

**Executive Decision  
Individual Decision Notice**



**Decision Maker:** Cabinet, 6 Jan 2021

**Classification:**  
Part Exempt

**Proposal for variation to the AEG Presents: Victoria Park Commercial Concession Tender and Major Events Policy**

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – notice is hereby given that an Executive Key Decision is required to be taken under General Exception Urgency provisions as it is not possible to provide at least 28 clear days’ notice of the decision but it is possible to give at least 5 clear days’ notice of the decision.

As required under the above regulations, the Chair of the Overview and Scrutiny Committee will be notified of the above decision being taken under the General Exception Provision.

This notification will be published as soon as possible before the decision is taken, stating why the decision must be taken urgently.

**Reason why it is impractical to provide 28 clear days’ notice of the decision:**

COVID-19 and the impact on the live events sector has created significant uncertainty and challenges for this contract. This October we were due to agree the optional existing extension year (for 2022). AEG Presents and the council, due to the unforeseen circumstances of COVID-19, have been re-negotiating terms on the current contract and now need to ratify these via Cabinet.

The negotiations are time sensitive and require an urgent decision in order to:

Resolve our negotiations and variations to the contract, which are contingent on this report, in order to confirm the optional extension year (2022) plus a payment for 2020 and an option to extend the contract by an additional year to include 2023 in respect of the loss of the 2020 event. This would thereby secure significant guaranteed income for the council in 2020, 2021 and 2022 and potentially secure a payment for 2023.

Or:

Make alternative arrangements to find a new contract for 2022. Given the planning complexity for an events programme of this scale, this is time sensitive and would be a high risk approach for the council.

**Signature:**

James Thomas, Corporate Director Children and Culture

**Date:**

18 December 2020

**Further details of the decision to be taken:**

<b>Key Decision? Yes</b>	<b>Ward(s)</b> All Wards
<b>Summary of Decision</b>	The existing contract with AEG Presents for major music festivals in Victoria Park is being re-negotiated in light of the impact of the current pandemic. The fee structure and an additional optional year in respect of the cancelled 2020 event are being considered. The proposal to increase the maximum number of event days from ten to twelve and increase the capacity of those days which is a key decision in that it affects more than two wards and changes the Cabinet decision made in 2011 regards capacity of events in Victoria Park.

<b>Community Plan Theme</b>	<b>A borough that our residents are proud of and love to live in</b>
<b>Cabinet Member</b>	Cabinet Member for Culture, Arts and Brexit (Councillor Sabina Akhtar)
Who will be consulted before decision is made and how will this consultation take place	Internal consultation with Procurement Legal CLT MAB
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No
Contact details for comments or additional information	James Thomas (Corporate Director, Children and Culture) <a href="mailto:James.Thomas1@towerhamlets.gov.uk">James.Thomas1@towerhamlets.gov.uk</a>
What supporting documents or other information will be available?	None
Is there an intention to consider this report in private session and if so why (Paragraph number – see notes section)?	Partly Exempt (Part of the report will be exempt)  The report will include financially sensitive information.  3

## NOTES

### **Advance notice of Key Decisions**

Key decisions are all those decisions which involve major spending, or savings, or which have a significant impact on the local community. The precise definition of a key decision adopted by Tower Hamlets is contained in Article 13.03 of the [Constitution](#). Key Decisions are taken by the Mayor, or the Mayor in Cabinet.

Individual notices of new Key Decisions will be published on the website as they are known, whilst a Forward Plan collating these decisions will be published 28 days before each Cabinet meeting. The Forward Plan will be published on the Council's website and will also be available to view at the Town Hall and Libraries, Ideas Centres and One Stop Shops if required. [The Committee pages](#) on the Council website include copies of the Forward Plan, Cabinet and other meeting dates and the publication dates of the Forward Plan.

If, due to reasons of urgency, a Key Decision has to be taken where 28 days' notice have not been given. Notice will be published (including on the website) as early as possible and Urgency Procedures as set out in the Constitution will have to be followed.

The most effective way for the public to make their views known about the issues listed in the Forward Plan is to examine the consultation column of the Forward Plan, and/or contact the report author or Cabinet Lead Member as soon as possible, and no later than 10 working days before the decision is expected to be taken.

Reports, appendices and background papers will be available on the Council's website 5 clear working days before the Cabinet meeting. For all other information or to submit documents in relation to any issue, please contact the relevant officer.

### **Notice of Intention to Conduct Business in Private**

**The Council is also required to give at least 28 days' notice if it wishes to consider any of the reports on the agenda of an Executive meeting (such as Cabinet) in private session. The last row of each item below will indicate any proposal to consider that item in private session.** Should you wish to make any representations in relation to an item being considered in private please contact Democratic Services on the contact details listed below. Note that this applies to Cabinet but not to Individual Mayoral Decisions outside of Cabinet.

The notice may reference a paragraph of Section 12A of the 1972 Local Government Act. In summary those paragraphs refer to the following types of exempt information (more information is available in the Constitution):

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority handling the information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.

5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:-
  - a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**Democratic Services Contact Details:**

Contact            Matthew Mannion  
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