

LONDON BOROUGH OF TOWER HAMLETS

**RECORD OF THE DECISIONS OF THE COMMISSIONERS' DECISION MAKING
MEETING**

HELD AT 6.31 P.M. ON WEDNESDAY, 21 OCTOBER 2015

**COUNCIL CHAMBER, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Sir Ken Knight	(Commissioner)
Chris Allison	(Commissioner)
Max Caller	(Commissioner)
Alan Wood	(Commissioner)

Councillors Present:

Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Rachael Saunders	(Deputy Mayor and Cabinet Member for Education & Children's Services)
Mayor John Biggs	
Councillor Clare Harrisson	
Councillor John Pierce	

Officers Present:

Zena Cooke	(Corporate Director, Resources)
Aman Dalvi	(Corporate Director, Development & Renewal)
Barbara Disney	(Service Manager, Strategic Commissioning, Adults Health & Wellbeing)
Hasan Faruq	(Interim Service Development Manager CSF)
Karen Sugars	(Interim Service Head, Commissioning and Health)
Owen Whalley	(Service Head Planning and Building Control, Development & Renewal)
Will Tuckley	(Chief Executive)
David Williams	(Deputy Service Head, Planning and Building Control, Development & Renewal)
Antonella Burgio	(Democratic Services)

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

2. DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

3. DECISIONS OF THE PREVIOUS MEETING

The published decisions of the meeting held on 30 September 2015 were noted and signed as a corrected record of proceedings.

4. CONSIDERATION OF PUBLIC SUBMISSIONS

The Chair advised that a public submission had been received from Tower Hamlets CVS (THCVS) expressing concern that:

- decisions on emergency fund applications had been made outside of the Commissioners' public decision making meeting.
- in doing so applicants were denied a full understanding of the rationale for awarding emergency funds.

He informed Members, officers and public present that Commissioners had considered the submission and their response would be incorporated into the consideration of Item 5.

5. EXERCISE OF COMMISSIONERS' DISCRETIONS

Commissioner Caller introduced the report, circulated in the supplementary agenda, which listed urgent expedited decisions that had been taken by Commissioners since the previous Commissioners' Decision Making meeting.

In responding to the concerns raised by THCVS, he advised that:

- Commissioners, in principle, were disposed to make all decisions in public. The discretion to determine an application outside of a public meeting would only be exercised where a request related to an urgent matter which could not be accommodated within the six-weekly cycle of Commissioners' Decision Making meetings and, where to delay the determination of the matter, would cause detriment to the voluntary/community organisation concerned.
- clear criteria for organisations wishing to apply for emergency funding and officer assessments of applications were available via the Council's website. All may access this information to be apprised of the rationale for all funding awards.

It was also noted that:

- a number of organisations refused emergency funding had yet to receive a notification letter. Officers had advised Commissioners that these had only been dispatched that day. The Chair instructed that this should be addressed and officers ensure that notification letters were received by 22 October 2015.
- a number of applications had been unsuccessful as they did not comply with emergency funding criteria but complied more closely with a request for transitional funding. No scheme currently was approved for such requests and as a consequence they were refused Emergency Funding. He advised that Commissioners wished to review a range of issues which might assist in this matter and Commissioners would

invite Deputy Mayor Councillor Saunders and representatives of THCVS to meet with them to discuss these matters..

RESOLVED

1. That the decisions taken under urgency listed in the report be noted.
2. That the actions above arising from the discussion be addressed.

6. REPORTS FOR CONSIDERATION

6.1 Water Based Sports - Shadwell Basin Outdoor Activity Centre

Hasan Faruq, Interim Service Development Manager, introduced the report which concerned a service level agreement for Shadwell Basin Outdoor Activity Centre to provide skills and activities to facilitate young people to become more competitive and aim for higher goals.

The Chair invited Councillor Saunders and Councillor Golds to comment on the proposals and they indicated that they supported the application.

Commissioners did not wish to make any observations and agreed the recommendations as set out in the report.

RESOLVED

1. That a 12 month Service Level Agreement (SLA) with Shadwell Basin Outdoor Activity Centre for one whole year starting from 1st April 2015 to 31st March 2016 be authorised, to deliver the activities outlined in the SLA in Appendix 1 to the report and
2. That the sum of £25,000 to be paid from the Youth Service Core budget for the provision of those activities.

6.2 Positive Activities for Young People (PAYP) - October/Dec & Feb half-term

Hasan Faruq, Interim Service Development Manager, introduced the report which concerned recommendations from the PAYP Grant Board to approve awards for 17 organisations to provide holiday activities for families with limited resources during the holiday periods (October and December 2015 and February 2016). He noted that application concerned the north east of the borough where provision was under represented.

The Chair invited Members to comment on the proposal. Councillor Golds indicated that he had no comments that he wished to make.

Councillor Saunders advised that she supported the application but was concerned that the report had not been shared with, her prior to the meeting, in her capacity as Cabinet Member for Education and Children's Services. The Matter was discussed. Commissioner Max Caller advised that

Commissioners supported the principles that Lead Members should be able to view reports relating to their portfolios and that Commissioners should receive Member feedback on the merits of applications. Responding to the Mayor, the Chair clarified that Commissioners' role was to determine grants in accordance with the directions of the Secretary of State. In doing this, Commissioners have taken steps to involve elected Members through the Cross-party Forum and through informal meetings with the Lead Member for Third Sector grants and all other Members.

RESOLVED

1. That the recommendations of the PAYP Commissioning Board be approved, to allocate grants up to a maximum £2,000 for 15 organisations and up to £3,500 for 2 SEND projects (a total 17 organisations) as highlighted green in Appendix 1 to the report.
2. That new advertisements be placed in East End Life for the holiday periods December 2015 and February 2016 to seek organisations to provide activities in the North East of the borough.

6.3 Youth Volunteering - Volunteer Centre Tower Hamlets (VCTH)

Hasan Faruq, Interim Service Development Manager, introduced the report which requested an extension of an SLA for Volunteer Centre Tower Hamlets until 31 March 2016.

The Chair invited Councillor Saunders and Councillor Golds to comment on the proposals and they indicated that they supported the application.

Mayor, John Biggs requested that the criteria and difference between an SLA and a procurement process be clarified and the Chair agreed that an explanation be made available for clarity.

The Chair and Commissioner Max Caller were concerned that the application was retrospective and did not support this approach. Zena Cooke, Corporate Director for Resources advised that there was dialogue with report authors to ensure that future reports would be timetabled and presented in a timely manner.

RESOLVED

1. That a further 7 month extension be authorised, from 1st September 2015 to 31st March 2016, to the existing Service Level Agreement which was approved in April 2015 for a sum of £16,667 for the period from 1st April 2015 to 31st August 2015 and
2. That the sum of £23,333 to be paid for the provision of the services in the VCTH outline programme plan as set out at Appendix 4 of the report.
3. That the criteria and difference between an SLA and a procurement process be clarified and be made available for Members.

6.4 Adult Services Small Grants for Pensioners' Groups 2015/16

Barbara Disney, Service Manager, Strategic Commissioning introduced the report which concerned low value one-off annual grants for the elderly to prevent social isolation.

The Chair invited Councillor Saunders and Councillor Golds to comment on the proposals and they indicated that they supported the application. Councillor Golds also expressed concern regarding under-representation in the south east of the borough. Commissioners considered Members' feedback and asked officers to ensure that the grant density mirrors the density of the older population in the Wards of the borough.

RESOLVED

1. That the process for inviting applications for Adult Services Small Grants for Pensioners' Groups 2015/16 be approved.
2. That the availability of funding for the proposal be noted.
3. That the process for awarding the grant funding be approved.
4. That it be agreed that, for 2016-17 the Small Grants for pensioner groups will be incorporated into a broadened Small Grants process across the council.
5. That the density of grants awarded in each Ward better reflect the density of the older population of the Borough than previously.

6.5 Release of funding to East End Community Foundation (formerly Isle of Dogs Community Foundation)

Commissioners noted the reasons for urgency offered regarding the late publication of the report, in that there had been a delay in completing due diligence. Councillor Pierce expressed concern about requests to waiver the 28 day notification on grounds of transparency. In his view; there were no clear grounds relating to this item. Commissioners deliberated, and then agreed to consider the report as an urgent item.

Owen Whalley, Service Head Planning and Building Control, introduced the report which concerned the release of held S106 to East End Community Foundation.

The Chair invited Members to comment on the proposal. Councillor Saunders indicated that she had no comments that she wished to make. Councillor Golds supported the proposal and thanked the Mayor for his work on this matter. He raised a concern that the unreleased/held S106 monies had not accrued interest and was informed that the S106 was a fixed sum award, therefore no interest would be payable.

Commissioners discussed the financial vehicle through which the monies had been held on deposit with the Mayor and Director of Resources and concluded an element of interest had accrued. Commissioners considered that, since the organisation had had not caused the grant to be withheld, an

exceptional arrangement to make a payment of interest should be considered. The Corporate Director for Resources advised that this would be investigated and a report made.

RESOLVED

1. That it be noted the money held specifically for the IDCF (now the EECF) is £991,798;
2. That it be agreed that the Council enters into an Expendable Endowment Agreement with East End Community Foundation whereby the Expandable Endowment Sum of £991,798 is transferred to EECF.
3. That it be agreed that delivery of Social and Community projects be restricted to the wards of Limehouse, Poplar, Lansbury, Blackwall and Cubitt Town and Canary Wharf and Island Gardens
4. That it be agreed that any future monies paid, in relation to un-triggered payments secured in supplemental Riverside South s106 agreements or any further legacy MQ MQ agreements, should be provided to the EECF under the same terms.
5. That an exceptional payment of interest accrued from the held S106 be investigated and reported as appropriate.

7. ANY OTHER BUSINESS THE CHAIR CONSIDERS TO BE URGENT

7.1 Youth Provision - East London Tabernacle (ELT)

Commissioners noted the reasons for urgency regarding the late submission of the report offered by officers in that, because of a review of the allocation of grants, it had not been possible to assess the exact effects of the termination of grants in areas of the borough before the termination notices had been issued. Councillor Pierce expressed concerned regarding the lateness of the report on grounds of transparency. Commissioners noted Members view and deliberated. They then agreed to consider the report as an urgent item.

Hasan Faruq, Interim Service Development Manager, introduced the report which concerned the extension of an SLA for East London Tabernacle.

The Chair invited Councillor Saunders and Councillor Golds to comment on the proposals and they indicated that they broadly supported the application although they had some concerns.

In considering the matter, Commissioners were dissatisfied with reasons offered for the retrospective application and that the potential impacts of terminating grants had not been properly assessed. They were also dissatisfied with a report that, an officer without delegated authority, had indicated to this organisation that an extension could be sought. While Commissioners did not oppose the application, they considered the processes followed to administer this matter unsatisfactory, hence they would support a

grant of emergency funding on this occasion only. The Corporate Director for Resources acknowledged that improvement was needed and to this end, Youth Services was undertaking work with the Procurement Team.

RESOLVED

1. That a further 6 month extension from 1st October 2015 to 31st March 2016 be authorised to the existing Service Level Agreement with East London Tabernacle and
2. That the sum of £8,832 to be paid from the Youth Service Core Budget to enable the ELT to deliver 3 sessions per week and work with all young residents with a focus on Somali youth participation.
3. That no further extensions be approved within this agreement.

The meeting ended at 7.20 p.m.

Chair: Sir Ken Knight
COMMISSIONER