

**Executive Decision
Individual Decision Notice
General Exception Notification**



Decision Maker: Cabinet, 9 Jan 19

Classification:
[Partly Exempt]

Mulberry Place, 5 Clove Crescent, London E14 2BG - New Lease

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:

Heads of terms were agreed in principle with the landlord’s agents on 17th December and the Mayor and Chief Executive were consulted on the principle of the proposed terms on 18th December. In order for the Cabinet report to be written and approved in order for the matter to be considered at Cabinet on 9th January 2019 it would not be possible to provide the normal 28 days’ notice. One of the conditions set out in the heads of terms is that the landlord requires the legal transactions to be completed by 31st January 2019 and so it would not be possible for the report to be considered at Cabinet on 30th January as there would then be insufficient time to guarantee that the transactions would then be completed by the required date.

Reason why it is recommended that this decision be treated as a matter of urgency:

Once the report recommendations are approved the Council will need to move swiftly to complete the transactions within the timescale required. Any delay to this process could jeopardise the Council’s ability to meet this deadline and so put the deal at risk of further protracted renegotiation where there is no guarantee that the same terms may be agreed.

Signature:

Richard Chilcott, Acting Divisional Director
Property & Major Programmes

Date:

20 December 2018

Comments of the Chair of the Overview and Scrutiny Committee relating to the impracticality of providing 28 clear days’ notice of the decision:

I would have preferred that the matter was brought to my attention sooner, but I am happy to agree to this matter proceeding for decision on 9 January 2019.

Comments of the Chair of the Overview and Scrutiny Committee relating to his/her agreement to this decision being treated as a matter of urgency:	
Due to the urgency of the decision I am happy to agree to the decision being exempt from call-in. I am happy to agree for the decision to be taken as a matter of urgency as long as it provides the best outcome financially for the Council.	
Signature:	Date:
Councillor Abdal Ullah	8 January 2019

Further details of the decision to be taken:

Key Decision? Yes	Ward(s) All Wards
Summary of Decision	The report recommends that the Council enters into a surrender of its current lease of the Town Hall and simultaneously takes a new lease until 24 th March 2023.

Community Plan Theme	A borough that our residents are proud of and love to live in; A dynamic outcomes-based Council using digital innovation and partnership working; People are aspirational, independent and have equal access to opportunities; TH Plan 2: Good jobs and employment
Cabinet Member	Mayor (Mayor John Biggs)
Who will be consulted before decision is made and how will this consultation take place	The Mayor and Chief Executive have been consulted on the options set out in the report. 1-1 meeting took place on 18 th December.
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No
Contact details for comments or additional information	Richard Chilcott (Acting Divisional Director, Property and Major Programmes) richard.chilcott@towerhamlets.gov.uk
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	Partly Exempt (Part of the report will be exempt) The commercial terms agreed as part of the transaction are exempt until such time as the new lease is completed and registered with HM Land Registry.

number – see notes section)?	Paragraph 3
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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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