shops and a residential tower block. The southern boundary of Dreamland is defined by the Ramsgate to Margate railway line.
- 3.3 Part of the Dreamland Cinema complex lies within the Margate Seafront Conservation Area which continues eastward along the North side of Hall by the Sea Road. Margate Conservation Area lies to the east of the site along Belgrave and Eaton road.
- 3.4 Dreamland is largely hidden from the Seafront by Marine Terrace and properties fronting the road. This creates a barrier to Margate Sands in both a visual and physical sense. The site is overlooked by the rear of the Marine Terrace properties which have been extended to the full extent of their plots and form typical rear elevations of seaside commercial properties.
- 3.5 The Dreamland site is approximately 3 metres lower than Marine Terrace, consequently part of the site is within the Flood Risk Area. There is also a small stream, known as the Tivoli Brook, running in a culvert through the site.
- 3.6 To the north east of Dreamland further along the seafront and adjacent to the Harbour is the new Turner Contemporary Art Gallery. This multi million pound development opened in April 2011 and is the first significant new development in

Margate in many years. The Gallery building was the result of collaboration between Kent County Council, the Arts Council, SEEDA and Thanet District Council. It was anticipated that it would attract over 130,000 visitors per annum to the town. The expected annual visitor numbers were exceeded after just 3 months of opening, and the gallery has now attracted over 200,000 visitors (*Source: Press and Events Officer, Turner Contemporary, August 2011*). The Gallery is one of the first major steps in the planned regeneration of one of Britain's oldest and favourite seaside resorts and part of a wider framework for the regeneration of Margate. The gallery aims to put Margate on the map of regional, national and international contemporary art, making it a prime destination for everyone, including art lovers, holiday makers, families and students. It offers a landmark contemporary art space alongside the town's many other attractions. In the months leading up to the opening of Turner and subsequently, there has been significant positive change in the Margate "Old Town" area to the east of the Harbour, and tourism operators in the town have confirmed increase footfall and turnover.

- 3.7 The Margate 'Old Town' area, immediately adjacent to the new gallery, has received, in the last ten years, investment to its fabric and businesses of in the region of £3m. Notable amongst these investments was a £1.5m 'Townscape Heritage Initiative' historic building grant scheme – jointly funded by Thanet District Council and the Heritage Lottery Fund - which brought back into use in the region of 50 buildings – some of which had been derelict since the 1970s. In June 2011, the Old Town was nominated as *The Best Neighbourhood in Britain* by the Academy of Urbanism.
- 3.8 The Arlington Square development, adjacent to Dreamland to the west, is subject to a planning brief. The brief was developed to assist with the regeneration of the site, alongside the Dreamland site. The site has been the subject of a recent planning application. The proposal envisages the redevelopment of the largely derelict car park and shops around Arlington House with a retail superstore, a hotel and new shops. It also supports the refurbishment of Arlington House itself, proposing new windows, cleaning and staining of the building and a roof canopy to screen the plethora of telecommunications equipment.
- 3.9 These regeneration projects are part of a much wider programme of regeneration in Margate, in which the Dreamland project also sits.

Order Land

- 3.10 At present the majority of the Dreamland site is paved open space with few features across the main part of the site except for the Scenic Railway. This reflects the temporary nature of many of the traditional features of the Park in more recent years. In its last decade of operation, rides, kiosks and concessions were all relatively portable and temporary structures were imported and exported to the site as they became available or were swapped with other parks to maintain variety. However in the past the site was much more heavily landscaped than at present and a significant number of trees have been lost over the last 15 years. The one constant since 1920 within the main amusement park area has been the Grade II* Listed Scenic Railway.
- 3.11 The most prominent feature of Dreamland, when viewed from the seafront, is the Dreamland Cinema building which lies in the North West corner of the site. Erected in 1935, it is a Grade II* listed building with a distinctive design described in the list description as follows: -
- “the principal sea-facing front comprises a tall, Expressionist-influenced brick tower with a projecting fin, 80ft tall.”
- 3.12 With the exception of the 1960's tower block (Arlington House) adjacent, the cinema building is the most prominent feature along Margate seafront. The actual auditorium is set further back on the site to the south east of the frontage building and is orientated east to west. The cinema building has its own entrance from the seafront while the main entrance to the Dreamland site lies beside the frontage building down Hall by the Sea Road and then through a passage under part of the cinema building. At the end of the passage doors opened out into the open part of the amusement park. The passage was fairly wide and was flanked by small retail concessions, a former Water Ride, a café and amusement machines when the site last operated.
- 3.13 In 1974 the cinema was sub-divided to form a bingo hall in the stalls of the auditorium with two small cinema screens in what was previously the Circle of the cinema. The only parts of the building currently in use are an amusement arcade fronting Marine Terrace at ground floor level and a Chinese Restaurant above.

- 3.14 To the rear of the cinema are a series of structures clad in metal sheeting. The most westerly of these, at one time used as the Dreamland Ballroom, is the remaining part of the never-used 1864 railway station which later became the Hall by the Sea. Running east-west to the rear of the cinema auditorium is a long, low, structure with canted sides clad in blue metal sheet. This building is formed from two First World War American seaplane hangers brought to Dreamland in the early 1920s. These two structures are of considerable historic interest. There is also a 1970s steel framed building to the north of the hangers. All three of these buildings are attached to the cinema and hence also listed Grade II*.
- 3.15 At the centre of the Dreamland site lies the Scenic Railway, a Grade II* listed structure. The Scenic Railway was originally listed in 2002 and is one of only two listed fairground rides in the country. The listing was upgraded by the Department of Culture, Media and Sport, from Grade II to Grade II*, on 7th July 2011.
- 3.16 It is the oldest surviving rollercoaster in Great Britain and one of only two surviving examples of a scenic railway type of coaster in the country (the other in Great Yarmouth being more recent and heavily altered). The train is one of only two rollercoasters in the country controlled by a ride-on brakeman.
- 3.17 The third set of listed buildings within Dreamland comprises the remains of Menagerie enclosures and cages, and the retaining wall along the western perimeter of the site. They are much earlier than the Cinema and Scenic Railway dating from 1874, and are the sole surviving remains of Lord George Sangers 'Hall By the Sea' zoo and proto amusement park. They are listed Grade II.
- 3.18 The listed buildings on the site are identified on the plan at Appendix C.

Current Site Ownership

- 3.19 Four separate parcels of land can be identified within the boundary of the Order Land. These are identified on the Compulsory Purchase Order plan at Appendix A. Their details are as follows:
- 3.20 CPO Plot 1 is registered in the freehold ownership of Margate Town Centre Regeneration Company Limited and comprises the majority of the open area of the Dreamland Amusement Park and includes a number of buildings and structures.

- 3.21 CPO Plot 2 is the Dreamland Cinema building which was sold or transferred in late 2010 by Margate Town Centre Regeneration Company to a new company named Margate Cinema Ltd. The main entrance to the Cinema is off Marine Terrace. The metal clad buildings to the rear of the auditorium are within the ownership of Margate Town Centre Regeneration Company.
- 3.22 CPO Plot 3 is the Scenic Railway which was sold or transferred in late 2010 by Margate Town Centre Regeneration Company to a new company named Margate Ride Ltd.
- 3.23 CPO Plot 4 is the forecourt area between the highway and the Cinema frontage and is unregistered land the subject of a Land Registry caution, registered by Dreamland Leisure Limited the operators of the amusement arcade.

4.0 History of Dreamland (1808 to 2006)

- 4.1 Dreamland has a long and important history with both historic and social significance. It is one of Britain's most famous seaside amusement parks and for many decades was central to the economy of the area as the Isle of Thanet's most-visited tourist attraction. The park's origins lay in the 1860s railway boom and the rapid growth of excursion destinations for the working population.
- 4.2 The Dreamland Amusement Park was originally an area of salt marsh. Margate sands were formed as a result of the development of a stone pier to the east of the bay in 1809 by the civil engineer John Rennie, and the construction, in the 1820s, of Marine Terrace on timber piles across the marsh. This linked Margate Old Town to land to the west. The area that now comprises Dreamland was subsequently drained. The Tivoli Brook still runs through the site in a culvert. Between 1840 and 1860 the Marine Terrace properties were the prime residential addresses for seaside visitors to Margate.
- 4.3 Prior to the erection of the Dreamland Cinema, the site was partly occupied by a building known as the "Hall by the Sea" which was created as a result of the arrival of a second railway line in Margate in 1864. The London, Chatham and Dover Railway Company built a station next to the South Eastern Railway Company's terminus but failed to secure Parliamentary agreement to the configuration. As a result, the never used station building was leased to the showman "Lord George Sanger" for use as a dance hall and concert hall. He also developed ornamental gardens and a menagerie along the former railway embankment.
- 4.4 From 1919 ownership of the site transferred to John Henry Iles who was responsible for transforming the site into an American style amusement park based upon, and named after, Dreamland at Coney Island, New York. Work on the Scenic Railway began in 1919 and the ride opened to the public in July 1920 with great success, carrying half a million passengers in its first year.
- 4.5 Iles also bought other rides common to the time to the park including a smaller roller coaster, the Joy Wheel, Miniature Railway, The Whip and the River Caves. A ballroom was constructed on the site of the Skating Rink in 1920 and in 1923 Iles built his Variety Cinema on the site. In 1926 Iles was also responsible for the building of

Margate's Lido on the seafront to the East of Dreamland. Between 1920 and 1935 he invested over £500,000 in the site, constantly adding new rides and facilities.

- 4.6 The culmination of his efforts was the Dreamland cinema, commissioned in 1933 and which contained a 2,200 seat cinema, a ballroom, restaurants, bars and lounges; it has a floor area of approximately 8,000 square metres. The building is understood to be the first cinema built in Britain in the "Moderne" Style, the prototype for the Odeon house style. The building's 25 metre high fin forms a focal point in Marine Terrace, signposting the entrance to the amusement park to the rear through the lower ground floor of the building.
- 4.7 Iles ceased to be a director in 1938 and the business was taken over by his son Eric. Most of the Dreamland site was requisitioned by the Government during World War II with the park re-opening in June 1946 with Eric Iles as manager and, from 1947, investment from Billy Butlin, who operated a chain of coastal amusement parks around the UK as well as his famous holiday camps.
- 4.8 The ownership of the site changed hands in 1970, when Associated Leisure Entertainments acquired Dreamland. They subsequently sold the site to Bembom Brothers in 1981, who invested heavily in new rides and attractions, but retained the main historic features. Bembom Brothers in turn sold it to Dreamland Leisure Ltd (owned by Jimmy Godden) in 1995. The site was considerably refurbished with the benefit of European Grant funding (circa £450,000), with the removal of much of the site's landscaping and several permanent buildings. Some further refurbishment took place around 2000.
- 4.9 In 2001 the local paper, the Isle of Thanet Gazette, announced that negotiations were taking place with a leading supermarket to sell some of the Park's land for a new store but this came to nothing. Following this the number of rides in the park fell in the early 2000s and the park reduced the scale of its operation and between 1998 and 2002 the area on which the amusement park was operating had reduced by around 50%. The park closed as a permanent amusement park at the end of the 2002 season.
- 4.10 The Scenic Railway was listed in 2002.

- 4.11 In December 2002, Dreamland Leisure Ltd announced that the park would be redeveloped as a retail park, and that until the future of the site was decided, the Park would be leased to a travelling fairground operator. Between 2003 and 2006, the Park was leased to a series of travelling fairground operators, who would supplement the dwindling existing rides (which were being gradually sold to other parks by Dreamland Leisure) with their own travelling rides.
- 4.12 The Margate Town Centre Regeneration Company purchased the site in 2005.
- 4.13 The Park and Scenic Railway operated for the last time in 2006 (see section 5 for the recent history of the Order Lands), by which time all of the original rides (other than the Scenic Railway) had been sold off.
- 4.14 Following the announcement of the closure of the Park in December 2002 the Save Dreamland Campaign emerged as a lobby group with the aim of protecting the Park and campaigning for its restoration. The Campaign was heavily involved in the shaping of Policy T8, through its involvement in the Local Plan Inquiry and the subsequent detailed development of the policy by the Council. The campaign evolved into The Dreamland Trust, a registered not-for-profit company that has, in partnership with the Council, sought funding for the re-establishment of the amusement park. It is intended that it will play the major part in the future operation of an amusement park on the site.

5.0 Recent History of Dreamland (2006 – present)

- 5.1 Since 2006 the site has been effectively closed, used only by the occasional travelling fair or circus. The site and its buildings have been entirely neglected, are essentially derelict and no maintenance has taken place by the owners since at least 2006.
- 5.2 There are three listed structures on the site. Two of these are Graded at II*, and hence placed in the top 5% of protected structures. The lack of maintenance to the three structures has placed them in a parlous state and there is a significant danger that they will be lost; in part or wholly.
- 5.3 The closure of the amusement park coincided with a reduction in the vitality of Margate seafront and its ability to attract visitors. A number of seafront businesses have closed, buildings remain vacant and derelict, and the town centre has suffered with some of the highest levels of retail vacancy rates in the south east.
- 5.4 The Council and The Dreamland Trust have been and still are committed to bringing the site back into use as an amusement park. Negotiations have been held with the landowners (discussed further in section 9 of this statement).
- 5.5 The Scenic Railway was the subject of a fire in April 2008, which was declared by the Fire Service to be arson. Subsequently an urgent works notice was served upon the owners of the Park, at that time entirely registered in the name of The Margate Town Centre Regeneration Company, to erect security fencing to prevent the potential for further damage to the listed structure. The company failed to comply with the notice and the Council carried out the works in default. The owners subsequently lost an appeal against the Council's implementation of the works and were required to pay the majority of the Council's costs. The full costs have yet to be paid. The company entered into an agreement to pay the Council's costs in instalments (together with the amount set out at 6.6), but have now defaulted on these.
- 5.6 In late 2010 the Council became aware that the site was no longer solely in the ownership of the Margate Town Centre Regeneration Company and that two new companies had been set up. The first is "Margate Ride Ltd" which owns the Scenic Railway, a small area of land around it, and a narrow access to Hall by the Sea Road. The second new company is named "Margate Cinema Ltd" and owns the Cinema Building. The remainder of the site, comprising the majority of the open land of the

amusement park is retained by the Margate Town Centre Regeneration Company. Both of these new companies are registered to the same address as the Margate Town Centre Regeneration Company and have Directors in common.

- 5.7 Urgent works notices have now also been served relating to the Cinema building, the Scenic Railway and on the site as a whole in relation to security. These were originally served on the Margate Town Centre Regeneration Company and have since been reserved on all three companies with a freehold interest in the site.
- 5.8 The owners have failed to comply with any of the Urgent Works Notices, and the Council is carrying out the necessary works in default.
- 5.9 In the case of the cinema building there was significant ingress of water, pigeons were occupying the building and other serious deterioration was observed that was potentially damaging to the long term future of the building – especially the interior decorative scheme and the theatre organ – which are highly significant elements of the historic character of the building. The owners have failed to comply with the notice and the Council arranged for scaffolding to be erected. A contract has been let to carry out the repairs and these commenced in July 2011, due to be completed in November 2011.
- 5.10 In respect of the Scenic Railway recent inspections indicate that it continues to deteriorate and that urgent works are required to ensure its restoration and repair can be carried out in a sustainable manner.
- 5.11 In respect of the security of the site, the Council has installed CCTV and employed security guards to be present at the site.

6.0 Proposals and delivery

The Council's Proposals

- 6.1 The Council and The Dreamland Trust have very clear intentions and firm proposals for the site. The Council and The Dreamland Trust has the necessary resources to achieve this within a reasonable time-scale.
- 6.2 The vision for the project is to re-establish a traditional seaside amusement park in Margate, built around the heritage of Dreamland and the listed buildings which will be the world's first permanent amusement park to be exclusively made up of historic rides and attractions.
- 6.3 The new Dreamland is to be centred on a commercial amusement park. It will comprise historic rides (including an operational Scenic Railway), classic sideshows, cafés, restaurants, gardens and innovative interpretation aimed at providing imaginative views of the Park's rich heritage with particular emphasis on popular British and youth culture – especially as related to Margate. (This theme is currently being developed with an exhibition at the Turner Contemporary – 'Nothing in the World But Youth' – which runs from 17th September 2011 until 8th January 2012). The aim will be to create a balance between the historic nostalgia for the past and the requirement to meet the needs of the 21st century visitors.
- 6.4 In programme and activity terms the project's focus is on:
- The narrative of popular seaside culture
 - Interpretation and education around the Dreamland's story and its role in Margate's evolution as a popular destination
 - The engagement of young people and exploration of youth culture
 - Training opportunities – in heritage skills and customer service particularly
 - Volunteer opportunities including project development, archives and future operations
- 6.5 In late 2008, over two years after the closure of the Park and following the Scenic Railway fire, the Council and the Dreamland Trust recognised an opportunity to bid for funding from both the Heritage Lottery Fund and from the government's Sea

Change programme. A feasibility study to develop proposals for a Heritage Amusement Park (HAP) and the restoration of the Dreamland Cinema was commissioned. The study was managed by the Prince's Regeneration Trust with a budget of £180,000. This feasibility work involved producing designs (to RIBA Stage C), capital cost estimates and an outline business plan for the Heritage Amusement Park and Dreamland Cinema. The aim of the work was to produce a robust proposal that could form the basis of a large grant application to the Heritage Lottery Fund (HLF) and Wave 3 of the Sea Change programme. Both submissions were successful and the Council was awarded £3,719,377 from Sea Change and the Dreamland Trust was awarded £493,500 from the HLF as a development grant towards the second stage application. The Round 2 Bid to the HLF, for £3 million towards the project was submitted in August 2011 and the result of this is due in early November 2011.

- 6.6 The Margate Town Centre Regeneration Company was partner to the feasibility study and agreed to pay half of its cost, £90,000. This has not been paid (as with the debt outlined in paragraph 5.5)
- 6.7 The plans envisage a phased programme of work over a number of years. The initial phase (Stage 1) has been developed in detail to create a Heritage Amusement Park on the Park. This proposal forms the basis for the Council's case in support of this CPO. These comprehensive proposals clearly demonstrate the intent and commitment of the partners in ensuring the delivery of the Park. It will be demonstrated that Stage 1 is deliverable and viable.

Delivery Plan

- 6.8 The regeneration project has been split into a number of stages and it is envisaged, subject to the confirmation of the Order, that Stage 1 of the proposal, the Heritage Amusement Park, with the intention to be open to the public in 2013. The delivery schedule will be monitored on an on-going basis and will be reviewed in again in the light of decision on the CPO.
- 6.9 A detailed delivery plan and timetable for Stage 1 has been produced and this stage includes the following detailed proposals:

- Restoration of the Grade II* Listed Scenic Railway wooden roller coaster to fully operational condition and standards
 - Urgent works to stabilise the condition of the Grade II* Listed 1935 Dreamland cinema complex, part restoration (lower ground floor) of the building and public access to areas of it. This represents the first step forward to full refurbishment of the iconic cinema.
 - Restoration of the historic (Grade II Listed) C19th menagerie cages which are at severe risk
 - Improvement works and public facilities within the Dreamland Amusement Park and supporting buildings
 - Amusement park landscaping works including signage and interpretation
 - Restoration to operating standards of a number of classic amusement park rides
- 6.10 The existing car park will be maintained to support the Park with a minimum of 250 spaces.
- 6.11 Previous discussions between the Council and the then landowners included the potential for development of the remainder of the site for a mixed use residential scheme. However valuation work carried out on behalf of the Council, demonstrates that the development of the remainder of the site for such purposes is unlikely to deliver any financial benefit to support the establishment of an amusement park, which would be contrary to the development plan.
- 6.12 Stage 1 of the Council's proposal therefore includes the use of the remaining land as a public open space to attract more visitors to the Park, to provide for future park expansion and to provide land for temporary events and attractions, and would provide additional income for the development of the project.
- 6.13 Stages 2 to 6 of the regeneration project build upon Stage 1 of the project, cannot take place without the delivery of the first stage and propose the following:
- Stage 2: Refurbishment/replanning works to existing 'sheds' including extension to south side for 'Whip' ride and 'Mirror Maze'; purchase/refurbishment of rides for internal locations; implementation of Fun House; relocation of some external rides and completion of hard and soft landscaping.

- Stage 3: Re-grading embankments and formation of upper terrace; purchase/restoration of slide down from upper terrace; and associated soft landscaping works.
- Stage 4: Refurbishment works in existing Cinema building; purchase of roller skating rink; completion of purchase/refurbishment of rides to Park; and associated completion of hard and soft landscaping.
- Stage 5: Purchase and install 'Billie' train, station, track and associated landscaping.
- Stage 6: Final completion of the remainder of all works and rides to present the final Dreamland Margate offer.

Financing the Project

- 6.14 The ability of the Council to work with partners to deliver a new viable use on the site was cemented by the grant of funding from the Government's 'Sea Change' programme and from the Heritage Lottery Fund (HLF).
- 6.15 With the HLF Round two bid funding in place, together with other funding from the Council itself, supported by Kent County Council, the budget for the regeneration of the site will be just over £10,000,000.
- 6.16 In addition to this, there is wide public commitment to the proposal in the form of staffing time, support and resource from both the Council and The Dreamland Trust.
- 6.17 The original first round HLF bid was based upon support funding from the landowner (Margate Town Centre Regeneration Company before the subdivision of titles into three companies) in the sum of £4million, however no firm agreement could be reached with the landowner. It was proposed that just under half the site would be potentially suitable for a mixed use development, which would contribute to the implementation of the amusement park scheme if the scheme was not otherwise financially viable, however valuation work carried out on behalf of the Council indicates that there would be little value in such a scheme, and it would not be able to support the delivery of the HAP. Although this section of the statement relates to the financing of the project, the policy position (see section 7 of this statement for further explanation) is also relevant. The proposal to develop part of the site for 'enabling development' does not comply with the site specific policy for the site, Policy T8, as

the Council can deliver an amusement park on the Order Lands without the need for the development of the remainder of the site (see section 7 of this statement).

- 6.18 The Delivery Plan submitted with the HLF Round 2 Bid, demonstrates that there is sufficient funding to realise Stage 1 of the project, as described above, without the need for any contribution from the development of the remainder of the site.
- 6.19 It is fully acknowledged that the Dreamland project is a long term project that will need to be delivered in stages over a number of years. The Council has sufficient funding and resources to deliver Stage 1 of the project. Stages 2 to 6 of the project, which build on Stage 1 and provide for an improved visitor offer are dependant upon future funding and also Stage 1 having first been completed.
- 6.20 In addition to this, the Cinema building represents a huge opportunity to provide a revitalised venue and tourist attraction at the heart of Margate. However the costs of implementing this part of the project are beyond the current financial provision. What is being done at present, as part of the initial phase of development, and under the auspices of the Urgent Works Notice, is carrying out works to the Cinema to prevent its continuing deterioration and to ensure that when funding is available for this Grade II* listed building that the costs are controllable and a viable project can be delivered. The cost of the works currently being carried out, i.e. in respect of the Urgent Works Notices, to conserve the Cinema is in the region of £1.2 million funded through the Sea Change Grant. This sum is included within the overall budget for the initial phase.
- 6.21 The rapid, and increasing, deterioration of the historic structures on the site mean that urgent action needs to be taken to secure their future. Given the lack of stewardship of the existing owners in dealing with the historic structures, the Council are clearly now the only party in a position to ensure this will happen.
- 6.22 Since the early days of the Save Dreamland Campaign there has been market interest in the project. This has been sustained and enhanced by the Council's revised proposals, those subject to this Order.

Project Management

- 6.22 It is proposed that in partnership with The Dreamland Trust, and with the assistance of external consultants, the Council will deliver Stage 1 of the project. The Dreamland Trust propose to employ a Project Director who will oversee all aspects of the project.
- 6.23 The Stage 1 works will be delivered in a professional project management environment utilising best practice project management tools and processes.
- 6.24 Following the completion of the initial phase of the proposal, it is proposed that the Heritage Amusement Park will be leased to The Dreamland Trust, to run the Park. Draft Heads of Terms have been produced and agreed in principle at the date of this statement by both parties. The Council is committed to granting a lease to the Dreamland Trust to operate the Park, which will impose management obligations and standards. Both parties are confident that there will be an agreement in place by the material date for the project.

The Business Plan

- 6.25 A rigorous assessment of the Business Case has been undertaken. In producing the Business Plan assumptions made during early stages of the project have been revisited and been subject to rigorous testing in the light of current circumstances and market conditions. The current business plan follows the HLF's recommended format and draws on other sources of best practice.
- 6.26 Earlier versions of the Business Plan were submitted with the applications for the Sea Change and HLF grant funding, and supported by the allocation of grant funding for the project.
- 6.27 The definitions of the target market from which Dreamland will draw have been kept deliberately prudent, but this still represents a possible target audience of over 5.2million.
- 6.28 All assumptions on performance in terms of penetration of this market, operational management and income performance are based on extensive consultation with the local market and across six strong comparators from across the UK, including Blackpool Pleasure Beach, Adventure Island in Southend, Great Yarmouth Pleasure Beach and Harbour Park in Littlehampton.

- 6.29 The headline number is approximately 350,000 visits a year, 200,000 of which pay to participate by purchasing tokens or wrist bands to ride. It is expected that 150,000 visitors will, effectively, enjoy free admission by not paying to ride. The non participants will, nevertheless, be able to enjoy the Dreamland atmosphere and narrative. They are also likely to purchase refreshments and souvenirs and engage in specific events and activities. Based on this a turnover of £2.5 million is forecast.
- 6.30 The income assumptions are deliberately conservative particularly in the light of the strong performance of the Turner Contemporary, and the figures take no account of the Dreamland brand loyalty and historic connection with South East England.
- 6.31 A detailed analysis of operating costs of this business based upon benchmarking of the successful, comparative operating businesses has been carried out, and the details of this are set out in the Business Plan.
- 6.32 The business plan is the subject of continual review as to cost and values, and this will continue until the project dates for implementation.
- 6.33 This Business Plan shows that Stage 1 of the Dreamland Heritage Amusement Park, is viable and financially sustainable, regardless of the timing of later stages.

Consents or Permissions

Planning Permission

- 6.34 The site has a long standing use as an Amusement Park, pre-dating the appointed day. The use of the Order Lands as an Amusement Park therefore does not require planning permission. The Park benefits from permitted development rights under Part 28 of the General Permitted Development Order 1995.
- 6.35 Those works proposed that do not fall under this permitted development right will require planning permission. However there is no reason in principle and based upon planning policy and history, why the permissions would not be granted. The proposed development as will be explained in the following section of this statement is in accordance with the development plan for the area. The Council will demonstrate there are no planning impediments to the delivery of the Council's proposals.

Listed Building Consent

- 6.36 The Cinema and the Scenic Railway are listed grade II*, and the menagerie cages are listed grade II. In accordance with the Planning (Listed Building and Conservation Areas) Act 1990 any works which would affect the character of the buildings and structures would require Listed Building Consent.
- 6.37 The Council has recently approved Listed Building consent for the works being carried out on behalf of the Council in relation to the Urgent works notice issued on the Cinema building.
- 6.38 Listed Building Consent will be required for the proposals to bring the ground floor of the cinema building back into use, as part of Stage 1 of the proposals, if they affect the historic character of the building.
- 6.39 The majority of works to the scenic railway are considered to be repair and would therefore not require Listed Building Consent. There may be a small element of re-design which may require Listed Building Consent. The new station building would require Listed Building Consent.
- 6.40 The works proposed are all in the interests of bringing the heritage assets back into viable use and support their restoration and repair in accordance with Planning Policy Statement 5. There is therefore no obvious reason why the consents would not be granted.

7.0 The Planning Framework

Introduction

- 7.1 This section outlines the planning framework for the site and area, demonstrating a clear strategic framework for the site, set out in planning policy. The purpose for which the Council wish to acquire the land is in strict accordance with the planning framework.

Corporate Policies

- 7.2 There are a number of corporate documents which have been prepared to support and actively encourage the proposals for Dreamland. The proposals for Dreamland site within a wide regeneration strategy for Margate and the district of Thanet as a whole.

Sustainable Community Strategy

- 7.3 The Sustainable Community Strategy for Thanet was prepared by the East Kent Local Strategic Partnership and following significant public consultation was adopted in 2009 by the four local authorities in East Kent comprising, Canterbury, Dover, Shepway and Thanet.
- 7.4 The Strategy embraces the need for resurgent coastal towns with a distinctive profile as a visitor destination, with a wealth of cultural treasures, sustaining a thriving tourist economy. One of the major priorities is the regeneration of the coastal towns and there is a very strong acknowledgement of the role that tourism can play in this.
- 7.5 The regeneration of Dreamland is clearly a significant project that sits at the heart of the ambitions set out in the Sustainable Community Strategy.

Corporate Plan

- 7.6 The regeneration of Margate generally, and including the provision of an amusement park on the Dreamland site has been an aspiration of the Council since its closure. This can be seen through current and past Corporate Plans, which identify the

Dreamland proposals as one of the key components to improving Thanet's Economy and Prosperity.

- 7.7 The Interim Corporate Plan 2011/12 identifies the Dreamland site as a key project for improving the prosperity of the District, especially by supporting tourism.
- 7.8 The Corporate Plan for the period of 2007-11 included the Dreamland project within Theme 1 – Economy, identifying the need to work with the owners of the site and the adjacent Arlington site to agree plans for their regeneration.

Thanet Vision 2030; Thanet 2010: A Strategy for Taking the Council to a New Level

- 7.9 The Thanet Vision 2030 sees Margate with *'a new economic heart, founded by the success of the internationally-renowned Turner Contemporary gallery....Dreamland has been transformed into a striking 21st century attraction; a national centre for the preservation and celebration of the heritage and culture of seaside amusement parks and popular seaside entertainment.'*
- 7.10 The Strategy prioritises the Council's efforts to ensure that its limited resources are directed to the areas that can make the biggest difference. The focus will be on prosperity, place, people and performance.
- 7.11 The Dreamland site is identified as a medium term key priority to improving prosperity – attracting sustainable employment, especially by supporting tourism.

Thanet District Council's Cultural Strategy (2008)

- 7.12 Thanet's Cultural Strategy sets out the commitment of the Council to improve the cultural offer in the District and the strategy looks at how this can be achieved.
- 7.13 The strategy states that culture can include *'tourism, sports activities, learning new creative skills, children playing, enjoying events and festivals and our local environment'*. It also states that *'culture can make a huge difference to an area's economy.....provides opportunities for the community to participate in a range of different activities.....to improve the health and wellbeing of the community, particularly through sport, play and leisure activities.'*

7.14 The vision of the strategy is as follows:

'By 2012, Thanet will be recognised as an area that has changed its fortunes, thanks to a thriving and sustainable cultural community and economy. 'Must experience' areas across the isle will attract residents and visitors alike to enjoy out revitalised cultural heritage, the vibrant energy of local creative industries and the unique coastal offer. Participation in, and enjoyment of, culture will have become a way of life for Thanet's residents, as part of the continuing regeneration of the isle.'

7.15 The Dreamland Site is identified as a key action to achieve this vision by working with private sector partners to build on the past and ensure high quality development of key sites across Thanet to maximise use of space and enable economic development.

Margate Cultural Vision

7.16 In 2008 Margate Renewal Partnership commissioned Tom Fleming Associates to develop a cultural vision for Margate. This document sees Dreamland as one of the key projects to achieve the aim of Margate being a seaside town re-born with visual arts and culture at the forefront, being a leading innovator and hub for cultural regeneration planning and place-shaping in the South East. It sees Dreamland as the visitor offer which will celebrate all the fun at the seaside and embrace the importance of youth culture to the Town's heritage.

Regional Policy

The South East Plan 2009

7.17 The South East Plan was revoked by the Secretary of State for Communities and Local Government on 6th July 2010. This action was formally quashed by the High Court on 10th November 2010. The South East Plan therefore remains part of the Development Plan. However, the forthcoming abolition should be taken into account in planning decisions.

7.18 The South East Plan strongly supports the Council's proposals for the Order Lands through the following policies:

- 7.19 **Policy EKA4** refers to urban renaissance of Coastal Towns, with regeneration creating high quality urban environments and concentration of small businesses, education, culture and other services encouraged in Margate.
- 7.20 **Policy TSR1** refers to the need to seek opportunities to diversify the economic base of the regions coastal resorts, while consolidating and upgrading tourist facilities to support urban regeneration.
- 7.21 **Policy TSR4** encourages the expansion and upgrade of existing attractions as a priority over the development of new attractions, but East Kent is an exception where it also supports regionally significant new tourism attractions where they can be easily accessed by public transport

National Policy

- 7.22 A number of national planning policy statement and guidance notes support the proposals for the Order Lands. The following are of particular relevance:
- 7.23 **PPS1 Delivering Sustainable Development 2004**, promotes '*sustainable and inclusive patterns of urban and rural development by:*
- *making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life;*
 - *contributing to sustainable economic development;*
 - *protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities;*
 - *ensuring high quality development through good and inclusive design, and the efficient use of resources;*
 - *and, ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community.'* (para 5)
- 7.24 **PPS4 Planning for Sustainable Economic Growth 2009**; promotes the Governments aim of achieving sustainable economic growth. The proposals for the Dreamland site are considered to be economic development as they '*provide employment opportunities, generate wealth and produce economic output and product.*' (para 4) The proposals for the Dreamland site are in accordance with the

principle of this policy statement as they contribute towards the achievement of economic growth, promote regeneration and tackle deprivation, promote the vitality and viability of the town, conserve the historical and architectural heritage of Margate and raise the quality of life and environment for the community (para 10).

- 7.25 **PPS 5 Planning for the Historic Environment 2010** is relevant to the proposal as the site contains a number of designated heritage assets, including three sets of Listed Buildings and is located partly within a Conservation Area. The proposal supports the Government's aim, set out in this document '*that the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations...by ensuring... that heritage assets are put to an appropriate, viable use, consistent with their conservation.*' (para 7) The significance of these heritage assets is discussed further in the Council's justification for making the Order.
- 7.26 **Good Practice Guide on Planning for Tourism 2006** states that '*Tourism, in all its forms, is of crucial importance to the economic, social and environmental well-being of the whole country.*' (para 1.1). The proposals for Dreamland support the principles of promoting tourism as a focus for regeneration and provide an improved range of tourist attractions in Margate.

Written Ministerial Statement: Planning for Growth

- 7.27 The Growth Review contains ambitious proposals for planning reform, to ensure that planning supports sustainable development that the government believes is needed as the country emerges from recession. The ministerial statement emphasises this point and the Government's top priority of achieving sustainable economic growth and jobs, which is capable of being regarded as a material planning consideration. The Council's proposals are clearly in line with this statement.

Government Consultation Document of National Planning Policy Framework (NPPF)

- 7.28 Whilst at the time of writing this statement, the NPPF is a consultation document, and is subject to potential amendment, it gives a clear indication of the Government's direction of travel in planning policy and is therefore capable of being a material consideration, and should be afforded some weight in the decision-making process.

7.29 The following aspects of the document are particularly relevant and support the case of the Council's proposal for the Order Land:

- Support and encourage economic development – should apply a presumption in favour of economic development and seek to find solutions.
- Facilitate social interaction and inclusive communities
- Conservation of Heritage Assets – considerable importance and weight should be given to the conservation of designated heritage assets in considering the impact of a proposed development as the historic environment and its heritage assets should be conserved and enjoyed for the quality of life they bring to this and future generations.

The Localism Bill

7.30 The Government, through the Localism Bill, intend to bring forward a number of reforms to the planning system. At the heart of this is restoring democratic and local control, by returning decision-making powers to local authorities and shifting powers to communities. The Council's proposals are consistent with the aims, as can be seen by the creation of The Dreamland Trust and support of the community.

Local Planning Policies

Site Specific Policy - Policy T8

7.31 The Thanet Local Plan was adopted in June 2006 and contains a site specific policy (Policy T8) for the Order land. The policy was included in the list of policies 'saved' by the Secretary of State by a direction under para 1(3) of Schedule 8 to the Planning and Compulsory Purchase Act 2004.

7.32 The Policy is set out in full at Appendix D.

7.33 It is considered that Policy T8 is the central development plan policy justification for the acquisition of the site and is the site specific policy basis for the 2008 adopted Dreamland Planning Brief.

- 7.34 Policy T8 is geared to supporting investment in the Dreamland Amusement Park. It is part of the Council's wider regeneration strategy, for rejuvenating and diversifying Margate for local people and visitors alike. The pre-amble to the policy states that 'the Council wishes to realise a comprehensive scheme for the site, maximising its potential to contribute to the economic well-being and attractiveness of Margate as a visitor destination and area in which to live and invest'
- 7.35 Policy T8 is in two parts. The first part supports proposals that would extend, upgrade or improve the attractiveness of the amusement park and resists proposals that would reduce the attractiveness, leisure or tourist potential of the Park. This part goes on to say that exceptionally development of a limited part of the site may be accepted providing that it assures the future viability of the amusement park.
- 7.36 The second part of the policy is only relevant where evidence is submitted in the form of an independent professional assessment, to demonstrate that it is not economically viable to operate an amusement park on the whole or majority of the site in the foreseeable future. If this is demonstrated alternative leisure uses which would sustainably contribute to the economic well-being and rejuvenation of Margate would be acceptable (an element of residential may be appropriate, but only of such a scale needed to support delivery of the comprehensive vision for the site).
- 7.37 The most important aspect of this policy is that its primary aim is to secure an amusement park use on the site. The Council's proposals meet the first line of the policy and its primary objective to provide an amusement park use on the entire site. As the development of a limited part of the site is not needed to deliver the amusement park on the site, there is no justification to consider the 'exceptionally' part of the policy in the current circumstances.
- 7.38 Additionally as the Council will demonstrate that it is economically viable to operate an amusement park on the entire site, part 2 of the policy is also currently not applicable.
- 7.39 The proposals now being developed by Thanet District Council, in partnership with the Dreamland Trust, provides a comprehensive development which realises an Amusement Park on the site. The proposal is therefore considered to be in strict accordance with this site specific policy.

Contextual Policies

- 7.40 **Policy T7** - relates to the Marine Terrace frontage and Dreamland site and identifies it as an appropriate area for amusement arcades, but requires the retention of significant areas of seaside architecture.
- 7.41 **Policy SR18** - Margate Sands is a major holiday beach where proposals for upgrading recreational proposals and facilities are supported through this policy.
- 7.42 **Policy EC10** - relates to Margate Old Town, encouraging its continuing regeneration as an area of cultural, artistic and high tech excellence. These uses, as well as hotels, residential and media development and cafes and restaurants, are considered as being appropriate for the area.
- 7.43 **Policy H10** - identifies the Old Town as an area in need of special action where appropriate regeneration will be supported.
- 7.44 **Policy TC7** - refers to Margate town centre and encourages a holistic approach to regeneration through encouragement of new retail and leisure opportunities.
- 7.45 **Policy EC12** - Adjacent land to the south of the railway line is covered by policy EC12 which retains specific sites within the district for employment uses (B1, B2 and B8 Use Classes).

Generally Applicable Policies

- 7.46 **Policy T1** - states that planning permission will be granted for development that upgrades tourist facilities or increases tourist attraction in Thanet.
- 7.47 **Policies TR11-17** – these policies refer to pedestrian and cycle movement, public transport facilitation, sustainable transport and parking provision including off-street car parks.
- 7.48 **Policies HE11 and HE12** – refer to consideration of archaeology on the site and the impact of development upon it.

- 7.49 **Policy CF2** - requires contributions towards community facilities including transport infrastructure, education, recreational facilities etc.
- 7.50 **Policy SR5** – refers to the open space requirements for residential development, including doorstep play space and local play space.
- 7.51 **Policy D1** - sets on the design principles for all new development and includes issues such as sustainability, context, connectivity, landscape, ecology and measures to address crime and disorder issues.
- 7.52 **The Kent Design Guide** was adopted by Kent County Council in December 2005 and subsequently adopted as a supplementary planning document by Thanet District Council, and outlines further design considerations.

Dreamland Planning Brief

- 7.53 In order to assist in the regeneration of the site a planning brief for the site was prepared, pursuant to policy T8 of the Local Plan. The brief encourages proposals for Dreamland that retain an amusement park destination, that will flourish as a stand along attraction, acknowledging the historic association of the site and supported by enabling funding from a significant element of mixed use development of part of the site to ensure the provision of a high quality attraction.
- 7.54 The brief was the subject to a full public and statutory consultation and was approved by the Margate Renewal Board and by Council, who agreed it be adopted for Development Control Purposes in February 2008.
- 7.55 In terms of on site development the brief states that development proposals should accord with the following summarised criteria:
- Retention, refurbishment and return to beneficial use of Dreamland Cinema
 - Retention and refurbishment of the Scenic Railway to ensure it continued operation
 - Provision of an amusement park on the existing park area, around the Scenic Railway, including the Dreamland Building, on more than 50% of the site (excluding the car park)

- Provision of ancillary uses such as specialist themed retail, food and drink, and leisure to broaden its appeal and extend its season
- Provision of a 250 space car park
- Any associated enabling mixed use development including residential development to be adjacent to existing residential development fronting Eaton Road and Belgrave Road. New build to be of density, height and form that reflects the character of adjacent townscape and including a mix of family houses and apartments. A major determinant of the level of development will be economic viability testing to ascertain the level of development required to support the provision of a viable amusement park including refurbished Cinema and Scenic Railway
- Development phasing to enable an economic solution that retains an amusement park attraction before, during and post development

7.56 As the Council's proposals do not require any form of 'enabling development' to assist with the funding of the delivery of the Park. The Planning Brief insofar as it relates to enabling development to facilitate the delivery of the Park, is not relevant to the Council's proposals. The Council's proposal achieves the primary aim of Policy T8, by providing an amusement park on the site.

Local Development Framework

7.57 The Local Development Framework Core Strategy Preferred Options Consultation and Illustrative Draft Core Strategy Document was considered by the Councils Cabinet in 2009 and a full public consultation on the document took place between October 2009 and January 2010. The document is currently being reviewed in light of changes introduced by the coalition government, and will be subject to further public consultation. The existing document therefore has limited weight in the decision making process.

7.58 In relation to the Dreamland site, the draft core strategy comments that:

"The closure of Dreamland Amusement Park removed a popular element of Margate's offer as a visitor destination. The site now provides a major opportunity to rejuvenate and diversify the town's economic base by way of mixed development including and enabling a significant leisure attraction retaining the Listed Buildings

including Dreamland Cinema and the Scenic Railway. Such development would need to integrate with redevelopment/refurbishment of the adjacent Arlington Square, to provide an exciting scheme enhancing and integrating with the urban grain of the seafront.”

7.59 Dreamland is dealt with in proposed Policy DCS 15. This policy again was the primary aim of achieving an amusement park on the site.

8.0 Justification for the Compulsory Purchase

Introduction

- 8.1 The Council considers that there is a compelling case in the public interest for the confirmation of the Order, to enable the delivery of a new and vibrant tourist attraction to support the comprehensive regeneration of Margate.
- 8.2 The Order, if confirmed, would strike an appropriate balance between public and private interests. The rights of the owners of interests in the Order Land under the Human Rights Act 1998, in particular the right contained in Article 1 of the First Protocol, have been taken into account by the Council when considering whether to make the Order.
- 8.3 Having regard to the provisions of the Town and Country Planning Act 1990 and the guidance set out in Circular 06/2004, the Council considers that acquisition of the Order Land will facilitate the carrying out of development, redevelopment and improvement and will make a positive contribution to the promotion or achievement of the economic, social and environmental well-being of its area for the reasons explained below.
- 8.4 Since the closure of the amusement park, it has been an aspiration of the Council and local people to bring the site back into use as an amusement park, as can be seen through various Council documents identified in Section 7 of this statement.
- 8.5 Dreamland is a feature of regional if not national significance. It is the site of one of the first seaside amusement parks located in one of the world's first resorts and whose name still has worldwide recognition. Dreamland was, for many generations, the premier amusement park in the South of England. It was an icon and is fondly remembered by people who live in Margate and by many millions of people who grew up in London and the south east. The Scenic Railway and the Dreamland Cinema Building are both Grade II* listed buildings and urgent works are necessary to ensure their survival. In the 1980s, the Park was one of the country's top 10 visitor attractions.
- 8.6 The Dreamland site has now remained vacant and virtually unused for over five years. The decline of the traditional seaside holiday affected many resorts around

Britain but Margate with its reliance on providing cheap accommodation for long stay holidaymakers mainly from London has suffered more than most. The need to reverse this decline in the town's fortunes has long been recognised and a number of studies have been carried out over the last few years seeking to point the way to a solution.

- 8.7 Since the closure of the amusement park a number of seafront businesses have closed, buildings remain vacant and derelict, and the town centre has some of the highest levels of retail vacancy rates in the south east.
- 8.8 The acquisition of the Park will enable the Acquiring Authority, working together with Partners and funding agencies, to deliver a new and viable amusement park, which will bring a number of benefits to the town and District.

Benefits of the Proposal

- 8.9 The proposal will bring a number of benefits to an area which suffers from severe economic and social deprivation. Despite its location in the South East of England Thanet has suffered from long term economic problems caused by a number of factors. In particular this is as a result of the decline of the domestic holiday market since the 1960's, it's relative and perceived isolation, a dependence on low wage business and small companies and its inability to attract private inward investment. The district also experiences significant social problems and a dependency culture has been established, with significant costs to the local public services, and this has been reinforced by local authorities outside Kent moving benefit dependant people and vulnerable children into Thanet because of the low rents and cheaper labour and other costs in this area.
- 8.10 As a result of the above the area suffers from high unemployment, high crime in particular areas, low educational attainment and low skills. The 2010 indices of deprivation show that the level of deprivation in Thanet has increased since 2007 and that it remains the most deprived district in Kent and the 49th most deprived district in England. Not only is Thanet one of the most deprived districts in the country but parts of Margate score particularly badly when the smaller super output areas are examined. The Super Output Area (SOA) in which Dreamland is situated is part of Margate Central Ward and is ranked the 22nd (out of a total of 32,482) most deprived SOA in England.

- 8.11 One of the major problems for Margate in economic terms is the lack of private inward investment over the past 20 years. The primary cause is the lack of profit in an area suffering from severe economic problems. Land values are low and viability is a significant consideration on most sites.
- 8.12 The proposals to regenerate the Dreamland site are part of a much wider regeneration strategy for the District and Margate in particular, to try and reverse the severe economic and social problems which exist in the area.
- 8.13 The closure of Dreamland amusement park impacted severely on the vitality of Margate seafront and its ability to attract visitors. A number of seafront businesses have closed, buildings remain vacant and derelict, and the town centre has suffered the knock on effect with some of the highest levels of retail vacancy rates in the south east. The town needs further investment to secure its future as a vibrant town in which to live and visit, and the Dreamland site, given its history and location provides a great opportunity to do this.
- 8.14 The proposal will be a major visitor attraction for Margate, providing a significant contribution to the region's appeal as a visitor destination and help to develop Margate into a high quality contemporary style resort which will support a sustainable local visitor economy in Margate and Thanet.
- 8.15 Tourism is known to have significant benefits for the economy and many wider benefits which contribute to the economic and social well-being of local communities, as well as individuals. Tourism can be a focus of regeneration; provide a catalyst for growth, raising its profile and stabilising out-migration; and provide opportunities to retrain the local workforce. The revenue generated by tourism can help to support and enhance local services, support a broader and more active local community by attracting arts, sports and cultural events, aid diversification in the economy and underpin the quality of the local environment and facilitate enjoyment of it by residents and visitors. (Good Practice Guide on Planning for Tourism, DCLG, 2006)
- 8.16 With tourism valued at over £2.5bn to Kent and £217 million to the Thanet economy (The Economic Impact of Tourism on the District of Thanet 2009), the maintenance and development of visitor attractions is vital to the local economy. The regeneration

of Dreamland will contribute to Visit Kent's prioritisation of Coastal Kent and provide an enhanced reputation for Margate.

- 8.17 The proposal will act as a catalyst for economic regeneration and growth in the area, with knock-on effects for the rest of Margate. It is estimated that the proposals will generate approximately 350,000 visits a year. It is expected that the proposals would have the knock-on effect of supporting and encouraging private investment in the area, as the increased visitor numbers create a market for further facilities and services, in the tourism and other industries, such as retail, food and drink and leisure sectors. This will help to regenerate the town by bringing vacant premises back into use, and support existing businesses.
- 8.18 The regeneration of the Order land will also build upon and support the success of the Turner Contemporary. There has been a significant upturn in private sector investment in Margate, most noticeably in the Old Town area with a number of new shops, galleries and cafes and restaurants being opened in 2011. These provide a range of complementary attractions.
- 8.19 This will bring significant benefits and new facilities for the local community, as well as the project in itself providing a high quality public leisure attraction for all to enjoy and be proud of.
- 8.20 The proposal will create a number of employment opportunities. It will directly create ten new full-time jobs, and 32 FTE jobs over the summer season, many of which will be part and flexi time suiting a broad range of people. This does not take account of the considerable number of casual staff which will be employed during peak season. The proposal will indirectly create further employment in local shops, cafes, wholesale suppliers, accommodation etc and create construction and technical employment for up to 50 people during the project build stage. The creation of jobs is vitally important in an area with high levels of unemployment. Dreamland will also provide ideal opportunities for volunteering in the community, for both retired people and youth engagement.
- 8.21 As well as bringing significant economic benefits, the proposals will provide significant benefits to the heritage assets on the site. The historical significance of the site is recognised by the designation of three sets of buildings:

- The Scenic Railway, the oldest surviving rollercoaster in the country, is Grade II* Listed
 - The Dreamland Cinema, the forerunner of the 1930s super cinemas, is Grade II* Listed; and
 - Grade II listed landscape features include a gothic wall and animal cages dating from the 1870s, the only ones of their type left in the world.
- 8.22 The proposals will secure the repair and refurbishment of the Scenic Railway and menagerie cages, and ensure their future protection. The cinema building will be repaired and secured to ensure no further deterioration of the structure and parts of the building will be brought back into viable use. Works will also take place to stabilise the unique Compton-Noterman Organ which is still in situ, which will allow volunteers to undertake restoration.
- 8.23 The owners have shown disregard for these vitally important heritage assets, and the Council's proposal provides the only realistic opportunity to save these heritage assets, and bring them back into use, which will have a positive impact upon the local environment and quality of life they bring to this and future generations.
- 8.24 The historical significance of Dreamland is also demonstrated by virtue of its profile in British popular culture throughout the last century. With the wealth of history, Dreamland Margate shaped popular culture, employment, architecture, politics and entertainment in Margate for most of the 20th century and became the premier amusement park in the South East of England. Margate has every claim to be the centre of British popular culture both in terms of the number of visitors it welcomed and the place it still occupies in the popular consciousness. The investment in Dreamland will celebrate a uniquely British phenomenon with an international influence – youth cults; preserving and fostering a culture that has existed for over 40 years mark Margate's position in the cultural history of Britain.
- 8.25 The proposal will also create a significant number of learning, training and formal education opportunities. Once open Dreamland's learning offer will include school visits and a public programme of talks, tours, exhibition and special events. In the meantime, Dreamland is working closely with its partners to deliver a programme of learning events and activities.

- 8.26 The proposal will bring significant benefits to the built environment and the public realm. The site is a large brownfield site in a prime location in Margate, and not being in operation it appears unused and disregarded, and is a severely negative feature in the urban landscape of Margate. Bringing the site back into beneficial use will provide significant benefits to the visual amenities of the area; provide significant improvements to the quality of the built realm and linkages with the surrounding area, in this critical part of the seafront.
- 8.27 Overall it is clear that the proposals will bring a number of benefits, which will undoubtedly contribute to the economic, social and environmental well-being of the area.

Public Consultation

- 8.28 A number of public consultations have been carried out regarding the site since its closure. These include consultations by the Council, The Dreamland Trust and the owners of the site, Margate Town Centre Regeneration Company.
- 8.29 The results of all consultations have repeatedly shown almost unanimous support for an amusement park on the site and a high level of interest in it. There is a significant and genuine desire on the part of many people, both residents of Margate and former visitors and supporters of the Dreamland Trust to see a new amusement park arise on the Dreamland site.

Consultations carried out by Thanet District Council:

- 8.30 *2004 Draft Central Margate Strategic Urban Design Framework (the 'Margate Masterplan')* – Dreamland generated the most passionate of responses, 44% of all responses received related to Dreamland, with almost all of them strongly supporting the use of the site for a major amusement-park, family based attraction. The public sees the Dreamland site as Margate's key potential tourism/leisure generator and the closure of the facility is seen as highly negative for the town's future.
- 8.31 *Thanet Local Plan* – the public responses to the consultation on the Revised Deposit Draft (RDD) and Modifications to plan following the Inspectors Report (consultation carried out in 2003 and 2006 respectively) show significant support for the site to be protected as an amusement park.

- 8.32 *Dreamland Planning Brief* – The consultation took place in 2007. 75% of responses strongly agreeing with the retention of an amusement park on the site, and 85% strongly agreeing with the retention of the Scenic Railway.
- 8.33 *Creative Margate; The Cultural Vision for Margate* - consulted with over 300 local people (in 2008) about how to embed culture, especially the visual arts, as a catalyst for regeneration. This again revealed overwhelming support for use of the Dreamland Cinema and the Scenic Railway to provide a cultural offer that was synergistic with but different to that in the Old Town.
- 8.34 *The 'I Dream of Dreamland' Consultation* – As part of the detailed design process, the Dreamland Stakeholder Group held a public event on Sunday 15th March 2009. This was attended by over 400 people and included displays of the plans, models, videos and a short questionnaire. 140 people completed comments forms, with 94% of comments made being in favour of the project. 196 people completed registration forms, with 54% of these seeking to volunteer to support the project. Analysis of these forms shows attendance from a broad range of the local community: 46% employed; 21% self employed; 14% local business employer; 10% retired; 79% aged 26-59; 12% aged 25 and under; 9% aged 60 and over. The Stakeholder Group also held a more formal event on 16th March 2009 attended by a range of representatives from the public, private and voluntary sector. The event demonstrated wide support for the project and generated an agreed set of immediate priorities for the next phase.

Consultation Work by the landowner

- 8.35 MTCRC conducted an extensive consultation programme over an eight-month period from September 2006 to May 2007, canvassing local peoples' ideas for the future of Dreamland. The process started with the 'Exodus' event which attracted thousands of people to the finale of the burning of the Antony Gormley structure 'Waste Man'. The event generated considerable interest which was captured through the 'Get Involved' leaflet campaign and 'textmargate' web site. The second stage of the process took place in February 2007 with a public event at the Winter Gardens attended by over 250 people. This included presentations and an interactive model to stimulate ideas and debate. The results of this process informed the next phase which involved further detailed consultation on two potential schemes for the site. There was

overwhelming public support for the Duke of York Scheme which included the restoration of the Cinema building into a multi-purpose entertainment venue and the creation of the Heritage Amusement Park.

Other consultations

8.36 *Visit Kent Survey* – In April 2009 an online survey entitled ‘A proposal for Margate’ was sent to the existing Visit Kent UK database of over 31,000 people. Over 3,300 people replied and 93% felt that the Dreamland project is a good development for Margate. 78% would visit the Heritage Amusement Park when it opens.

The Dreamland Trust

8.37 The creation of The Dreamland Trust, and the work that The Trust has carried out and continues to do, is a sign of the significance of Dreamland to the local community and its importance in Margate.

8.38 The Dreamland Trust arose from the Save Dreamland Campaign that was begun in January 2003 following the announcement by Jimmy Godden that the Park was to close. The Campaign’s vision for the site in 2003 was its complete upgrade and modernisation in the hands of a committed operator. The Dreamland Trust was set up to actively pursue the implementation of a 21st Century tourist attraction at Dreamland based around the listed Scenic Railway and Cinema building.

8.39 The Dreamland Trust’s objects are to carry out for the benefit of the public: -

- The preservation, restoration, maintenance and protection of such of the cinema, structures, plant, equipment and artefacts (the structures and equipment) of or connected with Dreamland Margate as are of historic, cultural, architectural, constructional or scientific interest or exhibit craftsmanship worthy of preservation
- The promotion of public knowledge, appreciation and understanding of the historic and cultural aspects of Dreamland Margate and the area in which it is situated
- The promotion of public access to the structures and equipment and public knowledge, appreciation and understanding of their architectural, constructional, scientific and craft features

- Such other charitable purposes of the advancement of education associated with Dreamland Margate and its surrounding area and as the directors think fit.

Thanet Local Plan – Inspectors’ Report – Chapter 8 – Tourism (1st November 2005)

8.40 The Planning Inspector in his report saw the Dreamland site as the most popular attraction in the town, and vitally important for the tourist attraction of Margate. When open the Park attracted a significant number of visitors and there is no evidence that the Park was not a viable enterprise. The Inspector saw the issues of decreasing visitor numbers as a management issue.

Heritage Lottery Fund and Sea Change Bid applications

8.41 The success of the Heritage Lottery Fund and Sea Change Bid applications supports the belief that the project will provide significant benefits to the well being of the area.

Sea Change Fund (Department for Culture, Media and Sport)

8.42 The principle of the Sea Change Funding is

‘to drive cultural and creative regeneration and economic growth in seaside resorts by funding inspiring, creative and innovative projects, bringing a sense of pride, enjoyment and celebration.

Many seaside resorts have experienced declining economic circumstances as a result of changes in tourism and issues relating to housing and transport. We believe that public investment in cultural projects and public spaces can give a huge kick start to local regeneration.

Sea Change ensures that investment in cultural projects complements and enhances wider regeneration programmes. Culture is important to all places, but Sea Change targets seaside resorts to help them:

- *improve the quality of life for residents*
- *attract new and more visitors*
- *restructure the economy.*

Recognising the impact of climate change on patterns of behaviour, Sea Change also offers new opportunities to enhance the visitor experience, encouraging greater numbers of people to spend holidays and short breaks at England's seaside resorts.'

1

Heritage Lottery Fund

8.43 The principle of the Heritage Lottery Fund is:

'Valuing our heritage, investing in our future'

8.44 The Heritage Lottery Fund gives grants to sustain and transform our heritage.

*'Conservation - We want to protect and hand on what people value most, open up more of our heritage for everyone to enjoy, and regenerate and enrich our historic cities, towns and countryside. Participation - we believe that everybody should have the opportunity to identify, care for and enjoy heritage, and want to help new people and groups take an active part. We are committed to supporting, recognising and valuing the contribution of volunteers. Learning - Providing opportunities to learn about heritage, and helping people to develop skills to care for the culture, places and knowledge we have inherited, is at the heart of what we do.'*²

¹ <http://webarchive.nationalarchives.gov.uk/20110118095356/http://www.cabe.org.uk/sea-change>

² <http://www.hlf.org.uk/Pages/Home.aspx>

9.0 Negotiations held with Landowners since the closure of the park

- 9.1 The Council has maintained a dialogue and held negotiations with the owners of the site (Margate Town Centre Regeneration Company) since its closure was announced, always with the primary aim of bringing the amusement park back into use, in accordance with the development plan.
- 9.2 Since the closure of the park, the site has been entirely neglected by the landowners and no maintenance has taken place by the owners since at least 2006. This has resulted in the Council having no choice but to serve Urgent Works Notices on the owners with regard to the listed buildings on the site.
- 9.3 Since the closure of the park the owners have not come forward with any planning application for the redevelopment of part of, or the whole site.
- 9.4 Between September 2006 and May 2007 Margate Town Centre Regeneration Company carried out a public consultation in relation to the future aspirations for the site. Following the initial consultation exercise MTCRC produced two options for a scheme on the Dreamland site, and a further consultation was carried out on the two options. The public consultation summary document states that one of the schemes was more popular and will be finalised and prepared for a planning application later in the year. No planning application was submitted.
- 9.5 Between 2008-10 consultants acting on behalf of Margate Town Centre Regeneration Company prepared further draft feasibility studies for a residential led mixed use scheme adjacent to an amusement park on the site. Again no planning application has been submitted for the proposal. In addition, no firm development appraisals were submitted either.
- 9.6 Project Board and Client Group meetings were held between 2009 and mid 2010, under the auspices of the Margate Renewal Partnership and were attended by the Council, The Dreamland Trust, Margate Renewal Partnership and the then sole landowner, Margate Town Centre Regeneration Company. This further evidences the commitment by the Council and The Dreamland Trust to try and find a satisfactory and workable solution with the landowners.

- 9.7 The original funding agreement for the Heritage Amusement Park was established in conjunction with the landowners. This assumed a £4million contribution from the landowners, MTCRC, which would be provided by a Section 106 agreement associated with development of the neighbouring land. The agreement assumed that a minimum of 50% of the whole site, would be transferred to the Dreamland Trust with vacant possession for £1, and was to be retained and refurbished as an amusement park. This was captured in a Memorandum of Understanding which was entered into to support the funding bids. Negotiations were held during 2009-2010 to try any establish an arrangement with the landowners to make the contribution prior to the development of the land. Due to the existing level of debt and priority charges on the land, the landowners could not provide the Council with sufficient security. Therefore, a decision was taken to develop a funding package that was not reliant on the landowner's contribution for Phase 1.
- 9.8 In April 2010 the Council became increasingly concerned that the owners of the site, while continuing to apparently negotiate were actually taking no positive steps to maintain or secure investment in the site or to positively promote a new future for the site.
- 9.9 Consequently the Council resolved (Council minute no. 174 2009-10) to make the Order in the event that the owners were unwilling to transfer part of the site to the Council.
- 9.10 The Council continued to negotiate with the owners of the site, and a number of different approaches to secure the transfer of the HAP site to the Council have been discussed with the MTCRC. Progress faltered as it became clear that MTCRC would not complete the transfer of the HAP site until there was agreement on a 'development brief' for the remaining 49% of the site. The Council was unable to agree to pursue the proposed 'development brief', as although they had agreed in principle and in good faith at that time to process the 'development brief', the actual proposals that emerged were completely unacceptable in planning and commercial terms.
- 9.11 In late 2010 the Council became aware that the site was no longer solely in the ownership of the Margate Town Centre Regeneration Company and that two new companies had been set up. The first is "Margate Ride Ltd" which owns the Scenic Railway, a small area of land around it, and a narrow access to Hall by the Sea Road.

The second new company is named “Margate Cinema Ltd” and owns the Cinema Building. The remainder of the site, comprising the majority of the open land of the amusement Park is retained by the Margate Town Centre Regeneration Company. Both of these new companies are registered to the same address as the Margate Town Centre Regeneration Company and have Directors in common.

- 9.12 Negotiations continued intermittently and an offer for the transfer of the land was received from the solicitors acting on behalf of the landowners in March 2011. Neither of these offers were considered to be acceptable and in April 2011 the Leader of the Council and Chief Executive again met the landowners to discuss the offers made and to explore whether there were any opportunities to break the deadlock. No realistic solutions were made by the landowner and regrettably no satisfactory progress had been made.
- 9.13 After considerable effort by the Council at officer and elected member level, there has been no success to date. The previous actions of the landowners suggest to the Council that they never intend or propose to bring the site back into use as an amusement park, and the Council does not believe it will be able to acquire the site by agreement.
- 9.14 It was therefore considered that the Council had no option but take CPO action and following this meeting, a further report to Cabinet agreed the immediate service of a CPO.
- 9.15 In July 2007, the Council’s planning department was approached by consultants apparently acting on behalf of the landowners, which it is assumed includes Margate Town Centre Regeneration Company, for pre-application advice on the redevelopment of the site.
- 9.16 From the information submitted, the proposal does not accord with Policy T8 of the Thanet Local Plan. The scheme does not propose an amusement park on the site.
- 9.17 Policy T8 requires that before alternative redevelopment proposals can be considered an independent professional assessment must be submitted and accepted by the Council to demonstrate that it is not viable to operate an amusement park, on the whole of the majority of the site in the foreseeable future. No such assessment has been submitted, and as will be demonstrated through the Dreamland Trust’s

Business Plan and other evidence for the Council's proposal, the Council considers that it is economically viable to successfully operate an amusement park on the site.

9.18 The information submitted also fails to consider the importance of the three sets of Listed Buildings on the site. It proposes the demolition of part of the Grade II* Listed Cinema building and fails to even identify the Grade II Listed menagerie enclosures and cages. It is considered that the proposals would lead to a loss in significance of the heritage assets with no justification for this, contrary to policies and guidance contained within Planning Policy Statement 5.

9.19 The recent submission is the latest of a number of proposals which have been presented by the landowners, for which no planning applications have ever been received.

10.0 Objections and Responses

10.1 Objections were submitted in a letter dated 23 June 2011 from Fladgate (solicitors for the objectors) acting on behalf of 8 companies/owners with an interest in the land subject to the Order. Additional objection letters were received from Gurlings Solicitors on behalf of Dreamland Leisure Limited and from Close Brothers Limited. There were 6 grounds of objection. Each is set out below with the Council's initial response following.

Objection Ground 1

10.2 *'The Council does not have a scheme for the development of the land which is proposed to be acquired under the Order (Order Lands). It appears from the Council's Statement of Reasons that the Council intends to develop the land in accordance with the Dreamland Planning Brief adopted in February 2008. The brief however does not contain a detailed description of the development work that would be carried out. To the extent that it is possible to discern what works the Council is proposing, they would appear to be inconsistent with the Planning Brief.'*

The Council's Response

10.3 As set out the previous sections of this statement, the Council, working closely with its partners the Dreamland Trust, has a comprehensive and well advanced proposal to develop a Heritage Amusement Park on the site which is well documented above and more particularly in the supporting documents accompanying the second round HLF bid. This proposal has been developed over a period of time and has been amended as circumstances have altered. As explained fully in preceding sections of this statement, the proposals are fully consistent with Policy T8 of the Local Plan and with the Planning Brief adopted by the Council in 2008. The Policy and the Planning Brief take, as their main thrust, the need to establish an amusement park on the site. This is exactly what is being proposed.

Objection Ground 2

10.4 *'The Council does not have planning permission or listed building consent for any works on the Order Lands. The development brief envisages that a planning application would be submitted which would almost certainly also need to*

accompanied by an Environmental Impact Assessment. It is by no means certain that planning permission or listed building consent would be granted for works proposed by the Council.'

The Council's Response

- 10.5 The site has a long standing use as an Amusement Park, pre-dating the appointed day. The Park continues to enjoy permitted development rights under Part 28 of the General Permitted Development Order 1995.
- 10.6 Those works proposed that do not fall under this permitted development right will require planning permission. However there is no reason in principle and based upon planning policy and history, why the permissions would not be granted. The proposed development as will be explained in the following section of this statement is in accordance with the development plan for the area. The Council will demonstrate there are no planning impediments to the delivery of the Council's proposals.
- 10.7 With regard to the Listed Buildings on site, the Council is working closely with English Heritage, the DCMS and the Heritage Lottery Fund to ensure the future of the three Listed Structures on the site and in advance of the CPO Urgent Works notices have been served on the owners requiring work to ensure the future survival of the buildings. These notices have not been complied with and the Council has issued a contract for repairs to the Cinema Building with a value of some £1.2 million. Listed Building Consent has been granted for the works which are proposed to be carried out as part of this contract, and the works are well advanced.
- 10.8 Listed Building Consent will be required for the proposals to bring the ground floor of the cinema building back into use, as part of Stage 1 of the proposals.
- 10.9 The majority of works to the scenic railway are considered to be repair and would therefore not require Listed Building Consent. There may be a small element of re-design which may require Listed Building Consent. The new station building would require Listed Building Consent. The works to the Listed Menagerie enclosures and cages are all repair and therefore would not required Listed Building Consent.
- 10.10 The Council will apply for any further necessary consent as the need arises. The works proposed are all in the interests of bringing the heritage assets back into viable

use and support their restoration and repair in accordance with Planning Policy Statement 5. There is therefore no obvious reason why the consents would not be granted.

Objection Ground 3

10.11 *'So far as our client is aware based upon the information that it has seen, the Council's proposal is not viable either in terms of finance and construction or operationally. Our client has been working closely with the Council since it acquired its interest in the Order Lands in 2005 and has tried to assist the Council in developing a scheme. The Council has not been able to produce a viable business plan for any of the schemes that have been produced despite being pressed repeatedly by our client to do so. To the extent that it is possible to discern what works the Council is proposing, they are inconsistent with the basis upon which grant funding has been offered.'*

The Council's Response

10.12 The proposals being brought forward by the Council and the Dreamland Trust are well worked up and the scheme is phased to ensure that effective use is made of the available Grant Funding and the funds directly committed by the Council. The design is well advanced but still capable of adaptation to ensure deliverability. The Business Case is well founded and robust and its projections are considered to be conservative. The Council and the Dreamland Trust are working closely with the grant funders and statutory bodies to ensure appropriate allocation of the resources in accordance with the conditions of the funding. The Council wish to make expeditious progress to draw down the funding within the required timescales.

Objection Ground 4

10.13 *'To the extent that it is possible to discern what works the Council is proposing, the Council is squandering a regeneration opportunity.'*

The Council's Response

10.14 The Council view is the exact opposite. There is no evidence of any regeneration opportunity being squandered. The current owners have owned the site for some 6

years now and come forward with no practical solutions. No maintenance of the site has been carried out and the Listed Buildings continue to deteriorate. The only proposal offered by the owners is a high density housing development that will bring no benefit to Margate whatsoever and which is not capable of supporting an Amusement Park. No planning application has been submitted by the owners for any development.

10.15 The setting up of two new companies to own the least valuable but most onerous assets (in monetary terms) could be seen as an attempt to divest themselves of these liabilities. It is noteworthy that this happened after the service of the Urgent Works Notices. This casts doubt upon the ability of the owners to preserve or enhance the Park, including the vitally important listed buildings, especially as the owners have prevaricated for 6 years. The Council cannot stand back and take no action in these circumstances.

10.16 As explained at section 8 of this statement, the purposes for which the Council proposes to use the Order Lands will provide a great regeneration opportunity and this opportunity afforded by the available grant funding must not be lost.

Objection Ground 5

10.17 *'The Council cannot be certain that the new access to the primary highway network via All Saints Avenue will be secured.'*

The Council's Response

10.18 In order to create a new Amusement park on the site no access is required to All Saints Avenue. If the site is acquired in its entirety existing access is available from Marine Terrace (to the Cinema), Hall by the Sea Road, Eaton Road and Belgrave Road (to the Amusement Park).

Objection Ground 6

10.19 *'Our client wishes to see a development that will improve the attractiveness of the leisure facilities as part of a comprehensive regeneration scheme for the Order Lands, the remainder of which are owned by companies associated with our client. Our client has already spent a considerable amount of time and money working with*

the Council to try and ensure that an appropriate scheme comes forward which provides a sustainable future and started work on a development brief setting out the parameters for the enabling works. Its efforts have been thwarted, however, because the Council has not produced a viable scheme. Our client has not been allowed access to Council's design and business planning since August 2010. It is now together with the other landowners working up proposals for the whole of the Order Lands which will make better use of the regeneration opportunity.'

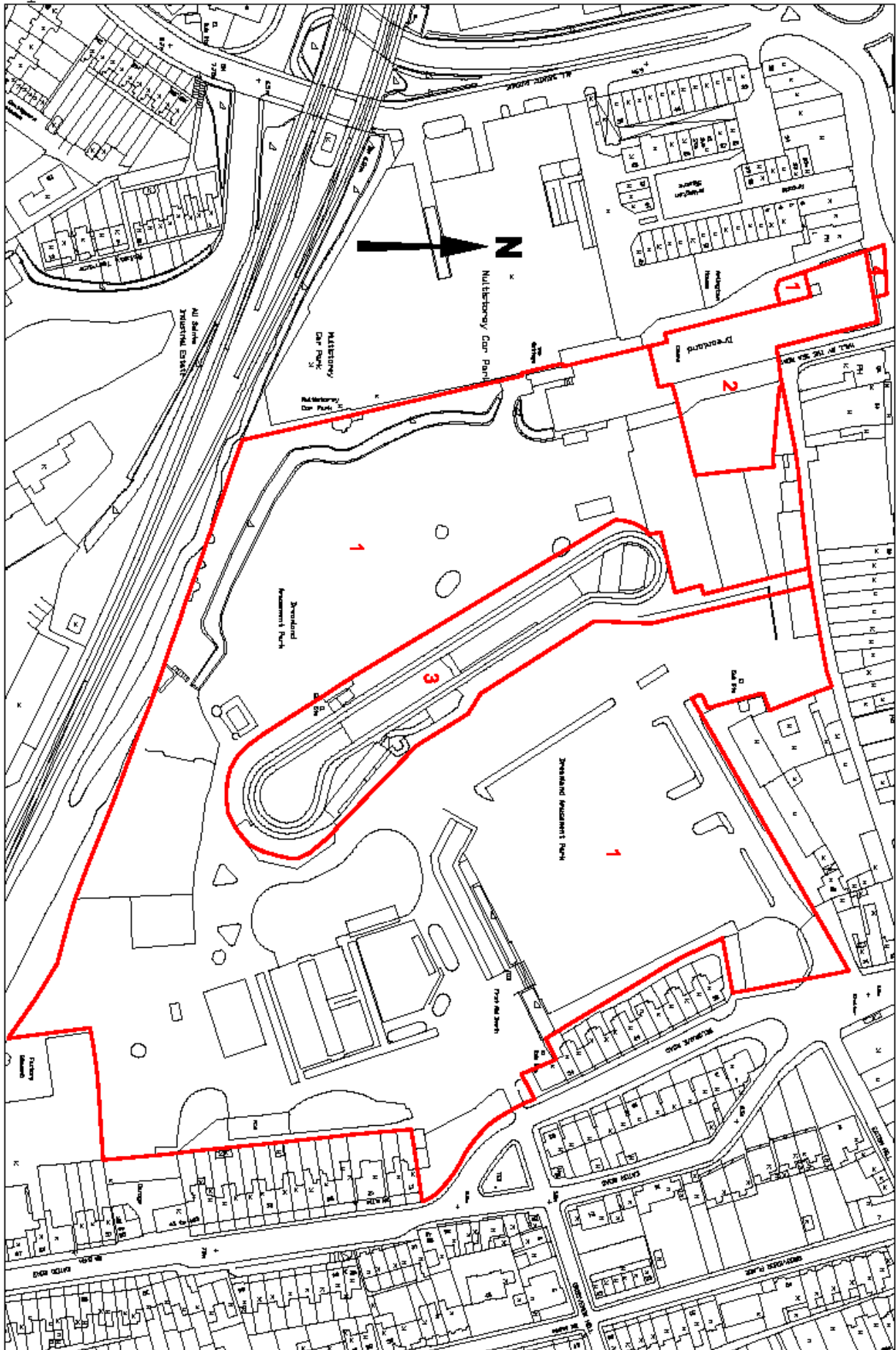
The Council's Response

- 10.20 Given the proposals discussed and the history of negotiation the Council does not consider that the owners of the site wish to bring forward a scheme that will be in accordance with adopted planning policy. The only proposals that the Council is aware of provide for a high density residential development, and the most recent proposal does not include the provision of an amusement park. There are no practical proposals to create a viable amusement park or to sustain a use in the Grade II* Cinema complex. The proposals do not accord with policy T8. The Council considers that the enabling development is not required to bring forward the use of the site as an amusement park. None of the proposals demonstrate how the development accords with the policy requirements of T8, that the predominant use of the site should be leisure related and that any residential development should be of such a scale needed to support the delivery of the comprehensive vision for the site.
- 10.21 The owners have come forward with a number of impractical or aspirational schemes in the past and the fact that they are drawing up plans for a further variation that will be unlikely to be implemented is not considered helpful at this late stage. They have had over 6 years to take practical action and have failed to do so. The Council believes that the latest proposals are a further example of prevarication that will deliver nothing for the site.

APPENDICES

APPENDIX A

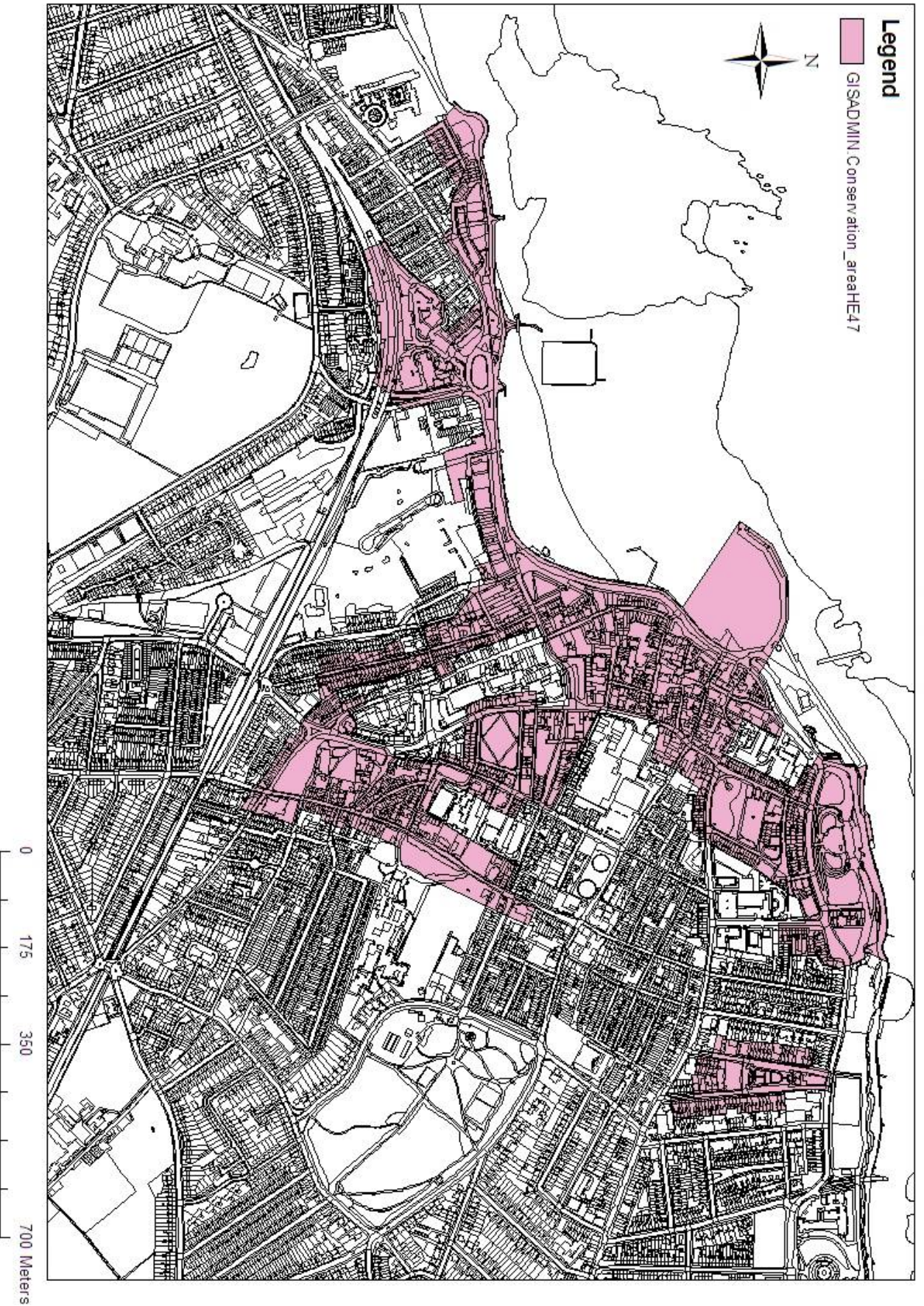
Map of Order Lands and CPO Plots



APPENDIX B

Location Plan

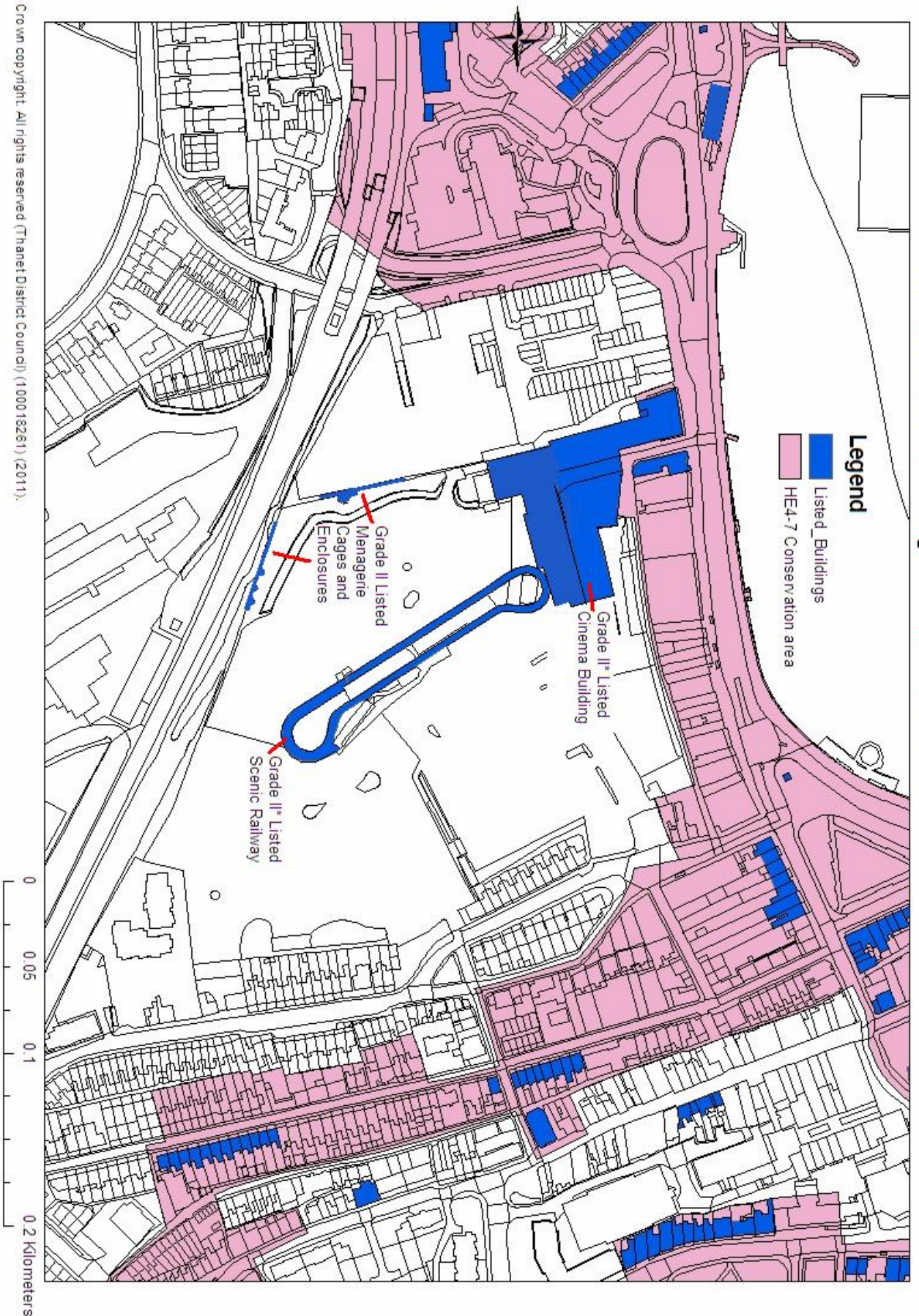
Order Lands Location



APPENDIX C

Plan showing Listed Buildings and Conservation Area on the Order Lands

Order Lands - Listed Buildings and Conservation Area



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APPENDIX D

Thanet Local Plan Extract Policy T8

Dreamland

8.38 The long-established amusement park known as Dreamland has been synonymous with Margate's function and image as a traditional seaside resort. However, in recent years there has been no substantial investment in the park to add to or maintain its attractiveness, with the result that the park has taken on an increasingly rundown and depressing appearance, with a dwindling number of rides occupying the site. Policy supports investment in the site as an amusement park and continuation of such use if viable and sustainable.

8.39 The Council is promoting the rejuvenation and diversification of Margate for local people and visitors alike through an evolving programme capitalising on its seaside location and character, the historic old town and harbour, and cultural associations including the legacy of the artist JMW Turner. An emerging Master Plan will set out principles and comprehensive opportunities for a number of key seafront sites.

8.40 The Dreamland site, as a result of its size (6.5 hectares) and location, is a key opportunity within the big picture for Margate's future. The Council wishes to realise a comprehensive scheme for the site, maximising its potential to contribute to the economic well-being and attractiveness of Margate as a visitor destination and area in which to live and invest.

8.41 Any development of the Dreamland site will be expected to reflect the context and vision of the wider regeneration programme for Margate, and to integrate with proposals for adjoining key sites. Proposals should not therefore be limited in concept to the immediate Dreamland site, and schemes will be expected to anticipate and integrate with opportunities for redevelopment/refurbishment of adjacent sites (for example potential improvements to Arlington Square/House/car park). In particular, the site is key to securing the diversion of Marine Terrace around the back of the Dreamland site in order to enable much improved pedestrian movement between the site and the beach and enable significant environmental improvements along Marine Terrace. Proposals should therefore demonstrate how this could be achieved and phased in as appropriate.

8.42 The main Dreamland building and scenic railway are listed buildings. Proposals would need to retain these features in situ and to provide an appropriate setting for them in line with other relevant policies in this plan and guidance in PPG15.

8.43 The predominant use of the Dreamland site should be for leisure purposes providing a year-round destination, attractive to visitors and locals alike. This leisure use could take the form of an amusement park on the whole or part of the site. However, if an amusement park is found not to be viable and sustainable then alternative leisure uses will be explored. Any leisure use will be expected to integrate with properties and land fronting Marine Terrace and adjacent at Arlington Square. A residential element may also be appropriate on the site, but only at a scale necessary to enable the leisure proposals to proceed, contribute to the new access road and enable other aspects of the site's development and supporting infrastructure to take place including providing an appropriate parkland setting to the scenic railway. A green park around the scenic railway as a central feature would be required in order to provide an appropriate setting and high quality amenity space with pedestrian links within and beyond the site. A limited amount of retail use, restricted to the sale of goods in connection with the leisure and tourism elements on the site may be appropriate. A small (below 500sq m) convenience store to serve the immediate residential area and visitors would be acceptable.

POLICY T8 - DREAMLAND

- 1. PROPOSALS THAT SEEK TO EXTEND, UPGRADE OR IMPROVE THE ATTRACTIVENESS OF DREAMLAND AS AN AMUSEMENT PARK WILL BE PERMITTED. DEVELOPMENT THAT WOULD LEAD TO A REDUCTION IN THE ATTRACTIVENESS, LEISURE OR TOURIST POTENTIAL WILL BE RESISTED.**

EXCEPTIONALLY, DEVELOPMENT OF A LIMITED PART OF THE SITE MAY BE ACCEPTED AS A PART OF A COMPREHENSIVE SCHEME FOR THE UPGRADING AND IMPROVEMENT OF THE AMUSEMENT PARK. THE SCHEME WILL BE REQUIRED TO DEMONSTRATE THAT THE FUTURE VIABILITY OF THE AMUSEMENT PARK CAN BE ASSURED AND THE COUNCIL WILL NEGOTIATE A LEGAL AGREEMENT TO ENSURE THAT THE PROPOSED DEVELOPMENT AND THE AGREED INVESTMENT IN THE AMUSEMENT PARK ARE CARRIED OUT IN PARALLEL.

- 2. IN THE EVENT THAT EVIDENCE, IN THE FORM OF AN INDEPENDENT PROFESSIONAL ASSESSMENT, IS SUBMITTED (AND ACCEPTED BY THE COUNCIL) AS DEMONSTRATING THAT IT IS NOT ECONOMICALLY VIABLE TO OPERATE AN AMUSEMENT PARK ON THE WHOLE OR MAJORITY OF THE SITE IN THE FORESEEABLE FUTURE, THEN PROPOSALS FOR REDEVELOPMENT MAY BE ACCEPTED SUBJECT TO:**
 - i. PROPOSALS DEMONSTRATING THAT SUCH REDEVELOPMENT WOULD SUSTAINABLY CONTRIBUTE TO THE ECONOMIC WELLBEING AND REJUVENATION OF MARGATE, AND BEING SUPPORTED BY A BUSINESS PLAN DEMONSTRATING THAT SUCH PROPOSALS ARE ECONOMICALLY VIABLE;**
 - ii. THE PREDOMINANT USE OF THE SITE BEING FOR LEISURE PURPOSES. (AN ELEMENT OF MIXED RESIDENTIAL WOULD BE APPROPRIATE BUT ONLY OF SUCH A SCALE NEEDED TO SUPPORT DELIVERY OF THE COMPREHENSIVE VISION FOR THE SITE);**
 - iii. COMPATIBILITY WITH THE CONTEXT AND PROPOSALS OF THE STRATEGIC URBAN DESIGN FRAMEWORK, AND INTEGRATION WITH APPROPRIATE PROPOSALS FOR REDEVELOPMENT /REFURBISHMENT OF NEIGHBOURING SITES;**
 - iv. PROPOSALS DELIVERING A NEW ROAD ALONG THE SOUTHERN SITE BOUNDARY TO ENABLE THE DIVERSION OF VEHICULAR TRAFFIC FROM MARINE TERRACE. (A LEGAL AGREEMENT WILL BE REQUIRED TO ENSURE THAT A PROPORTIONATE CONTRIBUTION WILL BE MADE TOWARDS THE COST OF PROVIDING THE NEW ROAD AND TO APPROPRIATE IMPROVEMENTS TO CREATE A PEDESTRIAN PRIORITY ENVIRONMENT ALONG MARINE TERRACE);**
 - v. RETENTION OF THE SCENIC RAILWAY IN SITU AS AN OPERATING FEATURE WITHIN A GREEN PARK SETTING APPROPRIATE TO ITS CHARACTER AS A LISTED BUILDING; AND**
 - vi. PROPOSALS BEING ACCOMPANIED BY A TRAFFIC IMPACT ASSESSMENT.**