

Mayor's Executive Decision Making



Friday 16 June 2023

1. LICENCE TO OCCUPY AREAS OF VICTORIA PARK IN THE SUMMER/AUTUMN OF 2024 AT TIMES TO BE MORE SPECIFICALLY AGREED 3 - 10

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Agenda Item 1

<p>Individual Mayoral Decision Proforma</p> <p>Decision Log No: <u>402</u></p>	 <p>TOWER HAMLETS</p>
<p>Report of: James Thomas, Corporate Director for Children and Culture</p>	<p>Classification: Unrestricted</p>
<p>DELEGATION OF AUTHORITY TO MAKE THE DECISION WHETHER TO GRANT A LICENCE TO OCCUPY AREAS OF VICTORIA PARK IN THE SUMMER / AUTUMN OF 2024 AT TIMES TO BE MORE SPECIFICALLY AGREED</p>	

Is this a Key Decision?	Yes
Decision Notice Publication Date:	(Report author to state date of decision notice – either individual notice or within the Forward Plan)
General Exception or Urgency Notice published?	Special Urgency and Exemption from Call-In 15 June 2023 - Special Urgency Notice
Restrictions:	NA
Reason for seeking an Individual Mayoral Decision:	<p>An interim licence to occupy Victoria Park has been proposed by AEG Presents Limited for one year (2024). If the Corporate Director decides to agree to the licence such a decision would be a Key decision under the Law and the Council's constitution. The Mayor must specifically delegate authority to make Key Decisions hence the need for the Corporate Director to request this delegation under this report. The proposed licensing arrangement is a key decision as it may have a significant impact on the communities of two or more wards.</p> <p>The licence to occupy is time sensitive and requires an urgent decision in order for the Council's legal department to agree with AEG Presents Limited a licence to occupy Victoria Park in return for a licence fee and allow for:</p> <ul style="list-style-type: none"> - Sufficient time for the licensee to apply for a Premises Licence and any other statutory requirements associated with the occupation of the park. - The licensee to make their arrangements to deliver the proposed events. <p>Management of the licence to occupy the land is a function that sits within the Children and Culture Directorate and due to the need to determine agreement of the licence immediately the Mayor is asked to delegate authority to the Corporate Director, Children and Culture, to consider the position and decide whether or not to grant such a licence.</p> <p>The Corporate Director will prepare and publish his decision using the governance procedures set out for Key Decisions in accordance with the Law.</p>

EXECUTIVE SUMMARY

The granting of a licence to AEG Presents Limited to occupy areas of Victoria Park at times to be specifically agreed throughout the summer and autumn period of 2024 is a Key Decision and therefore the Corporate Director must seek authority from the Mayor before making a decision in this regard. This

report asks the Mayor to delegate authority to the Corporate Director, Children and Culture, so that the Corporate Director may consider the request by AEG Presents Limited for a licence to occupy and potentially approve it having reached agreeable terms.

Full details of the decision sought, including setting out the reasons for the recommendations and/or all the options put forward; other options considered; background information; the comments of the Chief Finance Officer; the concurrent report of the Head of Legal Services; implications for One Tower Hamlets; Risk Assessment; Background Documents; **and other relevant matters are set out in the attached report.**

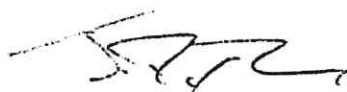
DECISION

1. Authorise the Corporate Director of Children and Culture to take a decision whether to grant a licence to AEG Presents Limited to occupy Victoria Park at times to be more specifically agreed throughout the summer and autumn period of 2024.
2. Authorise the Corporate Director of Children and Culture in consultation with the Director of Legal Services and Monitoring Officer to agree appropriate terms of the licence to occupy referred to in recommendation one if the Corporate Director decides to grant such a licence.
3. To note the Equalities Impact Assessment / specific equalities considerations will be covered under the decision published by the Corporate Director, Children and Culture.

APPROVALS

1. **(If applicable) Corporate Director proposing the decision or his/her deputy**

I approve the attached report and proposed decision above for submission to the Mayor. I confirm that the Mayor and/or Lead Member have agreed to this decision being taken using this process.



Signed Date 7 June 2023

2. Chief Finance Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

Signed  Date 7th June 2023


3. Monitoring Officer or his/her deputy

I have been consulted on the content of the attached report which includes my comments.

(For Key Decision only – delete as applicable)


I confirm that this decision:-


- (a) has been published in advance on the Council's Forward Plan OR
- (b) is urgent and subject to the 'General Exception' or 'Special Urgency' provision at paragraph 18 or 19 respectively of the Access to Information Procedure Rules.

Signed  Date 8/6/23

4. Mayor

I agree the decision proposed in the recommendations above for the reasons set out in the attached report.

Signed  Date 08/06/23

Individual Mayoral Decision June 2023	 TOWER HAMLETS
Report of: James Thomas, Corporate Director for Children and Culture	Classification: Unrestricted
DELEGATION OF AUTHORITY TO MAKE THE DECISION WHETHER TO GRANT A LICENCE TO OCCUPY AREAS OF VICTORIA PARK IN THE SUMMER / AUTUMN OF 2024 AT TIMES TO BE MORE SPECIFICALLY AGREED	

Lead Member	Cllr Iqbal Hossain
Originating Officer(s)	Catherine Boyd, Head of Arts, Parks and Events
Wards affected	All wards
Key Decision?	Yes
Reason for Key Decision	Significant impact on wards
Forward Plan Notice Published	15 June 2023 – Special Urgency Notice
Exempt information	NA
Strategic Plan Priority / Outcome	Boost culture, business, jobs and leisure

Executive Summary

The granting of a licence to AEG Presents Limited to occupy areas of Victoria Park at times to be specifically agreed throughout the summer and autumn period of 2024 is a key decision and therefore the Corporate Director must seek authority from the Mayor before making a decision in this regard. This report asks the Mayor to delegate authority to the Corporate Director, Children and Culture so that the Corporate Director may consider the request by AEG Presents Limited for a licence to occupy and potentially approve it having reached agreeable terms.

Recommendations:

The Mayor is recommended to:

1. Authorise the Corporate Director of Children and Culture to take a decision whether to grant a licence to AEG Presents Limited to occupy

Victoria Park at times to be more specifically agreed throughout the summer and autumn period of 2024.

2. Authorise the Corporate Director of Children and Culture in consultation with the Director of Legal Services and Monitoring Officer to agree appropriate terms of the licence to occupy referred to in recommendation one if the Corporate Director decides to grant such a licence.
3. To note the Equalities Impact Assessment / specific equalities considerations will be covered under the decision published by the Corporate Director, Children and Culture.

1 REASONS FOR THE DECISIONS

- 1.1 AEG Presents Limited has approached the Council requesting a licence to occupy parts of Victoria Park at times to be agreed throughout the summer and autumn of 2024. This is because they wish to run events for the public and AEG Presents Limited has offered a commercial licence fee for the use of the land provided that that agreement is reached in sufficient time for AEG Presents Limited to be able to make their own arrangements regarding the use.
- 1.2 Major events require sufficient advance lead in time to allow for statutory requirements to be fulfilled (Premises Licence etc) and for potential operators to have enough time to secure artists, sponsors and commercial arrangements to make their events programme viable. Therefore, AEG Presents Limited require a response to their proposal urgently to ensure it remains commercially viable for them.
- 1.3 The granting of the licence is a key decision as it may have a significant impact on the communities of two or more wards.
- 1.4 Management of the licence to occupy the land is a function that sits within the Children and Culture Directorate and due to the need to determine agreement of the licence immediately the Mayor is asked to authorise the Corporate Director, Children and Culture to be able to consider and make appropriate decisions in this regard.
- 1.5 A decision made by the Corporate Director would be a Key Decision under the law and therefore the Council will be complying with the Council's constitution in this regard including but not exclusively in terms of advertising the decision, call in and emergency timescale procedures.

2 ALTERNATIVE OPTIONS

- 2.1 The Mayor could decide not to delegate the decision and instead take it to Cabinet. However, due to the urgency of the decision this is not recommended.

3 DETAILS OF THE REPORT

- 3.1 This report is specifically to request the authorisation of the Corporate Director, Children and Culture, to take a decision in relation to a licence to occupy land. The details of the decision itself will be provided in a report by the Corporate Director, which will be published in line with the Council's Key Decision making process under the constitution and in line with the Law.
- 3.2 As the Corporate Director's decision is a Key Decision, a related Forward Plan notice, reasons for urgency and similar will be provided in line with the Constitutional procedures.

4 EQUALITIES IMPLICATIONS

- 4.1 The equalities implications will be covered in the decision published by the Corporate Director.

5 OTHER STATUTORY IMPLICATIONS

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
 - Consultations,
 - Environmental (including air quality),
 - Risk Management,
 - Crime Reduction,
 - Safeguarding.
 - Data Protection / Privacy Impact Assessment.
- 5.2 There are no other statutory implications specific to this report. All other statutory implications will be covered under the report published by the Corporate Director, Children and Culture.

6 COMMENTS OF THE CHIEF FINANCE OFFICER

- 6.1 We currently have budgeted income in relation to lettings in Victoria Park.
- 6.2 This licence to occupy would provide a guaranteed flat fee over current budget, giving the opportunity for a potential saving in 2024/25.

7 COMMENTS OF LEGAL SERVICES

- 7.1 Under the Council's Constitution the Mayor has the power to delegate the decision as to whether or not to grant a licence to occupy Victoria Park to the Corporate Director of Children and Culture.
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Linked Reports, Appendices and Background Documents

Linked Report

- NA

Appendices

- NA

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- NONE

Officer contact details for documents:

Catherine Boyd, Head of Arts, Parks and Events