



Cabinet

MINUTES of the OPEN section of the Cabinet held on Monday 26 July 2010 at 10.30 am at 160 Tooley Street, London SE1 2TZ

PRESENT: Councillor Peter John (Chair)
Councillor Fiona Colley
Councillor Richard Livingstone
Councillor Abdul Mohamed
Councillor Veronica Ward

1. APOLOGIES

Apologies for absence were received from Councillors Dora Dixon-Fyle, John Friary, Barrie Hargrove, Catherine McDonald and Ian Wingfield.

2. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

The chair gave notice that the following late item would be considered for reasons of urgency to be specified in the relevant minute:

- Joint Venture Agreement (Development Agreement) between Southwark Council and Berkeley Homes plc in respect to the formation of the One Tower Partnership and the Development of Land at Potters Fields, London SE1 (open and closed report).

3. DISCLOSURE OF INTERESTS AND DISPENSATIONS

Councillor Peter John declared a personal and non-prejudicial interest in the item relating to the Joint Venture Agreement as he lived near the development site.

4. JOINT VENTURE AGREEMENT (DEVELOPMENT AGREEMENT) BETWEEN SOUTHWARK COUNCIL AND BERKELEY HOMES PLC IN RESPECT TO THE FORMATION OF THE ONE TOWER PARTNERSHIP AND THE DEVELOPMENT OF LAND AT POTTERS FIELDS LONDON SE1

It was not possible to circulate this item five clear days in advance of the meeting. The chair agreed to accept the item for reasons of urgency as under the signed Heads of Terms, both parties had committed to act in good faith. In recognition of this commitment

and Berkeley Homes' submission of a planning application, it was essential that the council showed reciprocal commitment to the partnership. The next scheduled meeting of the council's cabinet was not until 21 September 2010 and as the planning application had been submitted and the Development Agreement finalised, the programme for bringing forward development would be affected adversely if the decision was delayed until September 2010. Also the council and Berkeley Homes both required certainty that the Development Agreement had been agreed before the required resources could be committed to bring forward development.

RESOLVED:

1. That a Joint Venture Agreement (Development Agreement) between Berkeley Homes (South East London) Ltd and the London Borough of Southwark (and other parties) relating to the formation of the One Tower Bridge Partnership and the development of land at Potters Fields London SE1 be entered into.
2. That the disposal of the council's interest in land as highlighted in orange diagonal lines on the plan attached at appendix 1 to the report be approved.
3. That it be noted that the Development Agreement is in accordance with the Heads of Terms as agreed at executive on 29 July 2009 and the executive decision on Future Options Co-Operation Agreement dated 19 March 2008.
4. That the reasons for the delegation to the chief executive not being exercised, as detailed in paragraph 13 of the report be noted.

EXCLUSION OF PRESS AND PUBLIC

It was moved, seconded and

RESOLVED:

That the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in categories 3 and 5 of paragraph 10.4 of the Access to Information Procedure Rules of the Southwark Constitution.

The following is a summary of the decisions taken in the closed section of the meeting.

5. **JOINT VENTURE AGREEMENT (DEVELOPMENT AGREEMENT) BETWEEN SOUTHWARK COUNCIL AND BERKELEY HOMES PLC IN RESPECT TO THE FORMATION OF THE ONE TOWER BRIDGE PARTNERSHIP AND THE DEVELOPMENT OF LAND AT POTTERS FIELDS LONDON SE1**

The cabinet considered the closed information relating to the Joint Venture Agreement (Development Agreement). See item 4 for decision.

The meeting ended at 10.57 am

CHAIR:

DATED:

DEADLINE FOR NOTIFICATION OF CALL-IN UNDER SECTION 21 OF THE OVERVIEW AND SCRUTINY PROCEDURE RULES IS MIDNIGHT, MONDAY 2 AUGUST 2010.

THE ABOVE DECISION WILL NOT BE IMPLEMENTABLE UNTIL AFTER THAT DATE. SHOULD A DECISION OF THE CABINET BE CALLED-IN FOR SCRUTINY, THEN THE RELEVANT DECISION WILL BE HELD IN ABEYANCE PENDING THE OUTCOME OF SCRUTINY CONSIDERATION.