

# MAYORS' EXECUTIVE DECISION MAKING

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Thursday, 15 December 2011

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Mayor's Decision Log No. 012

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1. **HOST BOROUGH CO-OPERATION AND LICENCE AGREEMENT (Pages 1 - 6)**

The Mayor has approved the Council entering into the Host Borough Co-operation and Licence Agreement which licences the use of the Olympic and Paralympic marks in publicity material for the borough.

For full details of the Mayor's decision please see the attached report.

If you require any further information relating to this decision, would like to request a large print, Braille or audio version of this document or would like to discuss any other special requirements, please contact: John S. Williams, Service Head, Democratic Services  
Tel: 0207 364 4204, e-mail: [johns.williams@towerhamlets.gov.uk](mailto:johns.williams@towerhamlets.gov.uk)



# Agenda Item 1

## LONDON BOROUGH OF TOWER HAMLETS

### MAYORAL DECISION PROFORMA

**Mayoral Decision Log No:** *(To be inserted by Democratic Services after CE's approval given)*

012.

Host Borough Co-operation and Licence Agreement

**Title: Host Borough Co-operation and Licence Agreement**

**Is this a Key Decision: No**

**UNRESTRICTED**

#### EXECUTIVE SUMMARY

1. Negotiations have been ongoing for several months with LOCOG for a licence agreement allowing London Borough of Tower Hamlets to be able to use the Olympic and Paralympic designated marks on any of its publicity material for non-commercial purposes. Agreement has now been reached on the terms of that agreement.
2. It is intended to use the London 2012 branding on entrances to the borough, our website, our publications, flags from council buildings as well as informative posters across the borough in parks, leisure centres and council buildings. The council's Olympic branding is designed, where appropriate, to utilise the London 2012 brand mark to emphasise the borough's status as an Olympic borough.
3. Without the licence in this agreement the London Borough of Tower Hamlets will be unable to use the Olympic and Paralympic symbols. These symbols are registered trademarks and the Olympic Delivery Authority has stringent enforcement powers under the London Olympic Games and Paralympic Games Act 2006.
4. The agreement strictly controls the types of use which are permitted so we will be able to display the designated marks on up to 5 flags, on our website, on signs at the main entry points into the borough, in our publications, posters and as a special exception along High Street 2012 The East End regeneration Project.

**DECISION**

**APPROVALS**


**1. Corporate Director**

I approve the attached report and recommendations above for submission to the Mayor.

Signed  ..... Date 15.12.11

**2. Chief Finance Officer**

I have been consulted on the above recommendations and my comments are included in the attached report.

Signed  ..... Date 13/12/11

**3. Assistant Chief Executive (Legal Services)**

I have been consulted on the above recommendations and my comments are included in the attached report.

~~(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 13.12.11

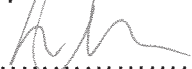
**4. Chief Executive**

The recommendations above are consistent with the Council's agreed Budget and Policy Framework and will contribute to the achievement of the authority's Strategic Plan.

Signed  ..... Date 15/12/11

**5. Mayor**

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

Signed  ..... Date 15/12/11

<b>Committee/Meeting:</b> Mayoral decision	<b>Date:</b> December 2011	<b>Classification:</b> Unrestricted	<b>Report No:</b>
<b>Report of:</b>  Assistant Chief Executive, Legal Services  <b>Originating officer(s)</b> Takki Sulaiman, Service Head, Communications and Jill Bell, Head of Legal Services (Environment)		<b>Title:</b>  Host Borough Co-operation and Licence Agreement  <b>Wards Affected:</b> All	

### **REASONS FOR URGENCY**

The report could not be delayed until the next Cabinet meeting (January 2012) as orders need to be placed for the publicity material licensed under this agreement

#### **1. SUMMARY**

- 1.1 This report asks for Mayoral approval to enter into the agreement which licenses the use of the Olympic and Paralympic marks in publicity material for the borough

#### **2. DECISIONS REQUIRED**

The Mayor is asked to:

- 2.1 Approve entering into the Host Borough Co-operation and Licence Agreement for use of the designated marks.
- 2.2 Authorise the Assistant Chief Executive Legal Services to enter into the Host Borough Co-operation and Licence Agreement for use of the designated marks.

#### **3. REASONS FOR THE DECISIONS**

- 3.1 Negotiations have been ongoing for several months with LOCOG for a licence agreement allowing London Borough of Tower Hamlets to be able to use the Olympic and Paralympic designated marks on any of its publicity material for non-commercial purposes. Agreement has now been reached on the terms of that agreement and it needs to be signed urgently so the materials can be ordered and the materials displayed.

#### **4. ALTERNATIVE OPTIONS**

- 4.1 The alternative option is not to enter into the agreement which will mean that London Borough of Tower Hamlets will not be able to use the Olympic and Paralympic marks on any of its publicity material.

#### **5. BACKGROUND**

- 5.1 The proposed host borough agreement is between the London Organising Committee of the Olympic and Paralympic Games (LOCOG) and the London Borough of Tower Hamlets. LOCOG is responsible for preparing and staging the 2012 Games and it allows, under strict conditions enforced by the London Olympic Games and Paralympic Games Act 2006 use of certain specified London 2012 related brand marks and designations.
- 5.2 It is intended to use the London 2012 branding on entrances to the borough, our website, our publications, flags from council buildings as well as informative posters across the borough in parks, leisure centres and council buildings. The council's Olympic branding is designed, where appropriate, to utilise the London 2012 brand mark to emphasise the borough's status as an Olympic borough.
- 5.3 LOCOG has already given indicative approval to the outline designs using their mark – which has also been developed in consultation with the Mayor.
- 5.4 In addition to the above, the contract seeks to reflect elements of the agreement signed with LOCOG in February 2011. This includes the ability, unique to Tower Hamlets, to brand High Street 2012 as the East End Regeneration Project using the London 2012 mark.
- 5.5 It is recommended that the Mayor affirm the signing of this contract to enable the relevant banners to be ordered and designs finalised. Once the agreement is signed, we will seek final design approval from the Mayor and then formal approval for the design from LOCOG. It is expected to take 8 weeks for the materials to be delivered and installed once that approval is granted. Use of the mark gives our Olympic branding context for residents and tourists who we hope will visit the borough's many sites of interest.
- 5.6 The restrictions will require strict enforcement by the communications team to make sure use of the approved marks are not abused on council and to some extent supplier and partner property and assets. These elements of the agreement are standard and have been approved by many London Boroughs and other bodies and organisations wishing to use the London 2012 mark.

#### **6. KEY ISSUES**

- 6.1 Without the licence in this agreement London Borough of Tower Hamlets will be unable to use the Olympic and Paralympic symbols on entrances to the borough, our website, our publications, flags from council buildings as well as

informative posters across the borough in parks, leisure centres and council buildings. These symbols are registered trademarks and the Olympic Delivery Authority has stringent enforcement powers under the London Olympic Games and Paralympic Games Act 2006.

- 6.2 The agreement strictly controls the types of use which are permitted so we will be able to display the designated marks on up to 5 flags , on our website, on signs at the main entry points into the borough, in our publications, posters and as a special exception along High Street 2012 The East End regeneration Project.
- 6.3 We are not permitted to offer any commercial sponsorship for these items and where we are engaging with third parties we need to include No Marketing Rights clauses in their agreements. Existing agreements are not covered by this provision but it will cover all agreements for the supply of goods and services in connection with the 2012 Games.
- 6.4 The agreement also permits us to include Curry Capital 2012 on promotional materials including the designated marks although we cannot use them on materials which solely or predominantly promote Curry Capital 2012.
- 6.5 Breach of the agreement would result in an immediate termination of our right to use the designated marks.
- 6.6 The Licence is granted solely to London Borough of Tower Hamlets and we are not allowed to sub-license it. It lasts until 31<sup>st</sup> December 2012.

## **7. COMMENTS OF THE CHIEF FINANCIAL OFFICER**

- 7.1 This report seeks Mayoral approval to enter into the agreement which licenses the use of the Olympic and Paralympic marks in publicity material for the borough in preparation for the Olympics in 2012. There are no financial implications arising from this report, but where there are any additional costs arising from the recommendations officers will be obliged to seek the appropriate financial approval before further financial commitments are made.

## **8. CONCURRENT REPORT OF THE ASSISTANT CHIEF EXECUTIVE (LEGAL SERVICES)**

- 8.1 The legal comments are contained in the body of the report.

## **9. ONE TOWER HAMLETS CONSIDERATIONS**

- 9.1 There are no specific implications arising from the recommendations of this report.

## **10. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT**

- 10.1 There are no specific implications arising from the recommendations of this report.

**11. RISK MANAGEMENT IMPLICATIONS**

- 11.1 The existing contracts for High Street 2012 the east End regeneration Project have been identified to minimise the risk of breach of the No Marketing Clause provisions
- 11.2 All publicity material bearing the Designated Marks will be notified to the Communications Team who will ensure appropriate approvals are obtained.

**12. CRIME AND DISORDER REDUCTION IMPLICATIONS**

- 12.1 There are no implications arising from this report.

**13. EFFICIENCY STATEMENT**

- 13.1 There are no specific implications arising from this report.

**14. APPENDICES**

None

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**Local Government Act, 1972 Section 100D (As amended)  
List of "Background Papers" used in the preparation of this report**

Brief description of "background papers"	Name and telephone number of holder and address where open to inspection.
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None

*Report authors should refer to the section of the report writing guide which relates to Background Papers when completing this section. Please note that any documents listed in this section may be disclosed for public inspection. Report authors must check with Legal Services before listing any document as 'background papers'.*