

<p style="text-align: center;">Non-Executive Report of the:</p> <p style="text-align: center;"><b>Overview and Scrutiny Committee</b></p> <p style="text-align: center;">20 December 2022</p>	 <p style="text-align: center;"><b>TOWER HAMLETS</b></p>
<p><b>Report of</b> Janet Fasan Divisional Director Legal and Monitoring Officer</p>	<p><b>Classification:</b> Unrestricted</p>
<p><b>Call-In: Major Events Policy for Events in Victoria Park</b></p>	

**Reasons for urgency:**

It was not possible to provide the statutory five working days' notice for this meeting as the call-in request for this decision was received on Friday 8 December and the Council's Scrutiny Procedure Rules require the Monitoring Officer to review call-in requests, but she was unable to do so until late this week. Considering this call in at the next scheduled OSC in January 2024 would present significant risks to the Council's ambition to proceed with the major events organiser to deliver additional events in June 2024 due to the need for the organiser to make necessary event delivery arrangements including booking artists and obtaining necessary permissions etc.

<p><b>Originating Officer(s)</b></p>	<p>Thomas French, Democratic Services Officer (Committee)</p>
<p><b>Wards affected</b></p>	<p>All</p>

**CONSIDERATION OF THE CALL IN**

A call in request has been received on the decision of Cabinet, 29 November 2023, In accordance with the Council's call in procedure rules, the matter is referred to the OSC for its consideration and to decide whether to refer the matter back to Cabinet for further consideration.

The following procedure is to be followed by the Committee for consideration of the Call In:

- i. Chair to invite a call-in member to present call-in.
- ii. Chair to invite members of the Committee to ask question.
- iii. Chair to Invite Cabinet Member to respond to the call-in.
- iv. Chair to invite members of the Committee to ask questions.
- v. Followed by a general debate.

It is open to the OSC to either resolve to take no action (which would have the effect of endorsing the original Cabinet decisions), or to refer the matter back to the Cabinet for further consideration setting out the nature of its concerns and possibly recommending an alternative course of action.

## **RECOMMENDATION**

That the Overview and Scrutiny Committee (OSC) considers:

1. The contents of the attached report, review the Cabinet's decision (provisional, subject to call in) arising; and
2. Decide whether to accept the decision or to refer the matter back to the Cabinet with proposals and reasons.

## **INTRODUCTION**

On 29 November 2023. Cabinet considered a report on **Major Events Policy for Events in Victoria Park**. As a result of discussions on the report it was **RESOLVED**:

1. Amend the Major Events Policy for Victoria Park to allow for up to 12 Major Event Days per calendar year as set out in paragraph 3.13 of the report.
2. Amend the Major Events Policy for Victoria Park to increase the capacity threshold for a major event from 5,000 persons at any one time to 20,000 at any one time, and amend the thresholds for small, medium and large events accordingly as set out in paragraph 3.16 of the report.
3. Amend the Major Events Policy for Victoria Park to change the categorisation of events considered to be major events, thereby allowing a broader range of events to take place in addition to the major events programme.

4. To note the Equalities specific considerations as set out in Paragraph 4 of the report.

The decision(s) above have been 'Called-In' by Councillors Asma Begum, Sabina Akhtar, James King, Mohammed Chowdhury and Mufeedah Bustin. This is in accordance with the provisions of the Overview and Scrutiny Procedure Rules of the Council's Constitution.

In accordance with the OSC Protocols and Guidance adopted by the Committee at its meeting on 4th June 2013, any Member(s) who present(s) the "Call In" is (are) not eligible to participate in the general debate.

## **REASONS FOR THE CALL IN**

The call in requisition from the Councillors noted above has provided reason(s) for the call-in. The reason(s) are replicated below:

The aforementioned Councillors, call in the above decision taken by Cabinet at its meeting on the 29/11/23, they do so on the following grounds:

1. It is in contravention to Part A, Article 3, Section 1, Subsections b, c, e, of the Borough of Tower Hamlets Constitution: 'Principles of Decision-Making':

B: This decision does not appear to have been taken with 'due consultation'

The report doesn't indicate that it has consulted with various stakeholders, such as event organisers, residents, businesses, and community groups, does not provide any details of how any consultation was conducted, who was involved, what feedback was received, and how it was incorporated into the report's findings and recommendations.

The report also does not mention any input from the park's management, maintenance, or conservation staff, who are likely to have relevant expertise and experience on the park's condition and needs.

The officer input to the decision was the evaluation of how LBTH current events policy benchmarks against that of other London Boroughs.

C: The decision does not show respect for human rights in its recommendations.

The report acknowledges that major events in Victoria Park may have an impact on the rights of residents, such as the right to respect for private and family life, the right to peaceful enjoyment of possessions, and the right to freedom of expression and assembly. However, the report does not explain how these rights will be protected or balanced against the rights of event organisers and attendees. The report also does not consider the rights of other park users, such as children, elderly, disabled, or minority groups, who may be affected by the increased frequency and duration of events.

E: clarity of aims and desired outcomes

The report also does not specify any measurable indicators or targets to evaluate the success or failure of the events, such as attendance, satisfaction, complaints, income, expenditure, or environmental impact.

There are no estimates or examples provided for how much income is generated for other borough's with liberalised events policies.

The decision is not evaluated against how it would impact the council's other objectives in its strategic plan. E.g., how would closing sections of the park more often affect objectives in relation to leisure, the environment, consultation, and equalities.

H: explaining what options were considered and giving the reasons for the decision.

No other options were presented other than not exacting the decision in the form presented.

e.g. quotas for medium sized events, co-creation of yearly events calendar with park users/community groups/residents.

## **ALTERNATIVE COURSE OF ACTION PROPOSED**

The call in requisition from the Councillors noted above has provided a proposed alternative course of action. The proposed alternative course of action is replicated below:

- Reverse the implementation of the decision.
- Consult with Friends of Victoria Park and residents.
- Introduce quotas for non-music events.
- Ensure a hand break mechanism for new events in the event of environmental degradation of the park and surrounding area (e.g. tough mudder event at Finsbury Park)
- Produce accurate modelling for revenue generation.
- Guaranteed incentives for residents surrounding the park and recourse for redress where events disrupt/impact their rights.

## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- Review of the Major Events Policy, Victoria Park

### **Appendices**

- None

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

- None.