

<b>Item No:</b>	<b>Classification:</b> OPEN	<b>Date:</b> December 7 2009	<b>Meeting Name:</b> Overview & Scrutiny Committee
<b>Report Title:</b>		Call-in: Elephant & Castle Heads of Terms (Executive November 30 2009)	
<b>Ward(s) or Group affected:</b>		All	
<b>From:</b>		Head of Overview & Scrutiny	

## **BACKGROUND INFORMATION**

1. On November 30 2009 the Executive considered reports on the Elephant & Castle Head of Terms. The Executive agreed that:
  - i) The changes to the terms set out in the main report and the additional officer advice contained in the addendum report be noted.
  - ii) The terms set out in the report as amended by the addendum report pertaining to a Heads of Terms agreement with Lend Lease Europe Ltd for the regeneration of the Elephant & Castle be agreed, and authority be delegated to the chief executive to sign the Heads of Terms agreement.
  - iii) The current exclusivity arrangements with Lend Lease Europe Ltd continue to remain in place until such time as may reasonably permit the signing of the Regeneration Agreement between the Council and Lend Lease Europe Ltd.
  - iv) Officers report to executive to seek approval to enter into the Regeneration Agreement for the development no later than March 2010 and that officers report back on progress in January 2010.
  - v) Officers continue negotiations with Transport for London and the Greater London Authority to safeguard the viability of all phases of the project including the shopping centre.
  - vi) Officers accelerate the demolition of Phase 1 (Rodney Road and Wingrave blocks) as soon as practically possible.
  - vii) The finance director be advised to incorporate within the refreshed capital programme the demolition of Phase 1.
  - viii) The approach to the identification and costing of options for the leisure centre in the Heads of Terms be noted, and Lend Lease Europe Ltd's commitment to using their expertise to assist with this process be welcomed.

## REASONS FOR CALL-IN

2. On December 2 2009 the Chair of Overview & Scrutiny Committee - Councillor Fiona Colley - and three members of the committee (Councillors Toby Eckersley, John Friary, Barrie Hargrove and Veronica Ward) requested a call-in of the decisions on the following grounds:
3. That the Executive did not take the decision in accordance with the following principles of decision making contained in section 20.2 of the Overview and Scrutiny Procedure Rules as set out in the Constitution, namely:
  - i) the link between strategy and implementation must be maintained; and
  - ii) decision making generally should have reference to the policy framework and be in accordance with the budget.
4. There is concern about the re-phasing together with the lack of certainty and agreement on the shopping centre, the northern roundabout, underground station, the new leisure centre, affordable housing provision and the MUSCo energy centre. As a result there are doubts whether the Heads of Terms and subsequent regeneration agreement will deliver against the agreed Elephant & Castle development framework.
5. There are additional reasons behind the 'call in' which are classified as exempt information under paragraph 3 of clause 10.4 of the Access to Information Procedure Rules. These reasons are therefore "Not for publication" under general distribution, but are published in the closed version of this report.

## BACKGROUND DOCUMENTS

Background Papers	Held at	Contact
Agenda – Executive	160 Tooley Street London SE1 2TZ	Everton Roberts Constitutional Team 020 7525 7221

## Audit Trail

<b>Lead Officer</b>	Shelley Burke, Head of Overview & Scrutiny	
<b>Report Author</b>	Peter Roberts, Scrutiny Project Manager	
<b>Version</b>	Final	
<b>Dated</b>	December 4 2009	
<b>Key Decision?</b>	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
<b>Officer Title</b>	<b>Comments Sought</b>	<b>Comments included</b>
Communities, Law & Governance	No	-
Executive Member	No	-