

Committee: OVERVIEW AND SCRUTINY	Date: 22nd NOVEMBER 2011	Classification: Unrestricted	Report No.	Agenda Item No.
Report of: Service Head, Democratic Services		Title: Mayoral Decision Called-in: Contract for 2012 Olympic Festival Live Site		
Originating Officer(s): Antonella Burgio, Democratic Services		Wards: Bow East, Bow West		

1. SUMMARY

- 1.1 The attached report of the Head of Arts and Events was considered by the Mayor on 20th October 2011 and the recommendations were agreed. The Mayor's decision has been "called-in" by Councillors Peck, Anwar Khan, Harper-Penman, Turner and Gibbs in accordance with the provisions of Part 4.5, paragraphs 16 and 17 of the Council's Constitution.

2. RECOMMENDATION

- 2.1 That the Committee consider the contents of the attached report, review the Mayor's decisions arising and
- 2.2 decide whether to accept them or refer the matter back to the Mayor with proposals, together with reasons.

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

Brief description of "background paper"

**Mayor's Executive Decision Report 009 –
20th October 2011**

Name and telephone number of holder and address
where open to inspection

**John S. Williams
020 7364 4204**

3. BACKGROUND

- 3.1** The request to call-in the Mayor's decision dated 20th October 2011 was submitted under Overview and Scrutiny Procedure Rules Sections 16 and 17. It was considered by the Assistant Chief Executive, Legal Services who has responsibility under the constitution for calling in Executive decisions in accordance with agreed criteria. The call-in request fulfilled the required criteria and the decision is referred to Overview and Scrutiny Committee in order to consider whether or not to refer the item back to the Mayor for further consideration. Implementation of the Mayor's decision is suspended whilst the call-in is considered.

4. THE MAYOR'S PROVISIONAL DECISION

- 4.1** The Mayor, after considering the report attached at Appendix 1 including the proposed terms of the contract, decided *'to authorise the Corporate Director of Communities, Localities and Culture to approve the final version of the contract in consultation with the Assistant Chief Executive (Legal Services); and*
- 4.2** *'to authorise the Assistant Chief Executive (Legal Services) to execute the Festival Live Sites contract on behalf of the London Borough of Tower Hamlets as soon as it can be agreed by all parties, in the terms set out in [the attached] report.'*

4.3 Alternative Options Considered

Alternative courses of action considered are set out at paragraphs 3.4 and 3.5 of the attached report.

5. REASONS / ALTERNATIVE COURSE OF ACTION PROPOSED FOR THE 'CALL IN'

- 5.1** The Call-in requisition signed by the five Councillors listed gives the following reason for the Call-in:

"The motion on Victoria Park events passed by Full Council on 8 December 2010 resolved to ask officers to: bring forward a separate policy that addresses the particular needs of the 2012 Live Site during Olympic year, recognising that this is a one-off occasion but also recognising the needs of local residents. This policy fails to consider impacts on residents living around Victoria Park.

Officers did not consult with residents or local ward councillors to inform their negotiations, despite knowing that residents had had serious concerns about commercial events in Victoria Park.

The taking of this decision behind closed doors denied residents and councillors that represent them the opportunity to make representations in advance.

The hours of operation are significantly longer and later (midnight and 00.30am) than those currently in operation for commercial events that have caused residents serious disturbance.

850,000 – 1.2million visitors to the park over the course of three weeks is likely to leave the park in a very poor state and make large parts of it unusable for the months that follow. This receives no consideration within the report.

The profit share should come to the Council to be spent either on the park or on local amenities.

The Council's statement that it has reserved its normal programme of commercial events in the park – and adverts for these events – make clear that this use of the park would be additional to the normal programme of commercial events that have caused residents problems. There is no consideration of the cumulative impact of this within the report, nor of limiting events either within the Live Site or the commercial programme to limit the impact on residents."

5.2 The requisition also proposed the following alternative course of action:

"Not to sign the contract until local residents, the Friends of Victoria Park Group and ward councillors have been consulted to ensure that their concerns can be reflected in the agreement;

To take any decision at Cabinet, where residents and councillors can make representations

To limit the hours of operation to a 10 pm close on week nights and 11pm on weekend nights

Reduce the noise levels permitted at events

To make a commitment not to run commercial events in the same year as the park is used as a live site."

6. CONSIDERATION OF THE "CALL IN"

6.1 Having fulfilled the call-in request criteria, the matter is referred to the Overview and Scrutiny Committee in order to determine the call-in and decide whether or not to refer the item back to the Mayor for further consideration.

6.2 The following procedure is to be followed for consideration of the "Call In":

- (a) Presentation of the “Call In” by one of the “Call In” Members followed by questions.
- (b) Response from the Lead Member/officers followed by questions.
- (c) General debate followed by decision.

N.B. – In accordance with the Overview and Scrutiny Committee Protocols and Guidance adopted by the Committee at its meeting on 5 June, 2007, any Member who presents the “Call In” is not eligible to participate in the general debate.

6.3 It is open to the Committee to either resolve to take no action which would have the effect of endorsing the Mayor’s original decisions, or the Committee could refer the matter back to the Mayor for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

7. APPENDIX

Attached as an appendix is the Mayoral Decision proforma 009 (Contract for 2012 Olympic Festival Live Site) and the associated officer report.