

**Executive Decision
Individual Decision Notice
Special Urgency Notification**



Decision Maker: Commissioners' Decision Making Meeting, 9 September 2015

Classification:
Unrestricted

Resolution of Grant Payments: Children's Services - Ocean Estate Bursary and Tower Hamlets and Canary Wharf Trust

Under the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 – notice is hereby given that an Executive Key Decision is required to be taken under Special Urgency provisions as it is not possible to provide at least 5 clear days' notice of the decision.

As required under the above regulations, the Chair of the Overview and Scrutiny Committee has agreed to the above decision being taken under the Special Urgency Provision.

This notification will be published as soon as possible before the decision is taken.

Reason why it is impractical to provide 28 clear days' notice of the decision:

An investigation into the grants relating to the Mayor's Educational Maintenance Allowance and the Mayor's Higher Education fund has revealed two further awards, the Tower Hamlets and Canary Wharf Further Education Trust and the Ocean Estate Bursary scheme. Commissioners were advised that an investigation would be carried out in respect of payment of these awards, to ensure that any payments are not being made in contravention of the Secretary of State's Directions dated 17 December 2014. This became apparent at a meeting with the Trustees on 1st September 2015, hence the need for urgency.

This paper clarifies that those grants can be made as intended by the Trustees acting in accordance with their Trust Deeds, for the future avoidance of doubt.

Signature:

Terry Parkin

Date:

8th September, 2015

Comments of the Chair of the Overview and Scrutiny Committee:

Signature:

Date:

Further details of the decision to be taken:

Key Decision? Yes	Ward(s) All Wards
Summary of Decision	<p>Note that the payment of the grants from the Tower Hamlets and Canary Wharf Further Education Trust, and the Ocean Estate Bursary fall outside the remit of Commissioner decisions.</p> <p>A number of awards were made last year (7), and were unable to be paid due to the uncertainty of the payment for these grants. Trustees have met with the Service Head for Learning & Achievement and expressed their significant concern that students may suffer hardship if these arrangements are not clarified.</p>

Community Plan Theme	A Prosperous Community
Cabinet Member	Deputy Mayor and Cabinet Member for Education and Children's Services (Councillor Rachael Saunders)
Who will be consulted before decision is made and how will this consultation take place	There have been extensive discussions with both Tower Hamlets and Canary Wharf Further Education Trust, followed by discussions with the Interim Service Head plus the relevant Legal and Finance Officers.
Has an Equality Impact Assessment been carried out and if so the result of this Assessment?	N/a
Contact details for comments or additional information	Terry Parkin Interim Service Head, Learning & Achievement terry.parkin@towerhamlets.gov.uk
What supporting documents or other information will be available?	<p>Linked Report</p> <p>http://edemoc2ksrv:8070/documents/s71839/f%20Discretionary%20Grants%20with%20LF%20comments%2019.5%20Final.pdf</p> <p>Commissioners were advised that an investigation would be carried out in respect of payment of these awards, to ensure that any payments are not being made in contravention of the Secretary of State's Directions dated 17 December 2014. This became apparent at a meeting with the Trustees on 1st September 2015, hence the need for urgency.</p> <p>Background information</p>

	<ul style="list-style-type: none"> • http://www.gatewayhousing.org.uk/grants-and-internships <p>Appendices</p> <ul style="list-style-type: none"> • Tower Hamlets and Canary Wharf FE Trust Deeds (original deed and supplemental deed); and • Grant Agreement between the London Borough of Tower Hamlets and Tower Hamlets and Canary Wharf FE Trust dated 24 July 2014.
<p>Is there an intention to consider this report in private session and if so why (Paragraph number – see notes section)?</p>	<p>No, Unrestricted</p>

NOTES

Advance notice of Key Decisions

Key decisions are all those decisions which involve major spending, or savings, or which have a significant impact on the local community. The precise definition of a key decision adopted by Tower Hamlets is contained in Article 13.03 of the [Constitution](#). Key Decisions are taken by the Mayor, or the Mayor in Cabinet.

Individual notices of new Key Decisions will be published on the website as they are known, whilst a Forward Plan collating these decisions will be published 28 days before each Cabinet meeting. The Forward Plan will be published on the Council's website and will also be available to view at the Town Hall and Libraries, Ideas Centres and One Stop Shops if required. [The Committee pages](#) on the Council website include copies of the Forward Plan, Cabinet and other meeting dates and the publication dates of the Forward Plan.

If, due to reasons of urgency, a Key Decision has to be taken where 28 days' notice have not been given. Notice will be published (including on the website) as early as possible and Urgency Procedures as set out in the Constitution will have to be followed.

The most effective way for the public to make their views known about the issues listed in the Forward Plan is to examine the consultation column of the Forward Plan, and/or contact the report author or Cabinet Lead Member as soon as possible, and no later than 10 working days before the decision is expected to be taken.

You can also view the Council's [Consultation Calendar](#), which lists all the issues on which the Council and its partners are consulting.

Reports, appendices and background papers will be available on the Council's website 5 clear working days before the Cabinet meeting. For all other information or to submit documents in relation to any issue, please contact the relevant officer.

Notice of Intention to Conduct Business in Private

The Council is also required to give at least 28 days' notice if it wishes to consider any of the reports on the agenda of an Executive meeting (such as Cabinet) in private session. The last row of each item below will indicate any proposal to consider that item in private session. Should you wish to make any representations in relation to an item being considered in private please contact Democratic Services on the contact details listed below. Note that this applies to Cabinet but not to Individual Mayoral Decisions outside of Cabinet.

The notice may reference a paragraph of Section 12A of the 1972 Local Government Act. In summary those paragraphs refer to the following types of exempt information (more information is available in the Constitution):

1. Information relating to any individual
2. Information which is likely to reveal the identity of an individual
3. Information relating to the financial or business affairs of any particular person (including the authority handling the information)
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matters arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes:-
 - a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

Democratic Services Contact Details:

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