

**Executive Decision  
Individual Decision Notice**



**Decision Maker: Mayor's Executive Decision Making, 8 Jun 17**

**Classification:**  
Unrestricted

**Smoke ventilation replacement project for Swanlea School**

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:**

The Council carried out a procurement exercise for these works and determined that the only bidder did not have the ability to deliver them to the standard and timescales required. The Council has identified a suitable contractor for the works but this would require a waiver of the Council's procurement procedures; given the value of the proposed contract, this decision is above the delegated authority that corporate directors have. An urgent decision is required in order to complete these works by the end of the summer holidays, in advance of the school opening for the new academic year.

**Signature:**

Ann Sutcliffe

**Date:**

31/05/2017

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

<b>Key Decision? Yes</b>	<b>Ward(s)</b> Whitechapel
<b>Summary of Decision</b>	To agree to the waiver of the council's procurement procedures in relation to the appointment of a contractor (and sub-contractor) to carry out urgent works to the smoke ventilation system in Swanlea School in order to secure compliance with fire safety regulations.

<b>Community Plan Theme</b>	<b>Creating and maintaining a vibrant, successful place</b>
<b>Cabinet Member</b>	Cabinet Member for Resources (Councillor David Edgar)
Who will be consulted before decision is made and how will this consultation take place	School
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	No
Contact details for comments or additional information	Ann Sutcliffe (Divisional Director, Property & Major Programmes) <a href="mailto:ann.sutcliffe@towerhamlets.gov.uk">ann.sutcliffe@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)?	No, Unrestricted

## 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.

You can also view the Council's [Consultation Calendar](#), which lists all the issues on which the Council and its partners are consulting.

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  
Officer:            Democratic Services  
Email:             [matthew.mannion@towerhamlets.gov.uk](mailto:matthew.mannion@towerhamlets.gov.uk)  
Telephone:        020 7364 4651  
Fax No:            020 7364 3232

