

COMMISSIONERS' DECISION MAKING MEETING

Tuesday, 12 April 2016 at 5.00 p.m.

Room MP701, 7th Floor, Town Hall, Mulberry Place, 5 Clove Crescent,
London, E14 2BG

The meeting is open to the public to attend.

Members:

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

Public Information:

The public are welcome to attend these meetings.

Contact for further enquiries:

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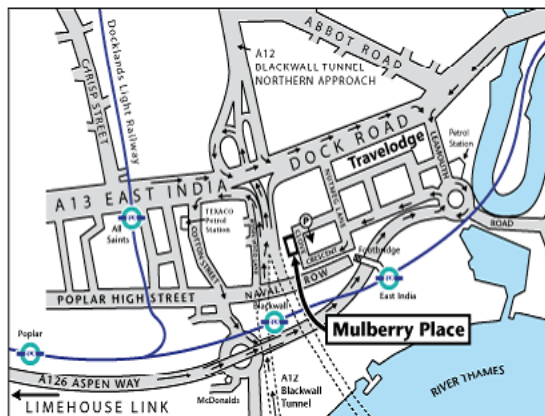
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A Guide to Commissioner Decision Making

Commissioner Decision Making at Tower Hamlets

As directed by the Secretary of State for Communities and Local Government, the above Commissioners have been directed to take decision making responsibility for specific areas of work. These include examples such as the disposal of properties, awarding of grants and certain officer employment functions. This decision making body has been set up to enable the Commissioners to take their decisions in public in a similar manner to existing processes.

Key Decisions

Executive decisions are all decisions that are not specifically reserved for other bodies (such as Development or Licensing Committees). Most, but not all, of the decisions to be taken by the Commissioners are Executive decisions. Certain important Executive decisions are classified as **Key Decisions**.

The constitution describes Key Decisions as an executive decision which is likely

- a) to result in the local authority incurring expenditure which is, or the making of savings which are, significant having regard to the local authority's budget for the service or function to which the decision relates; or
- b) to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the borough.

Upcoming Key Decisions are published on the website on the 'Forthcoming Decisions' page through www.towerhamlets.gov.uk/committee. The Commissioners have chosen to broadly follow the Council's definition in classifying their determinations.

Published Decisions

After the meeting, any decisions taken will be published on the Council's website.

- The decisions for this meeting will be published on: **Friday, 15 April 2016**

LONDON BOROUGH OF TOWER HAMLETS
COMMISSIONERS' DECISION MAKING MEETING

TUESDAY, 12 APRIL 2016

5.00 p.m.

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST (Pages 1 - 4)

3. DECISIONS OF THE PREVIOUS MEETING (Pages 5 - 14)

To note the decisions of the meetings held on 1 March 2016 and 8 March 2016.

4. CONSIDERATION OF PUBLIC SUBMISSIONS

Consideration of any written comments received from members of the public in relation to any of the reports on the agenda.

[Any submissions should be sent to the clerk listed on the agenda front page by 5pm the day before the meeting]

5. EXERCISE OF COMMISSIONERS' DISCRETIONS (Pages 15 - 20)

6. REPORTS FOR CONSIDERATION

6 .1	Mental Health User Led Grants Programme 2016 - 18	21 - 46	All Wards
6 .2	Tower Hamlets' Education Award (Higher Education): Post 16 Progression - school-led programme	47 - 56	All Wards
6 .3	Community Buildings and Heritage Buildings	57 - 76	All Wards
6 .4	Grants Register 2016/17	77 - 88	All Wards
6 .5	Grants Forward Plan 2016/17	89 - 108	All Wards
6 .6	Support for VCS and New Innovation Fund	109 - 132	All Wards
6 .7	Tower Hamlets Affordable Housing Grant 2016-19	133 - 144	All Wards
6 .8	OSC Feedback on Cross Party Forum for Grants	145 - 158	All Wards

Report to follow. Appendix 1 is attached.

7. ANY OTHER BUSINESS THE CHAIR CONSIDERS TO BE URGENT

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Agenda Item 2

DECLARATIONS OF INTERESTS - NOTE FROM THE MONITORING OFFICER

This note is for guidance only. For further details please consult the Members' Code of Conduct at Part 5.1 of the Council's Constitution.

Please note that the question of whether a Member has an interest in any matter, and whether or not that interest is a Disclosable Pecuniary Interest, is for that Member to decide. Advice is available from officers as listed below but they cannot make the decision for the Member. If in doubt as to the nature of an interest it is advisable to seek advice **prior** to attending a meeting.

Interests and Disclosable Pecuniary Interests (DPIs)

You have an interest in any business of the authority where that business relates to or is likely to affect any of the persons, bodies or matters listed in section 4.1 (a) of the Code of Conduct; and might reasonably be regarded as affecting the well-being or financial position of yourself, a member of your family or a person with whom you have a close association, to a greater extent than the majority of other council tax payers, ratepayers or inhabitants of the ward affected.

You must notify the Monitoring Officer in writing of any such interest, for inclusion in the Register of Members' Interests which is available for public inspection and on the Council's Website.

Once you have recorded an interest in the Register, you are not then required to declare that interest at each meeting where the business is discussed, unless the interest is a Disclosable Pecuniary Interest (DPI).

A DPI is defined in Regulations as a pecuniary interest of any of the descriptions listed at **Appendix A** overleaf. Please note that a Member's DPIs include his/her own relevant interests and also those of his/her spouse or civil partner; or a person with whom the Member is living as husband and wife; or a person with whom the Member is living as if they were civil partners; if the Member is aware that that other person has the interest.

Effect of a Disclosable Pecuniary Interest on participation at meetings

Where you have a DPI in any business of the Council you must, unless you have obtained a dispensation from the authority's Monitoring Officer following consideration by the Dispensations Sub-Committee of the Standards Advisory Committee:-

- not seek to improperly influence a decision about that business; and
- not exercise executive functions in relation to that business.

If you are present at a meeting where that business is discussed, you must:-

- Disclose to the meeting the existence and nature of the interest at the start of the meeting or when the interest becomes apparent, if later; and
- Leave the room (including any public viewing area) for the duration of consideration and decision on the item and not seek to influence the debate or decision

When declaring a DPI, Members should specify the nature of the interest and the agenda item to which the interest relates. This procedure is designed to assist the public's understanding of the meeting and to enable a full record to be made in the minutes of the meeting.

Where you have a DPI in any business of the authority which is not included in the Member's register of interests and you attend a meeting of the authority at which the business is considered, in addition to disclosing the interest to that meeting, you must also within 28 days notify the Monitoring Officer of the interest for inclusion in the Register.

Further advice

For further advice please contact:-

- Melanie Clay, Director of Law Probity and Governance 2017 364 4800

APPENDIX A: Definition of a Disclosable Pecuniary Interest

(Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012, Reg 2 and Schedule)

Subject	Prescribed description
Employment, office, trade, profession or vacation	Any employment, office, trade, profession or vocation carried on for profit or gain.
Sponsorship	<p>Any payment or provision of any other financial benefit (other than from the relevant authority) made or provided within the relevant period in respect of any expenses incurred by the Member in carrying out duties as a member, or towards the election expenses of the Member.</p> <p>This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.</p>
Contracts	<p>Any contract which is made between the relevant person (or a body in which the relevant person has a beneficial interest) and the relevant authority—</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land	Any beneficial interest in land which is within the area of the relevant authority.
Licences	Any licence (alone or jointly with others) to occupy land in the area of the relevant authority for a month or longer.
Corporate tenancies	<p>Any tenancy where (to the Member's knowledge)—</p> <p>(a) the landlord is the relevant authority; and</p> <p>(b) the tenant is a body in which the relevant person has a beneficial interest.</p>
Securities	<p>Any beneficial interest in securities of a body where—</p> <p>(a) that body (to the Member's knowledge) has a place of business or land in the area of the relevant authority; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the relevant person has a beneficial interest exceeds one hundredth of the total issued share capital of that class.</p>

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LONDON BOROUGH OF TOWER HAMLETS

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

HELD AT 4.00 P.M. ON TUESDAY, 1 MARCH 2016

**ROOM C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE
CRESCENT, LONDON, E14 2BG**

Members Present:

Sir Ken Knight (Chair) (Commissioner)
Max Caller (Commissioner)

Councillors Present:

Officers Present:

Zena Cooke (Corporate Director, Resources)
Alison Denning (Festivals and Events Officer, Communities
Localities and Culture)
Daniel Fordham (Business Partnerships Manager)
Everett Haughton (Third Sector Programmes Manager, Third Sector
Team, Development and Renewal)
Chris Holme (Service Head, Resources & Economic
Development)
Stephen Murray (Head of Arts and Events, Communities Localities
& Culture)
Seye Aina (Committee Services Officer)
Antonella Burgio (Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Commissioners Alan Wood and
Chris Allison.

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 12 January 2016 were noted
and signed as a corrected record of proceedings.

4. CONSIDERATION OF PUBLIC SUBMISSIONS

The Commissioners were informed that there had been no requests to make a public submission relating to any item published in the agenda.

5. EXERCISE OF COMMISSIONERS' DISCRETIONS

Commissioner Max Caller commented on the report, tabled at the meeting, which listed urgent expedited decisions that had been taken by Commissioners on 9th February 2016, informing all present that for the open and transparent administration of grants it was necessary that:

- all documents should be circulated at the time of agenda publication in order to give proper notice in public of urgent decisions taken using these powers.
- grant requests that had been refused under these powers should also be reported.

Councillor Saunders requested that details of the sum applied for and that awarded also be included.

Commissioners therefore

RESOLVED

That the report:

1. be deferred to the next meeting to enable appropriate public notice to be given
2. include details of grant applications that have been refused
3. include details of the value of the grant applied for and the sum awarded

6. REPORTS FOR CONSIDERATION

6.1 Event Fund - Report on Event Fund Awards 2015-16 Quarter 3

Stephen Murray, Head of Arts and Events, introduced the report which reported the grants issued from the Event Fund under officer delegation in the period October – December 2015. Alison Denning, Festivals and Events Officer informed Commissioners, that to ensure uptake from all parts of the borough, THCVS had been asked to assist with engaging hard to reach groups.

The Chair invited Councillor Saunders and Councillor Golds to comment on the report and they indicated that they supported the approach being taken to ensure that a wide and more even geographical spread of funding could be achieved.

Commissioner Max Caller advised that Commissioners the proposals to report on user profiles to ensure that diversity and spread of events may be

preserved. To further promote this, he suggested that in future the Council should also initiate bids in chosen target areas.

RESOLVED

1. That the quarterly report of Event Fund Grant awards made and approved by Service Head for Culture Leisure and Learning for events that took place in October, November and December 2015 be noted
2. That the Council develop a scheme to initiate bids in target areas and report on the profile of participants to future meetings

6.2 Grant payment to Local Town Team for Roman Road Summer Festival 2016

Chris Holme, Service Head, Resources & Economic Development, introduced the report which concerned a request to transfer a grant of £15,000, derived from S106 monies, to Roman Road Trust for the delivery of a summer festival in 2016. Issue of the grant would be made under appropriate monitoring arrangements.

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

Commissioner Max Caller enquired and Daniel Fordham, Business Partnerships Manager, confirmed that the Council will provide in kind support in additional to the grant. The Chair noted that while Commissioners supported the application in principle, the value of any in kind support must be specified as it was part of the grant package.

RESOLVED

1. That the payment of a grant for £15,000 to the Roman Road Trust from Section 106 monies to match fund the delivery of a community event in Roman Road Town Centre be approved
2. That a report detailing the costs of the in kind support to be provided by the Council be made at the next Commissioners Decision Making Meeting.

6.3 London Councils ESF Scheme

Everett Haughton, Third Sector Programmes Manager, introduced the report which concerned a European Social Fund (ESF) match-funded contribution to a three-year programme which aimed to support hard-to-employ individuals back into work.

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

Commissioners noted their support for the scheme and approved the request.

RESOLVED

1. That the Council's match-funding contribution of £225,000 to be made to London Councils for each of the 3 financial years 2016/17, 2017/18 and 2018/19 be approved.
2. That the financing mechanism is set out within paragraphs 3.2 & 3.3 be endorsed.
3. That it be noted that the Council will enter into formal contractual arrangements with London Councils to deliver the Tower Hamlets ESF Community Grants Programme 2016/19: as set out in paragraph 3.2 & 3.3.
4. That the authority for the awarding of grants to organisations be delegated to the Appraisal Panel which will include the Director of Resources or her nominee as set out in paragraph 3.17.

6.4 Grants Register 2016/17

Everett Haughton, Third Sector Programmes Manager, introduced the report which provided an update on the development of a grants register. This had arisen from a Commissioners' request that a register of all grants made across all areas of the Council be established.

The Chair invited Councillor Saunders and Councillor Golds to comment on the report and they indicated that they supported the principal although they were concerned that the draft register contained some inaccuracies.

Zena Cooke, Director of Resources, advised that the draft register presented indicated the present position and would form the basis of an audit trail for future Grants Registers which would be updated regularly.

Commissioners welcomed the work that had been undertaken and the progress made towards a full register of grants provided to the community. They requested that any reported inaccuracies be addressed, that the register also record where delegation of grants decisions had been returned to the Council, including the name of the officer to whom the decision had been delegated.

RESOLVED

1. That the report and the comments of Commissioners be noted
2. That it be noted that a detailed report with a fully completed Grants Register will be presented to the April Commissioners Decision Making Meeting in Public.

6.5 Initial Proposals for a Cross Party Forum on Grants

Zena Cooke, Director of Resources, presented the report which set out proposals for a cross-party forum to review and input into the grants decision making process through the establishment of an appropriate arrangement involving elected Members.

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

Commissioner Max Caller commented that he welcomed the proposals which will strengthen transparency, where a cross-party mechanism will enable all views to be expressed and will remind Members about proper disclosure of declarations of interests and appropriate participation in discussion on organisations. He was disappointed that much time had been required to bring forward the proposals. The Chair noted that the proposals were the first element of a process to introduce cross-party participation which would later require a change of the Constitution in regard to the role of Overview and Scrutiny and a move to cross-party input supported by appropriate member training.

Commissioners anticipated good progress and, subject to this, would later review whether a role for an elected Member to sit alongside Commissioners in grant making could be evolved.

RESOLVED

1. That the Council's proposal be agreed in principle that a Sub-Committee of the Overview and Scrutiny Committee should act as the "cross-party forum" to be established to review Officer recommendations prior to their consideration at a Decision Making Meeting to the satisfaction of the Commissioners requirement that a suitable mechanism be established to advise them.
2. That it be agreed in principle that all reports requiring a Commissioners' Decision Making Meeting in Public are presented to the Overview and Scrutiny Sub-Committee on grants for their consideration in accordance with the council's Overview and Scrutiny Committee Forward Plan.
3. That a further report be received at the April Commissioners' Decision making meeting which will set out the detailed proposals including clear terms of reference for the Scrutiny Sub-Committee.

7. ANY OTHER BUSINESS THE CHAIR CONSIDERS TO BE URGENT

The Clerk, advised that she had received a request that an extraordinary Commissioners' Decision Making Meeting be convened on Tuesday 8 March 2016, at Town Hall, Mulberry Place at 11.00am to discuss an urgent matter.

Commissioners agreed that this meeting be convened.

The meeting ended at 4.40 p.m.

Chair: Sir Ken Knight
COMMISSIONER

LONDON BOROUGH OF TOWER HAMLETS

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

HELD AT 11.00 A.M. ON TUESDAY, 8 MARCH 2016

**C1, 1ST FLOOR, TOWN HALL, MULBERRY PLACE, 5 CLOVE CRESCENT,
LONDON, E14 2BG**

Members Present:

Max Caller (In the Chair)	(Commissioner)
Alan Wood	(Commissioner)

Councillors Present:

Councillor Asma Begum	(Cabinet Member for Culture)
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Joshua Peck	(Cabinet Member for Work & Economic Growth)

Officers Present:

Shazia Hussain	(Service Head Culture, Learning and Leisure, Communities Localities & Culture)
Graham White	(Interim Service Head, Legal Services, Law, Probity and Governance)
Zena Cooke	(Corporate Director, Resources)
Minesh Jani	(Head of Audit and Risk Management, Resources)
Antonella Burgio	(Democratic Services)

ELECTION OF CHAIR FOR THE MEETING

ELECTION OF CHAIR FOR THE MEETING

Commissioner Alan Woods nominated that Max Caller be appointed chair for the duration of the meeting. Accordingly it was

RESOLVED

That Commissioner Max Caller be appointed Chair for the duration of the meeting.

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Commissioners Sir Ken Knight and Chris Allison.

Apologies were also noted from the following officers:
Stephen Halsey, Corporate Director for Communities, Localities and Culture,
Stephen Murray, Head of Arts and Events

2. DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

MOTION ON EXEMPT DOCUMENTS

The Chair informed all present that he had sought advice from the Interim Head of Legal Services regarding the information provided to Commissioners in an exempt appendix to the report and the grounds under which this information was required to be considered in closed session. Upon inspection, advice was given that this information did not contain details that were financially sensitive or that would inappropriately reveal information about the individuals or the subject matter to be considered and therefore the document could be considered in public session. Accordingly the Chair **moved** and it was

RESOLVED

That the document be now considered non-exempt and discussed in open session.

3. CONSIDERATION OF PUBLIC SUBMISSIONS

No public submissions were made relating to the agenda item to be considered.

4. REPORTS FOR CONSIDERATION

4.1 The Boishakhi Mela

Shazia Hussain, Service Head, Culture, Learning and Leisure introduced the report which concerned a proposal to vary the contract and terminate in 2016, which includes a term for 'in kind' support under the terms of the Council's contract with Boishakhi Mela Trust. Commissioners were asked:

- to note that no monetary assistance was being sought from the Council
- to consider the background to the matter and 9 recommendations as printed in Section 2 of the report.

The Chair sought clarification on how the Independent Panel which had carried out a review of the Boishakhi Mela Trust had been constituted and its members appointed. He was informed that, using a combined approach, membership had been drawn from an individual previously involved in the Trust and four others selected on the basis of their expertise and experience of running large community events.

The Chair invited Councillor Peck and Councillor Golds to comment on the proposal and they indicated that they supported the Boishakhi Mela event; in principle; however they had significant concerns regarding the organisation through which the event would be delivered.

Commissioners:

- enquired about the post-event audit carried out and key controls, noting that although the percentage of actions that remained outstanding fell below the Council's criteria, it was recommended that the event should continue. They were informed that there was a lower expectation of compliance than would be applied within the Council as the Trust was a small community body.
- noted that audit recommendations not implemented related to financial management and conflicts of interests between the accountants and auditor. They were informed that there was no separation of the bookkeeper and auditor function and there had been some non-compliance in procurement in some instances.
- enquired how the non-compliances affected the sequencing/schedule of tasks necessary to deliver the event. Commissioners were of a view that that all elements needed to be in place before monies should be released.
- noted that the contract with the Trust would be terminated on 30th June 2016 as the event is unsustainable without financial aid . The Council's Legal Officers have offered a proposal to the Trust and its trustees were presently seeking legal advice on this matter.

Commissioners also noted:

- that in 2015, Commissioners had declined to make a monetary award to the Trust because the event was scheduled to take place during a pre-election period, there was concern, based on previous events, that the event could be used for political purposes and the evidence around the Trust's failure to comply with audit recommendations which were a condition for the release of funds.
- He noted that a recommendation of the Independent Panel was that "BCMT urgently address key concerns expressed by Auditors and the Council in respect of event management and their own governance", this recommendation, in his view, indicated that compliance remained an unresolved issue at the time of the independent review.
- The evidence from the Audit review and the Independent Panel, in his view, did not support the officer recommendation that the Council had acted upon and fully resolved the issues

- the request for 'in kind' support met the broad definition of "a grant" and therefore the condition that criteria be met prior to the release of a grant/support involving public money continued to apply.

Commissioners wished to convey to the Trust that there must be compliance before public funds may be released.

Noting the proximity of the Boishakhi Mela event, Commissioners advised that the requirements for compliance with audit recommendations be incorporated into the revised contract currently being drawn up as a precondition for the event taking place. To prevent delay, Commissioners would be content that Officers proceed on this basis and report on satisfaction of the contract terms once the contract was in place.

RESOLVED


1. That the 9 recommendations as set out in the report summary be noted
2. That it be noted that the evidence provided by the Audit report and the Independent Panel review does not demonstrate that the outstanding issues required to permit this event to proceed have been addressed.
2. That Officers be instructed to incorporate into the Contract currently being negotiated with the Boishakhi Mela Trust suitable clauses to require compliance as a precondition and to report back when a satisfactory outcome was achieved.
3. That, as agreed, Officers send to Commissioners a copy of the Mela business plan which was referred to in the Independent Panel report.

5. ANY OTHER BUSINESS THE CHAIR CONSIDERS TO BE URGENT

Nil items.

The meeting ended at 11.40 a.m.

In the Chair: Max Caller
COMMISSIONER

<p>Commissioner Decision Report</p> <p>12 April 2016</p>	
<p>Report of: Zena Cooke, Corporate Director Resources</p>	<p>Classification: Unrestricted</p>
<p>Exercise of Commissioners Discretion</p>	

Lead Member	Rachel Saunders
Originating Officer(s)	Everett Haughton
Wards affected	All wards
Key Decision?	No
Community Plan Theme	One Tower Hamlets

EXECUTIVE SUMMARY

This report sets out details of decisions made under the exercise of Commissioners Discretion. Such decisions are required to be the subject of a noting report at a subsequent Commissioners Decision Meeting in Public.

RECOMMENDATIONS:

The Commissioners are recommended to:

Confirm the decisions made under the exercise of Commissioners Discretion as set out in Appendix 1.

1. REASONS FOR THE DECISIONS

- 1.1 Agreed procedures require that reports be submitted to Commissioners Decision Meetings in Public to confirm/note grant funding and other decisions taken under the exercise of Commissioners Discretion.
- 1.2 The reporting of decisions taken under the exercise of Commissioners Discretion assists in ensuring that Members and the public are made aware of, and therefore able to scrutinise all Commissioners decisions.

2. ALTERNATIVE OPTIONS

- 2.1 Agreed procedure requires decisions taken under the exercise of Commissioners Discretion to be presented to the subsequent Commissioners Decision Meeting in Public.

- 2.2 To deviate from this procedure would require a sound reason. It is not considered that there is any such reason, having due regard of the need to ensure that Members and the public are kept informed of all decisions made by Commissioners under their discretionary powers.

3. DETAILS OF REPORT

- 3.1 The decisions made under the exercise of Commissioners discretion are set out in the attached appendix 1. These decisions relate to Emergency Funding and other applications considered outside of Decision Making Meetings in Public.
- 3.2 These decisions were taken outside of scheduled meetings in public in order that grants awarded to organisations that are facing emergencies and other organisations and individuals can be made in a timely manner.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The report asks commissioners to confirm the decisions they have made outside of a public meeting as detailed in Appendix 1. There were four grant requests from the Emergency Fund considered by the commissioners, three of which were rejected and one was partially approved. If the decisions are confirmed then this will commit and approve award of £3k from the £250k Emergency Funding Budget.

5. LEGAL COMMENTS

- 5.1. Whilst the Commissioners are empowered to exercise their discretion in private, agreed procedures require that such decisions should be reported to Commissioners Decision Meetings in Public for ratification. This self-imposed procedure has been implemented in the interests of transparency.
- 5.2. There are no immediate legal implications arising from this report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. This report is concerned with the notification of Commissioners decisions under the exercise of their discretions; and as such has no direct One Tower Hamlets implications. The extent to which there are One Tower Hamlets considerations arising from the original recommendations, these would have been addressed as part of those considerations.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 Best Value implications associated with each of the Commissioners discretions as set out in Appendix 1 would have been identified and evaluated as an integral part of the process which led to the decisions.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no sustainable actions for a greener environment implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The risk management implications associated with each of the Commissioners' discretions as set out in Appendix 1 would have been identified and evaluated as an integral part of the process which led to the decisions.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 Crime and disorder reduction implications, if any, associated with the decisions as set out in Appendix 1 would have been an integral part of the process which led to the decisions.

11. SAFEGUARDING IMPLICATIONS

- 11.1 Safeguarding implications including risks or benefits, if any, associated with each of the decisions as set out in Appendix 1 would have been identified and evaluated as an integral part of the process which led to the decisions

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix 1 – details of the decisions made under the Commissioners discretionary powers

Background Documents – Local Authorities (Executive Arrangements) (Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

- Everett Houghton – Tel: 020 7364 4639
Email: everett.houghton@towerhamlets.gov.uk


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EXERCISE OF COMMISSIONERS DISCRETION

The following decisions were made by Commissioners outside of a meeting in public. In accordance with agreed procedure this information is being formally presented to the Commissioners Decision In Public Meeting of 12 April 2016.

Date Considered	Name of Grant & Description	Applicant / Recipient	Decision	Grant Request	Amount Awarded	Directorate	Officer Contact
9 February 2016	Emergency Funding	Afar Community Association	Rejected	£19,811	0	Resources	Everett Haughton
9 February 2016	Emergency Funding	The Rooted Forum	Rejected	£20,000	0	Resources	Everett Haughton
9 February 2016	Emergency Funding	SSBA - Heba Women's Project	Approved	£7,291	£3,000	Resources	Everett Haughton
9 February 2016	Emergency Funding	WISE Youth Association	Rejected	£14,300	0	Resources	Everett Haughton
22 March	Emergency Funding	Aspasen	Rejected	£19,267	0	Resources	Everett Haughton
22 March	Emergency Funding	Shadow Youth Alliance	Rejected	20,000	0	Resources	Everett Haughton
22 March	Emergency Funding	Isle of Dogs Bangladeshi Association and Cultural Centre	Rejected	3,000	0	Resources	Everett Haughton
22 March	Emergency Funding	Praxis Community Project	Withdrawn pending further information	15,158	TBC	Resources	Everett Haughton
22 March	Emergency Funding	East London Asian Family Counselling	Withdrawn pending further information	20,000	TBC	Resources	Everett Haughton

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Commissioner Decision Report 12 th April 2016	 TOWER HAMLETS
Report of: Luke Addams, Director	Classification: [Unrestricted]
Mental Health User Led Grants Programme Recommendations	

Originating Officer(s)	Carrie Kilpatrick/Caroline Billington
Wards affected	All wards
Key Decision?	Yes
Community Plan Theme	A safe and cohesive community

Executive Summary

The Tower Hamlets Mental Health user led grants programme enables user led groups to provide a wide range of social and therapeutic activities to promote social inclusion, well-being, and independence for people with mental health problems aged over 18.

User led groups are at the heart of the Council’s strategy to develop services that give more choice and control to service users. In particular the Health and Wellbeing Board Strategy places a significant emphasis on the fact that service users have told us that they want more choice and control over services.

The mental health user led grants programme is aligned with the delivery of the Mental Health Council Wide Strategy and facilitates the delivery of a number of core commitments within the strategy action plan. User Led groups deliver preventive services which increase wellbeing and keep people out hospital.¹ They are effective value-for-money ways of keeping people well in the community.² Local JSNA data supports the success of the Tower Hamlets preventative approach in keeping people with mental health problems well in the community, thus preventing more acute and costly care and support needs.

The grant scheme has been running for 8 years and has steadily increased the level of peer support available in Tower Hamlets. The scheme invites small user-led groups for people with mental health problems to apply for a maximum grant of £5,000 per year to develop peer support networks.

Funding for the 2016/17 grant programme was secured at Commissioners’ Decision Making Meeting on 12th January 2016 where it was recommended that the commencement of the 2016/17 Mental Health User Led grants programme be

¹ Repper, J and Carter T.(2011). ‘A review of the literature on peer support in mental health Services.’ Journal of Mental Health, August 2011; 20(4): 392–411

² http://www.centreformentalhealth.org.uk/news/2013_peer_support_workers.aspx

approved at the current level of spend of £85, 500.

The scheme was advertised in January 2016 inviting applications for the period April 2016 to March 2017. In total 36 applications were received; 24 from existing groups and 12 from new groups ranging from £1,940 to £5000. This paper recommends awards to 31 groups, with 5 groups not recommended for award due to not meeting the grant criteria.

The successful applications will ensure the availability of a range of new and existing opportunities for mental health service users across the borough. This includes health and fitness, music and choirs, rambling, healthy eating, martial arts, social outings and networking to reduce isolation, photography, arts and crafts.

Recommendations:

The Commissioners are recommended to:

1. Approve the proposed awards of small grants to independent user led groups at a total value of £90, 838 per annum, in line with the individual decisions detailed in the body of this report.

Awards will be on the basis that there will be no right of appeal against the refusal of a grant and that grants approved must clearly state the purpose for which the funding is being given.

1. REASONS FOR THE GRANT PROGRAMME

- 1.1 Annual funding of the user led groups has proved immensely beneficial to the large majority of service users who use user led groups; with service users reporting that they feel very positive about their involvement in either facilitating groups or being an active member. Mental Health user led groups are becoming increasingly popular year on year, as they enable service users to take active control of meeting their own needs, to be innovative and creative in doing so, and to develop new skills and knowledge in the process.
- 1.2 User Led groups deliver preventive services which increase wellbeing and keep people out hospital.³ They are effective value-for-money ways of keeping people well in the community.⁴ Local JSNA data supports the success of the Tower Hamlets preventative approach in keeping people with mental health problems well in the community thus preventing more acute and costly care and support needs.
- 1.3 At a cost of £ £90,838 the programme presents good value for money in

³ Repper, J and Carter T.(2011). 'A review of the literature on peer support in mental health Services.' Journal of Mental Health, August 2011; 20(4): 392–411

⁴ http://www.centreformentalhealth.org.uk/news/2013_peer_support_workers.aspx

terms of the quality and the volume of services delivered; enabling us to meet key priorities stated within the Tower Hamlets Mental Health strategy to:

- Reduce stigma and discrimination by offering alternatives to traditional segregated services;
- Support people to take control of their lives;
- Ensure that people are able to access support easily; and
- Promote service user involvement in developing and improving services.

2. ALTERNATIVE OPTIONS

- 2.1 The user led group grant schemes continue to be an innovative approach to enabling peer groups to support recovery and improve well-being for participants. The grant scheme assists groups to reach up to 1000 members each year.
- 2.2 Taking into consideration the continued success and impact of the scheme no other viable options have currently been identified to create similar or better outcomes with the funding available.

3. BACKGROUND

- 3.1 The Tower Hamlets Mental Health user led grants programme funds user led groups to provide a wide range of social and therapeutic activities to promote social inclusion, well-being, and independence for people with mental health problems aged over 18. A significant proportion meet out of usual office hours, including evenings and weekends and so provide social support when other services are not available. They provide targeted support to a wide range of communities across the borough including some of our most vulnerable and hard-to-reach communities.
- 3.2 Funding for the 2016/17 grant programme was secured at Commissioners' Decision Making Meeting on 12th January 2016 where it was recommended that the commencement of the 2016/17 Mental Health User Led grants programme be approved at the current level of spend of £85, 500 for a 12 month period. These are renewable for a further year dependent on performance. The framework for the programme has been refined for 2016/17 to reflect the Authority's wider approach to grant programmes.
- 3.3 Grant applications were requested for a maximum of up to £5,000 per group. The mental health user led grants budget is held by the Adult Services Directorate within its Mental Health Commissioning budget.
- 3.4 To qualify for a grant groups have to be led by a person or people with a mental health problem. When a group of service users have ideas on how

their social care needs could be better or more creatively met, through the user-led grant process, they therefore have the opportunity to apply for funding to realise their ideas in practice.

3.5 Groups are currently offered support with the administrative and organisational aspects of running a group, along with help solving problems as they arise, through a separately commissioned Support User Network (SUN Network) coordinated by Community Options, a local third sector organisation specialising in mental health.

3.6 User-led services provide many benefits which have an impact on our strategic priorities such as:

- Intrinsic value for the individual involved, for example, increased confidence in social situations and reduced social isolation;
- Increased capacity of services, for example, by using service users' lived experience, time, skills, resources and networks we are providing a higher amount of higher quality services; and
- Monetary value, for example, preventing more acute needs arising and so reducing the use of expensive crisis services.⁵

3.7 User led groups are at the heart of the Council's strategy to develop services that give more choice and control to service users. In particular the Health and Wellbeing Board Mental Health Strategy places a significant emphasis on the fact that service users have told us that they want more choice and control over services. A high proportion of the funded user-led groups have been established over the past eight years, with the firm foundation that they actively encourage and promote healthy lifestyles, focus on health promotion and endorse a positive outlook on the lives of service users through physical exercise and alternative therapies. The purpose of the grants scheme is to:

- Increase numbers of people with mental health problems involved in delivering services and/or activities
- Increase number of people in user group leader/involvement roles achieve personal goals and aspirations
- Increase levels of peer support available in community settings

4 Mental Health User Led Grant Programme 2016/17

4.1 Based on the approach used in 2013/14 and 2014/15, an advert was published in East End Life on 25th January 2016 with closing date of 22nd February. (See Appendix 2 and 3 for published advert and timetable).

The process was also promoted during, and prior to the advert going to print, via the Community Options User Involvement Project, to ensure that all service users expressing an interest in applying for funding were aware of the

⁵ http://www.neweconomics.org/page/-/publications/Co-Production_web.pdf

forthcoming application process. In addition, the process was promoted within the SUN Network meetings organised by Community Options.

- 4.2 The advert highlighted the 'eligibility' criterion which is fundamental to the evaluation process. Applicants were requested to demonstrate how the grant would be used to address the listed criteria:
- a. Support residents of Tower Hamlets with identified mental health needs aged over 18
 - b. Be led by mental health service users
 - i) Existing funded groups:- to demonstrate performance (track record) of being a user-led group.
 - ii) New groups:- to demonstrate experience or aspiration for being a user-led group
 - c. Provide peer support, therapeutic or social activities
 - d. Provide a quality service to an active membership
 - e. Priority will be given to groups that provide activities that take place out of hours
 - f. Priority will be given to groups that target users who are currently under represented in the overall funding scheme
 - g. Priority will be given to groups who demonstrate a commitment to the agreed outcomes and outputs
 - h. Priority will be given to groups who demonstrate a commitment to sustainable development
- 4.3 Facilitators were also asked to commit to 4 training sessions in 2016/17 that would be designed around the needs of the groups and the future skill requirements of facilitators. This new requirement was a result of research undertaken for the previous report which stated that groups run by trained peers were more beneficial.⁶
- 4.4 Interested parties were sent an application pack containing the following:
- Application Timetable
 - Funding Application Process Flowchart
 - Guidance notes and eligibility criteria for applicants
 - Application Form for the 2014-16 Small Grants User-Led Groups
 - Draft Terms and Conditions of Grant
 - Copy of the Mental Health User-Led Group 'Quarterly Activities Return,' 'Quarterly Financial Return' and 'Individual Outcomes' forms
- 4.5 Applicants were asked to submit a i) completed application form, ii) a 12 month activity plan and iii) a 12 month budget.
- 4.6 Support from *Community Options* was available throughout the application process including guidance on how to complete the application form, activity plan and budget.
As part of the current Community Options Service User Involvement Project (SUIP), LBTH and the NHS Tower Hamlets CCG jointly commission a

⁶ https://www.nesta.org.uk/sites/default/files/peer_support_-_what_is_it_and_does_it_work.pdf

Development Worker who offers assistance and support to groups with the applications process. The Development Worker was also able arrange interpretation services for the groups, as and when requested.

5 Evaluation and Award Recommendations

- 5.1 An evaluation panel was convened to carry out interviews and agree recommendations at the end of the evaluation process. This consisted of:
- A member of the Council and Tower Hamlets CCG Mental Health and Joint Commissioning Team
 - The Community Options Service User Involvement Project Development Worker
 - The Senior Operational Lead from Adult Mental Health Services, and
 - A service user representative from Newham
- 5.2 In recommending the awards, priority was given to groups who demonstrated their commitment to future sustainability and independence. Groups were asked to demonstrate how they would use the 2016/17 funding to prepare the groups for a future reduction of grant resources.
- 5.3 All grant applications were assessed against minimum grant requirements including the use of council buildings to provide the service. All organisations recommended who use a council building to provide the service have an agreed, up-to-date lease in place
- 5.4 Priority was also given to groups who demonstrated a commitment to the new agreed outcomes:
- **I feel more supported because of the group.**
(For example, people have shared information and experiences with you, listened, talked and related to you about your problems)
 - **I feel more positive about the future because of the group** (For example, you feel more optimistic, hopeful, motivated, purposeful and can think about activities, planning changes, goals or achievements)
 - **I feel less socially isolated because of the group** (For example, you know you are not alone and feel socially included and involved)
 - **I feel I have developed because of the group.** For example, taking up new interests and skills, growing more confident, sharing responsibility.
 - **I can better manage my mental health problems because of the group.**
- 5.5 In order to develop these new outcomes and their correspondent monitoring requirement a coproduction approach was taken as follows:
- December 2015 – a Public Health Graduate Placement undertook research into the benefits of user led grants and options to measure these benefits
 - January 2016 – Research information was shared at two separate events open to all the group attendees in order to identify and

coproduce outcomes that are applicable to all groups and suggestions for ways of measuring them. A neutral facilitator was brought in to insure equal input from all the service users, commissioners and other stakeholders.

- January 2016 – Decision making meeting with group facilitators coproduced the new monitoring material intended to measure the new outcomes.
- January 2016 – Draft monitoring materials were shared with the SUN network for amendment before inclusion in the application pack (see appendix 5)

5.6 New applicants and those where further clarification was required were invited to a face to face interview with the panel. There were 16 face to face interviews and 3 telephone interviews.

6 Award Recommendations

6.1 In total 36 applications were received which included 24 from existing groups and 12 from new groups. Of these 31 are recommended for award.

In general the quality of applications was good and the majority of applicants demonstrated commitment to the new outcomes and innovation in regards to preparing for future sustainability. New applications have increased the variety of our offer, notably in relation to music which had recently been missing now the groups include a choir, a band and a music group which learn song writing.

6.2 Table of Recommended Groups:

Name	Original bid	Recommended award
Aspire 2	£2,200	£1,800
Asumjwe	£4,900	£3,900
BSAMG	£5,000	£2,944
Burcham St Gardens	£2,500	£2,500
Café Nia	£5,000	£4,351
Expressions with Art	£4,800	£4,800
Feel Good Friday	£4,800	£4,321
HUSH	£4,989	£4,739
Handy Crafts	£3,720	£2,971
Health fitness Group	£4,000	£3,062
KUSHI	£3,310	£1,971
New start Pamper Group	£3,540	£3,111
Ocean Somali Womens Group	£5,000	£4,235
Performance Arts & Cinema Club	£4,700	£2,366
SUNDAY Lunch Club	£4,420	£2,754
Thai Boxing Fighter Academy	£5,000	£5,000
UPBEAT	£4,990	£1,424

Name	Original bid	Recommended award
Urban Rambling	£2,070	£911
Vietnamese Mental Health Society	£4,186	£3,596
Sohba Taiba (Good Friendship)	£3,800	£2,750
Peace of Mind Group	£3,500	£1,424
Mindfulness Photography	£4,000	£1,424
BOYAAN	£4,861	£3,269
Cool To Believe	£1,940	£1,690
Evening Music Group	£2,500	£2,500
Mind Wanderers	£2,950	£2,031
Melody Makers Music Group	£3,969	£3,169
Phoenix	£3,000	£3,000
The Songbirds	£3,995	£3,995
Time to Talk Peer Support	£3,160	£2,810
Voices Within	£2,020	£2,020
Total	£118,820	£90,838

6.3 In line with the eligibility rules for the scheme a total of 19 applications from the recommended groups will provide activities out of hours when most services are closed.

6.4 In total 8 applications from under-represented groups have been recommended for funding. This includes:

- Bangladeshi Women x2
- Bangladeshi Men X 2
- Afro-Caribbean Mixed
- Arab Women
- Vietnamese Men
- Somali Women

6.5 There were 11 applications from groups that use Bowhaven as their base, and 5 from groups that use MIND in Tower Hamlets and Newham as their base (Open House). Bowhaven and MIND are two of the primary providers of voluntary sector mental health support in the borough, with Bowhaven historically being a user-led organisation itself. In 2013, an evaluation of Bowhaven took place, which found it to be a highly effective and cost effective service. Mind (<http://www.mithn.org.uk/>) is a major provider of voluntary sector services for people with mental health problems in the borough. Both Bowhaven and MIND provide space for user led groups to meet on their premises. These groups are accessible to all residents of Tower Hamlets from across the borough, and provide many of their activities in community locations across the entire borough, including cafes, cinemas, gyms

6.6 The geographical distribution of the group addresses is broadly in line with the distribution of mental health need across the borough. This is demonstrated by the maps and supporting information in Appendix Four and Five:

- Appendix Five: demonstrates the distribution of mental health service users in receipt of commissioned social care from the Council. This demonstrates the fact that the greater use of commissioned social care by people with mental health problems in the borough, is in the north west and centre of the borough. There are a number of supported accommodation schemes and hostels for people with mental health problems in these areas, which accounts for the high use of commissioned social care. A separate map of these services is available on request
- As seen in Appendix Four and Five the Vietnamese Mental Health Society takes place in a centre just outside of the borders of Tower Hamlets. Everyone who attends this group is a Tower Hamlets resident. This particular venue is used for its particular cultural and community benefits.

6.7 Notwithstanding the above, it should be noted that the actual address of the group submitted is in many cases not the sole location from which activities take place: Many groups provide activities that take place across the borough, through visits to the cinema, gyms, cafes etc

6.8 All successful groups will be required to submit quarterly monitoring returns (individual outcomes, qualitative and financial) as well as attend a minimum of one quarterly training session designed specifically for Group Facilitators.

6.9 Returns will be actively monitored to ensure groups are delivering and working towards their agreed outcomes within the means available, ensuring that new members are taken aboard and the maximum number of members benefit from the funding allocated.

The performance of all groups will be reviewed at the end of 2016/17 as a condition of receipt of the grant in year two.

6.10 In total 31 applications passed the selection criteria and were agreed for grant award. However, the total of their request was £118,820 which exceeds the total budget by £33,320. Therefore, a number of criteria were applied in determining the amount of grant funding per application resulting in the majority of the groups not receiving the amount they had requested:

A. Applying a VFM funding ceiling based on the mean average of cost per person per session

There is a vast disparity in terms of cost per person per session. The groups deliver sessions ranging from just over £3 per person to more than £40 per person. This is based on attendance figures projected from Q1 and 2 in 2015/16. The mean average cost for a person to attend a session is £11.87 whilst the median is £9.49. In order to secure value for money and achieve more equitable distribution of resources the mean average was applied as a funding ceiling to all the groups.

As a result 5 groups had their grant application amended to reflect the average cost per person per session.

B. Limiting funding for categories considered as not essential to the core work of the groups

The primary purpose of the groups is peer support. The 2016/17 funding envelope necessitates a prioritising of the core needs of the groups. This includes accommodation and activities central to the group such as supplies for the art/craft groups, gym entrance for fitness groups. The reduction was strategically targeted at the two highest categories: food and social outings. We did not refuse to fund these categories as they can be beneficial; however, a limit was imposed as follows:

- Funding for food limited to the mean average of £551 per year. One exception to this is the Sunday Lunch club whose primary purpose is providing food. NB attendees also contribute a sum to this.
- Funding for additional activities (such as trips to theme parks, expensive leisure activities, and unsubsidised cultural activities) are limited as the benefits could arguably be achieved through alternate, more cost effective means. It will be limited to the mean average of £450 per year.

C. Limiting the funding of groups who were unable to claim their grant funding in previous years

Two groups were previously awarded grant funding however were unable to take this up due to reasons outside of their control. As a way of ensuring their continuity whilst limiting the risk to the programme we are recommending a reduced grant award in the first year. Alongside this we will work with the group to ensure mechanisms are now in place to enable them to manage the grant through Community bank accounts and financial hosting by a 3rd sector partner.

7. Groups not recommended for funding

- 7.1 Applications from groups who did not meet the minimum performance criteria in 2015 were also excluded.
- 7.2 One such criterion was attendance at the Service User Network meetings during 2015/16 grant programme. These meetings enable groups to share best practice, challenges and access support. 3 existing groups failed to attend any of the 5 meetings of the 2015/16 period (see appendix 4) and as such failed to meet this grant criterion.
- 7.3 Applications which were not complete and/or clearly failed to meet eligibility and application process requirements were also deemed to be unsuccessful. The full list of Groups not recommended for funding is listed in the table below:

Name	Grant requested	Reason for not recommending
BYM	£4,800	Non-compliance
Stifford Centre	£4,970	Non-compliance
Thursday Group	£4,954	Non-compliance
Golden Moon Youth Project	£4,500	2015 removal of funding
Positive Easts Re-Mind Wellbeing Group	£4,712	Failure to meet grant criteria

- 7.4 The impact of not funding existing groups will be the likely closure of these groups. One of these groups has been running since the start of the User Led Grant Programme and has a high level of attendance. However, there will be 31 alternate groups to attend which offer similar activities such as cultural visits and health related activities. One of the existing groups works with Bangladeshi women however there are 2 other Bangladeshi women's groups.

8. COMMENTS OF THE CHIEF FINANCE OFFICER

- 8.1 This report recommends awards totalling £90,838 to the organisations listed at 6.2. This will be funded from the Mental Health budget within the Adults directorate in 2016/17.

9. LEGAL COMMENTS

The Council's Relevant Powers and Duties

- 9.1 The Health and Social Care Act 2012 ("the 2012 Act") makes it a requirement for the Council to establish a Health and Wellbeing Board. Section 193 of the 2012 Act inserts a new s116A into the Local Government and Public Involvement in Health Act 2007, which places a duty on the Health and Wellbeing Board to prepare a joint strategic health and wellbeing strategy in respect of the locals needs identified in the Joint Strategic Needs Assessment, so that future commissioning/policy decisions are based on evidence. The duty to prepare this plan falls on local authorities and the Clinical Commissioning Group, but must be discharged by the Health and Wellbeing Board.
- 9.2 Under Sections 1-7 of the Care Act 2014 the Council has a number of general duties, including to promote an individual's well-being relating to their physical and mental health, emotional well-being and personal dignity. It places a duty on the Council to co-operate generally with those it considers appropriate who are engaged in the Council's area relating to adults with needs for care and support, and there is a general duty to prevent needs for care and support

from developing. Section 8 provides that those needs may be met in a number of ways, including providing advice and information, and that the Council may arrange for those services to be met by another person.

Grants

- 9.3 There is no strict legal definition of grant. However, a grant is in the nature of a gift and is based in trust law. There will be many grants which are made by the Council for the purpose of discharging one of its statutory duties. However, as a grant is in the nature of a gift, it is considered there must be some element of discretion on the part of the Council as grantor as to whom a grant is made to and whether this is made. If the Council is under a legal duty to provide a payment to a specific individual or organisation, and cannot lawfully elect not to make such a payment, then that should not amount to a grant.
- 9.4 The power of the Commissioners to make decisions in relation to grants arises from directions made by the Secretary of State on 17 December 2014 pursuant to powers under sections 15(5) and 15(6) of the Local Government Act 1999 (the Directions). Paragraph 4(ii) and Annex B of the Directions together provide that, until 31 March 2017, the Council's functions in relation to grants will be exercised by appointed Commissioners, acting jointly or severally. This is subject to an exception in relation to grants made under section 24 of the Housing Grants, Construction and Regeneration Act 1996, for the purposes of section 23 of that Act (disabled facilities grant).
- 9.5 The wording used by the Directions is that the Commissioners will exercise the power "relating to the making of grants under any statutory power or duty". There is no definition of grant given under the directions and therefore, the assumption must be that a grant is that which would be deemed to be a grant under the law.
- 9.6 The proposed grants may be supported by the Council's general power of competence. Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes.
- 9.7 The Council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This is referred to as the Council's best value duty. For the short term pending new arrangements for the provision of services it is considered that the continuation of the present arrangements provides value for money for the reasons specified in the report. Best Value considerations have also been addressed in paragraph 7 of the report.
- 9.8 The Council must operate a fair and open application procedure to process a request to obtain funding. Requests for grant funding should ordinarily be measured against a predetermined set of criteria and the criteria themselves must be fair and transparent.

- 9.9 The grant agreement should include a clear monitoring process against defined parameters in order for the Council to demonstrate either: that delivery is in line with the application and, therefore, the grant achieved its purpose; or provide clear delineation where outcomes were not achieved and the reasons for such failure are apparent. Monitoring should therefore include measuring performance against the expected outcomes.
- 9.10 When implementing the scheme, the Council must ensure that no part of the funds issued represents a profit element to any of the recipients. The inclusion of profit or the opportunity of making a profit from the grant or third parties indicates that the grant is really procurement activity and would otherwise be subject to the Council's Procurement Procedures and other appropriate domestic and European law. This would mean therefore, that the Council would have failed to abide by the appropriate internal procedures and external law applicable to such purchases.
- 9.11 All the proposed grants appear to fall under the *de minimis* threshold for the purposes of European restrictions on State aid.
- 9.12 When making grants decisions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). A proportionate level of equality analysis is required to discharge the duty and information relevant to this is contained in the One Tower Hamlets section of the report.

10. ONE TOWER HAMLETS CONSIDERATIONS

- 10.1 An original driver of the programme was to target individuals with mental health support needs from vulnerable and hard to reach communities. Some communities have high levels of mental health problems but because of stigma and a lack of culturally appropriate services often only access services at point of crisis.
- 10.2 The aim of this programme is to provide accessible, preventative services which harness the resources of the communities and to prevent mental health problems from escalating.
- 10.3 The previous paper showed the diversity of attendance at the user led groups from a variety of different group's representative of Tower Hamlets ethnic makeup. This is a result of the policy to encourage service users from these communities to lead their own groups that both meet culturally specific needs and are accessible to their community networks. The grants process specifically targets communities who are currently underrepresented to apply for grants and is able therefore to be flexible in response to any identified gaps or changing demographic needs.

- 10.4 A number of areas outlined within 'A healthy community' are endorsed and promoted through the funding of the user-led groups. A high proportion of the existing funded groups promote healthy eating, alternative therapies and physical exercise which clearly evidences positive effects on group members. This in turn has enabled members to look at their lifestyles holistically and improve, enhance and develop other areas of their lives which have a direct impact on their mental wellbeing.
- 10.5 There have also been a number of members who have felt confident enough to cease attending the groups and who have progressed onto volunteering and training opportunities. This not only gives confidence to the member/s who have moved-on and progressed, but also to existing members who may see this as direct encouragement and an insight into opportunities which they may not have necessarily have known about prior to being a group member.

11. BEST VALUE (BV) IMPLICATIONS

- 11.1 The best value duty is a duty to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness." The Mental Health User Led Grants Programme demonstrates economy and efficiency in that it will significantly improve and increase the range and quality of services.
- 11.2 The Mental Health User Led Grants programme delivers a high volume of support within a limited envelope. This is demonstrated in relation to:
- the number of workshops delivered by the service;
 - the number of people who attend these workshops;
 - the choice and variety of different workshops and activities;
 - the ability of the groups to offer services to hard to reach communities;
 - the capacity to include people with multiple and complex needs; and,
 - the equal geographical distribution of groups in relation to need in the borough.
- 11.3 The User Led Grants Programme is effective in that it enables us to meet priorities stated within the Tower Hamlets Mental Health strategy to:
- Reduce stigma and discrimination by offering alternatives to traditional segregated services
 - Support people to take control of their lives
 - Ensure that people are able to access support easily
 - Promote service user involvement in developing and improving Services.
- 11.4 User Led groups deliver preventive services which increase wellbeing and keep people out hospital. They are effective value-for-money ways of keeping people well in the community. Local JSNA data supports the success of the Tower Hamlets preventative approach in keeping people with mental health problems well in the community thus preventing more acute and costly care and support needs.

12. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

The proposals within the report do not specifically contribute to a sustainable environment nor identify any environmental implications. Authors should explain how the proposals in the report will contribute to a sustainable environment and/or identify any environmental implications of the proposals and the action proposed to address these.

13. RISK MANAGEMENT IMPLICATIONS

- 13.1 The increased focus on outcome, independence and sustainability will be a challenge for some of the service user groups with its accompanying increased responsibility. We will mitigate this risk by:
- Coproducing the mandatory outcomes and measurements with the groups to agree reasonable requirements
 - Providing a tiered level of support from the Recovery and Wellbeing service that will develop sustainability within the groups and capacity to access alternative funding
 - Supporting the introduction of any new monitoring mechanism and the attainment of the quality assurance standard
 - Providing training and skills development courses at the Recovery to support the pathway for group leaders

14. CRIME AND DISORDER REDUCTION IMPLICATIONS

By promoting and supporting recovery focused activities, the proposals seek to enable people to achieve their full potential encouraging participation in meaningful activities and reducing risk of criminal activity and anti-social behaviour.

15. SAFEGUARDING IMPLICATIONS

- 15.1 Through the safeguarding training and ongoing support this programme is building understanding and capacity within the mental health service user community. This will enable them to better manage safeguarding issues amongst peers who otherwise may not have engaged with mainstream services. All support and training will be driven by Tower Hamlets Safeguarding strategies and procedures.

Linked Reports, Appendices and Background Documents

Linked Report

- List any linked reports [if Exempt, Forward Plan entry MUST warn of that]
- State NONE if none.

Appendices

- Appendix 1: Summary of Evaluation against the Award Criterion
- Appendix 2: East End Life Advert published 25/01/2016
- Appendix 3: Application Timetable
- Appendix 4: Grant locations in relation to mental health service users who receive commissioned social care
- Appendix 5: User Led Group Locations

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- List any background documents not already in the public domain including officer contact information.
- These must be sent to Democratic Services with the report
- State NONE if none.

Officer contact details for documents:

Or state N/A

Summary of Evaluation against the Award Criterion

Name	Original bid	Recommended award	Compliance with previous grant conditions	Under represented group	Out of Hours	Outcomes	Sustainability	Engagement	New members	equalities	User Led
Aspire 2	£2,200	£1,800									
Asumjwe	£4,900	£3,900		Afro Carib Women	7pm wed/ weekend						
BYM	£4,800	Not recommended		Bangladeshi Women							
BSAMG	£5,000	£2,944		Bangladeshi men	Sunday						
Burcham St Gardens	£2,500	£2,500			Saturday						
Café Nia	£5,000	£4,351		Arfro Carib Mixed	regular weekend events						
Expressions with Art	£4,800	£4,800			eve						
Feel Good Friday	£4,800	£4,321									
HUSH	£4,989	£4,739			4-7 Friday						
Handy Crafts	£3,720	£2,971									
Health fitness Group	£4,000	£3,062			sat 12pm						
KUSHI	£3,310	£1,971		Bangladeshi women							

New start Pamper Group	£3,540	£3,111									
Ocean Somali Womens Group	£5,000	£4,235		Somali women							
Performance Arts & Cinema Club	£4,700	£2,366									
Stifford Centre	£4,970	Not recommended			£4,970						
SUNDAY Lunch Club	£4,420	£2,754									
Thai Boxing Fighter Academy	£5,000	£5,000									
Thursday Group	£4,954	Not recommended									
UPBEAT	£4,990	£1,424									
Urban Rambling	£2,070	£911									
Vietnamese Mental Health Society	£4,186	£3,596		Vietnaamese men							
Sohba Taiba (Good Friendship)	£3,800	£2,750		Arabic Women							
Peace of Mind Group	£3,500	£1,424		Bangladeshi men							
Mindfulness Photography	£4,000	£1,424									
BOYAAN	£4,861	£3,269	new	Bangladeshi women							
Cool To Believe	£1,940	£1,690	new						NA		
Evening Music Group	£2,500	£2,500	new								

Golden Moon Youth Project	£4,500	Not recommended	failed 2015 review								
Mind Wanderers	£2,950	£2,031	new								
Melody Makers Music Group	£3,969	£3,169	new								
Phoenix	£3,000	£3,000	new								
Positive Easts Re-Mind Wellbeing Group	£4,712	Not recommended	new								
The Songbirds	£3,995	£3,995	new								
Time to Talk Peer Support	£3,160	£2,810	new								
Voices Within	£2,020	£2,020	new								
Total	£118,820	£90,838									

East End Life Advert published 25/01/2016

2016-17: Small Grants for Mental Health User-Led Groups

APPLICATIONS ARE REQUESTED FOR MENTAL HEALTH USER-LED GROUP FUNDING.

To be eligible for a grant, your group must:

- a. Support residents of Tower Hamlets with identified mental health needs aged over 18
- b. Be led by mental health service users
 - i) Existing funded groups:- to demonstrate performance (track record) of being a user-led group.
 - ii) New groups:- to demonstrate experience or aspiration for being a user-led group
- c. Provide peer support, therapeutic or social activities
- d. Provide a quality service to an active membership
- e. Priority will be given to groups that provide activities that take place out of hours
- f. Priority will be given to groups that target users who are currently under represented in the overall funding scheme
- g. Priority will be given to groups who demonstrate a commitment to the agreed outcomes and outputs
- h. Priority will be given to groups who demonstrate a commitment to sustainable development

The maximum grant award to any user-led group is £5,000. Please note due to a finite budget for the small grants, the level of grant awards to successful groups will depend on the number of total applications.

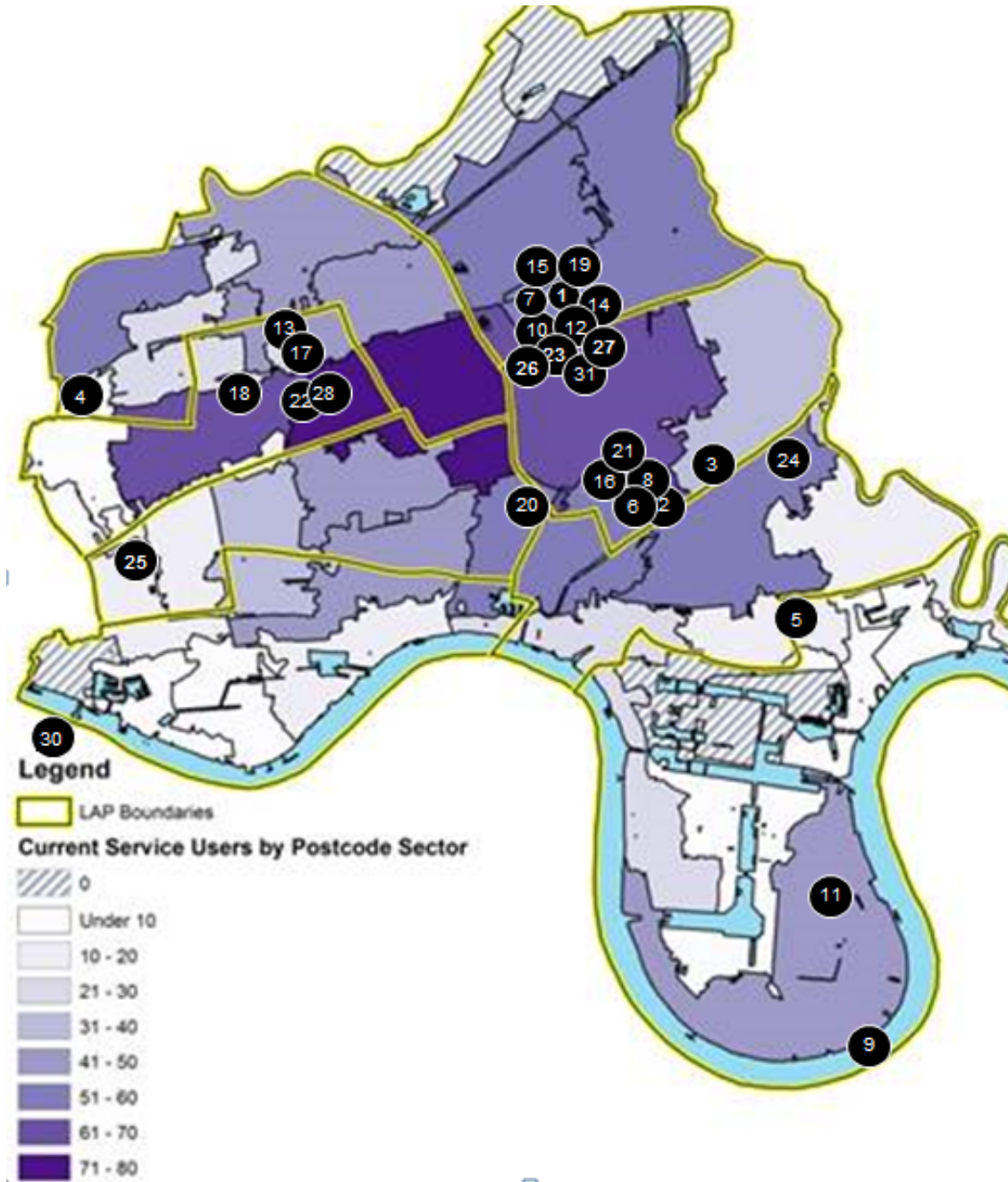
Deadline for returning all small grants application is Monday 22nd February 2016.

Application Timetable**Small Grants for Mental Health User-Led Groups****Application Timetable 2016-17 Funding**

25 th January 2016	Advert goes into East End Life and via SUN network
Monday 22 nd February 2016 at 5pm	Deadline for return of all funding Applications to be emailed to: Ambia.Khatun@community-options.org.uk or posted to: Ambia Khatun Central Working, 83-89 Mile End Road, London, Whitechapel, E1 4UJ
Start: 23 rd February 2016	Assessment of applications
24 th , 25 th , 26 th February 2016	Telephone / meetings with new and/or existing applicants where necessary
12 th April 2016	LBTH –Commissioner Decision Making in Public
15 th April 2016	Award confirmation letters to successful applicants
22 nd April 2016	Successful applicants to return Signed Terms and Conditions and to confirm bank details
Start 29 th April 2016	Authorised payment to successful groups subject to the receipt of signed Terms and Conditions and confirmation of bank details
<p>For further information about the applications' process, you can contact:</p> <p>Ambia Khatun - Development Worker at Community Options Central Working, 83-89 Mile End Road, London, Whitechapel, E1 4UJ 020 8313 9725 or 07703472588 Ambia.Khatun@community-options.org.uk</p>	

Grant locations in relation to mental health service users who receive commissioned social care

Framework i Cases flagged with Mental Health Issues and Currently Using Services



9

Grant Location

crown copyright and database rights 2013 Ordnance Survey, London Borough of Tower Hamlets 10019288


User Led Group Locations

Map ref.	Name of Group	Community focus of group	Primary Base [post code]	Meeting Location	Funding 2014-15	Funding Request 2016-17	Grant Recommendation 2016-17
1)	Aspire2	All TH citizens	E5 5EU	Bow haven; William Place; Roman Road; London E3 5EU	£2,772	£2,200	£1,800
2)	Asumjwe	Female - African Caribbean TH Citizens	E3 4DA	Open House 13 Whitethorn St., E3 4DA	£3,582	£4,900	£3,900
3)	Bangladeshi South Asian Men's Group [BSAMG]	Bangladeshi - All TH citizens	E3 3PX	All Hallows Church, Blackthorn Street, London E3 3PX	£3,601	£5,000	£2,944
4)	BOYAAN	Bangladeshi Women	E2 7EY	St Hilda's East Community Centre, 18 Club Row, London, E2 7EY	NEW	£4,861	£3,269
5)	Burcham Street Gardeners	All TH Citizens	E14 0SH	Burcham Street Centre, 96 Burcham Street E14 0SH	£1,558	£2,500	£2,500
6)	Café Nia	African-Caribbean - TH citizens	E3 4DA	Open House 13 Whitethorn Street E3 4DA	£3,625	£5,000	£4,351

Map ref.	Name of Group	Community focus of group	Primary Base [post code]	Meeting Location	Funding 2014-15	Funding Request 2016-17	Grant Recommendation 2016-17
7)	Cool to Believe	All TH citizens	E3 5EU	Bow haven; William Place; Roman Road; London E3 5EU	NEW	£1,940	£1,690
8)	Evening Music Group	All TH citizens	E3 4DA	Open House 13 Whitethorn Street E3 4DA	NEW	£2,500	£2,500
9)	Expression with Art	All TH citizens	E14 3BN	Christ Church Manchester Road London E14 3BN	£3,592	£4,800	£4,800
10)	Feel Good Friday	All TH citizens	E3 5ED	Bow Haven, William Place Centre, Roman Rd, E3 5EU	£2,576	£4,800	£4,321
11)	H.U.S.H [Hidden Universe of Self-Harm]	All TH citizens	E14 8JT	Barkingtine Café, Barkingtine Health Centre, Westferry Road, E14	£3,280	£4,989	£4,739
12)	Handy Crafts	All TH citizens	E3 5ED	Bow Haven, William Place Centre, Roman Rd, E3 5EU	£2,484	£3,720	£2,971
13)	Health & Fitness (Out of Hours) Group	All TH citizens	E2 9PJ	Meet at York Hall, 5-15 Old Ford Road, Bethnal Green E2 9PJ	£2,900	£4,000	£3,062
14)	KUSHI	Female - Bangladeshi / Indian - All TH citizens	E3 5ED	Bow Haven, William Place Centre, Roman Rd, E3 5EU	£2,959	£3,310	£1,971

Map ref.	Name of Group	Community focus of group	Primary Base [post code]	Meeting Location	Funding 2014-15	Funding Request 2016-17	Grant Recommendation 2016-17
15)	Melody Makers Music Group	All TH citizens	E3 5EU	Bow Haven, William Place Centre, Roman Rd, E3 5EU	NEW	£3,969	£3,169
16)	Mindfulness Photography	All TH Citizens	E3 4DA	Open House 13 Whitethorn St., E3 4DA	£2,900	£4,000	£1,424
17)	Mind Wanderers	All TH citizens	E2 9PL	St. Margaret's House 21 Old Ford Road Bethnal Green E2 9PL	NEW	£2,950	£2,031
18)	Muay Thai Boxing	All TH citizens	E3 4DA	Oxford House, Derbyshire Street, Bethnal Green London E2 6HG	£3,625	£5000	£5000
19)	New start Pamper Group	Female - All TH citizens	E3 5ED	Bow Haven, William Place Centre, Roman Rd, E3 5EU	£3,318	£3,540	£3,111
20)	Ocean Somali Women Group	Somali women	E3 4AA	420-421 Rail Archways, Burdett Road E3 4AA	£3,604	£5,000	£4,235
21)	Peace of Mind Group	Bangladeshi Men	E3 4DA	Open House 13 Whitethorn St., E3 4DA	NEW	£3,500	£1,424
22)	Performance Arts & Cinema Club	All TH citizens	E2 6JY	Beside, 3 Birbeck Street, London E2 6JY	£3,480	£4,700	£2,366
23)	Phoenix	All TH citizens	E3 5ED	Bow Haven, William Place Centre, Roman Rd, E3 5EU	NEW	£3,000	£3,000

Map ref.	Name of Group	Community focus of group	Primary Base [post code]	Meeting Location	Funding 2014-15	Funding Request 2016-17	Grant Recommendation 2016-17
24)	Sohba Taiba (Good Friendship)	Arab Residents	E3 3LL	Marnier Centre, Devas Street, London E3 3LL, Idea Store	£3,625	£3,800	£2,750
25)	Songbirds	All TH citizens	E1 7AJ	Toynbee Hall, 52 Old Castle Street, London, E1 7AJ	NEW	£3,995	£3,995
26)	SUNDAY Lunch Club	All TH citizens	E3 5EU	Bow haven; William Place; Roman Road; London E3 5EU	£3,436	£4,420	£2,754
27)	Time to Talk Peer Support	All TH citizens	E3 5EU	Bow haven; William Place; Roman Road; London E3 5EU	NEW	£3,160	£2,810
28)	UPBEAT	All TH citizens	E2 0EA	PRHA, 458 Bethnal Green Road, E2 0EA	£3,204	£4,990	£1,424
29)	Urban Rambling	All TH citizens	Various depending on walk route	Various locations	£1,667	£2,070	£911
30)	Vietnamese Mental Health Society	Vietnamese TH citizens	SE1 2XF	25 Fair Street; London SE1 2XF	£3,625	£4,186	£3,596
31)	Voices Within	All TH citizens	E3 5EU	Bow Haven, William Place Centre, Roman Rd, E3 5EU	NEW	£2,020	£2,020

Commissioner Decision Report 12 th April 2016	 TOWER HAMLETS
Report of: Debbie Jones, Corporate Director Children's Services	Classification: Unrestricted
Tower Hamlets' Education Award (Higher Education): Post 16 Progression - school-led programme	

Originating Officer(s)	Terry Parkin
Wards affected	All
Key Decision?	No
Community Plan Theme	A fair and prosperous community

Executive Summary

The attached paper has been considered by Cabinet. This paper provides Commissioners an opportunity to concur with Cabinet's decision in accordance with the informal discussions with Commissioners over the last two months. Both finance (Section 4 below) and legal (Section 5) advice is giving within the appended paper.

Recommendations:


The Commissioners are recommended to:

1. Note the recommendations in the Cabinet report at Appendix A
2. Concur with the decision of the Mayor in Cabinet.

REASONS FOR THE DECISIONS

Commissioners have been closely involved in the development of these revised proposals. It was required by the Commissioners and supported by the Mayor that any scheme should have a measurable impact. This scheme meets that requirement by building on the tracking work already undertaken by our schools.

It is appropriate therefore that although the decision is to utilise DSG through a school-led programme, Commissioners are advised of and concur with this arrangement. Because the Cabinet meeting is shortly before the Commissioners' meeting, a verbal update on the outcome of the Cabinet meeting will be provided by the Corporate Director of Resources.

Cabinet 5th April 2016	 TOWER HAMLETS
Report of: Debbie Jones, Corporate Director,	Classification: Unrestricted
Title of Subject Matter: Tower Hamlets' Education Award (Higher Education): Post 16 Progression - school-led programme	

Lead Member	Councillor Saunders, Cabinet Member for Children
Originating Officer(s)	Terry Parkin Service Head Learning and Achievement
Wards affected	All wards
Key Decision?	Yes
Community Plan Theme	A Fair and Prosperous Community

Executive Summary

There is a Mayoral commitment to review the awards formerly known as 'The Mayor's Higher Education Awards'. These were considered to be not fit for purpose as significant sums were being dispersed to students with little or no evidence of impact.

The model proposed below is to provide all our qualifying schools with a sum of money to promote continuation in education and training post-16 and/or post-18 but within a clear framework of accountability. It would also be seen as transitional funding, helping schools to support students as they come to terms with the new funding arrangements and allowing non-statutory opportunities that might otherwise have to be reduced.

This paper was discussed with the Commissioners on Tuesday 1st March 2016. They were content with the proposed way forward detailed below and was consistent with other considerations. The Commissioners advised that they would formally concur with Cabinet's decision at their Commissioners' Decision Making meeting on 12th April 2016. Previously, Commissioners had agreed that:

the allocation of DSG is the 'making of a grant' for the purposes of Directions under section 15(5) and (6) of the Local Government Act 1999 to the Council of LBTH; and

to delegate the operation of the existing arrangements for the DSG to the Corporate Director (Education, Social Care and Wellbeing), whereby the Schools Forum determines the allocation of the ISB [Individual School Budget] and Service Heads approve the allocation of the 'contingency'.

Recommendations:

The Mayor in Cabinet is recommended to:

1. Invite Schools' Forum to cover the costs of this programme from unspent DSG;
2. Agree Cabinet approve a virement of up to £600,000 to reflect actual costs incurred.

1. REASONS FOR THE DECISIONS

- 1.1 The recommendations are consistent with the Mayor's manifesto commitment to continue with support to students on leaving school. The scheme supports a number of outcomes in the Community Plan, including improving education outcomes and employability. It also expands the range of those able to benefit from the scheme (when compared to the previous programme) to those intending to move into further education or apprenticeships on leaving school.
- 1.2 The scheme will allow schools to target interventions specifically at our most vulnerable students post-16 with the aim of increasing numbers in education and training post-school.

2. ALTERNATIVE OPTIONS

- 2.1 A wide range of alternatives have been explored. This proposal has the benefit of being easy to administer with established systems in place to fund initiatives in schools through DSG, and places the responsibility of securing impact on schools but also with the freedom for them to use the grants creatively.
- 2.2 The main significant alternative is to discontinue the scheme.
- 2.3 Commissioners have looked before at allocations to schools (25th March 2015) and agreed to delegate decisions around the award of sums to schools from DSG and other passported grants, to the relevant Corporate Director (now of Children's).

3. DETAILS OF REPORT

- 3.1 The Mayor made a clear manifesto commitment to support Post 16/Higher Education progression and £600k is set aside in the budget for this programme. That funding is not recurrent and so any extension would require approvals in future years. It is important then that any such arrangement needs to fit with our wider Post-16 aims to:

- raise attainment Post 16 (across all academic and vocational routes, and across the ability range);
- ensure young people become well-rounded adults, committed to learning and development and able to contribute to (local) economic prosperity; and,
- build capacity to support the progression of future students, apprentices and graduates to become successful employees.

3.2 As part of the development of these ideas we have consulted the 14-19 Partnership Board. This Board consists of the main providers of 16+ education and training in the Borough. These proposals are mindful of the thinking at the 14-19 partnership Board that:

- a) sums offered need to be sufficient to influence behaviours and to genuinely assist the young person (headteachers felt the previous scheme failed totally in this regard);
- b) Is inclusive, but aids those most in need of support;
- c) The offer and outcomes need to be coordinated to draw together benefits, and to attempt to discover what works best; and,
- d) Encompasses the concept of something for something – expectations placed on young person receiving the funding to give something back to the community.

3.3 It is hard to predict the future shape of the Council. It was also considered important, therefore, that any programme is sufficiently well defined so that it can be commissioned externally, or run in house. A sum of £30,000 is suggested for the administration of this scheme in Year 1.

3.4 Finally, there was a strong view that any such programme should support all eligible young people leaving school and not just those pursuing a university career. There is significant anecdotal evidence, for example, of young people not taking up apprenticeships as it will reduce family benefits. The proposals then should be consistent with other initiatives under consideration across the Council led by Economic Development.

3.5 **Aims for the Amended Programme**

- a) To support young people to progress into further /higher education, apprenticeships and work.
- b) To promote remaining in education and training post-school or college;
- c) To promote a wider range of university and apprenticeship options post 18 for example by helping students travel to interviews; and,
- d) To utilise funding to build capacity to support schools in preparing future Apprentices, Graduates and Workers

3.6 **Delivery Concept**

3.7 Current thinking on effective decision-making in education focuses on it being as near to the student as possible. In this context, this would suggest schools

should be given the freedom within any scheme to decide how that scheme might work best for its students.

- 3.8 All Tower Hamlets' secondary schools have expressed a desire to have a sixth form and so allocation of any funds to promote Higher Education should include all schools, including academies. An equitable means of distribution would therefore consist of a fixed sum per school along with a per head sum relating to the most disadvantaged pupils, in this case using free school meals as a proxy. However, we would want to focus on our residents and in particular those residents with specific vulnerabilities such as living in a low income home, having special needs or being a looked after child. Appendix 1 details residents at Tower Hamlets schools and colleges who have qualified for free school meals in the last year. The proposal is, therefore, to allocate sums in accordance with appendix 1 using qualification for free school meals as a proxy figure for our most vulnerable residents. Schools would be able to disperse this sum as they see fit but being accountable through an annual return to the Mayor. The budget contains £600,000: this model allocates a little over half of that, and could easily be scaled-up. This would then allow any unallocated sums to be returned as a saving, or to use it for other purposes. £30,000 has been suggested for scheme administration.
- 3.9 The model given at appendix 1 uses residents previously qualified for free school meals, (ie in Y11) and provides a baseline sum along with a weighted amount dependent on numbers. As a consequence, the sums seem not insignificant for any individual school – from a little under £6,000 for Beatrice Tate to around £17,000 for Sir John Cass. A sum is also allocated to Tower Hamlets College as many of our 16 year olds, and particularly those working below level 3 (A Level) and/or with special educational needs, attend the College for their post-16 programme. These sums are considered by headteachers consulted, to be sufficient to have an impact on destinations post-school.
- 3.10 This grant should not be used for purposes funded by other sources such as DSG but should add value. We would expect schools to use the money in the following ways:
- To develop a wider awareness amongst our students of the opportunities available to them on leaving school;
 - To support individuals in attending interviews at distant providers such as universities or colleges of Further Education;
 - To set internal targets with governing bodies for progression post-16 and post-18;
 - Paying travel expenses and other out of pocket expenses to bring alumni back into the school to help build aspirations;
 - To provide a small number of high value bursaries to students attending education or training post-school where these can be shown to have a positive impact on outcomes; and,
 - To help match fund other programmes, for example, through the EBP or other local providers, to support mentoring and other programmes that raise aspirations.

- 3.11 As part of this programme we will work with local charities and other providers to ensure all schools know what external support is available, and how to access it, and any return expected from the school will require a minimum of bureaucracy but will be expected to demonstrate the impact of the award.
- 3.12 This then follows-on from the Education Maintenance Allowance paid to qualifying 16-18 years olds. Students selected for the High Education Award would also have either qualified for but not applied, or applied and were successful for the equivalent post-16 award, the Tower Hamlets EMA.
- 3.13 **Reporting Back from Schools**
- 3.14 Although we would want individual schools to work-up their own schemes, to make monitoring consistent we might agree a set of parameters against which all would report, in addition to a basic expenditure account, and being guided by 3.10 above. For example:
- Baseline numbers of students continuing in education or training vs numbers after scheme.
 - Number of agencies working with the school before the programme vs after the programme
 - Opportunities offered to students through the scheme
 - Numbers benefiting from awards – by category eg support for interviews additional mentoring
- 3.15 Note though that any significant impact measure is characterised by its longitudinal nature and this would require an extended commitment to the programme.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 A budget of £600k is available in 2016/17 for the Tower Hamlets Higher Education Award. This budget was agreed by full Council as part of the Budget and Council Tax report on 24th February 2016.

5. LEGAL COMMENTS

- 5.1 Whilst there is no strict legal definition of grant, a grant is in the nature of a gift and is based in trust law. However, grants are often given for a purpose so it is sometimes unclear whether a grant has been made or the arrangement is a contract for services. A contract for services is not a grant and therefore, an arrangement which is classified as a contract for services would be outside the remit of the power conferred upon the commissioners to approve.
- 5.2 There will be many grants which are made by the Council for the purpose of discharging one of its statutory duties. However, as a grant is in the nature of a gift, it is considered there must be some element of discretion on the part of the Council as grantor as to whom a grant is made to and whether this is

made. If the Council is under a legal duty to provide a payment to a specific individual or organisation, and cannot lawfully elect not to make such a payment, then that should not amount to a grant.

- 5.3 In this case, the Council is not under a legal duty to provide these payments. The payments are discretionary and therefore considered to be a grant.
- 5.4 The power of the commissioners to make decisions in relation to grants arises from directions made by the Secretary of State on 17 December 2014 pursuant to powers under sections 15(5) and 15(6) of the Local Government Act 1999 (the Directions). Paragraph 4(ii) and Annex B of the Directions together provide that, until 31st March 2017, the Council's functions in relation to grants will be exercised by appointed Commissioners, acting jointly or severally. This is subject to an exception in relation to grants made under section 24 of the Housing Grants, Construction and Regeneration Act 1996, for the purposes of section 23 of that Act (disabled facilities grant).
- 5.5 The subject of the Dedicated Schools Grant ('DSG') went for Individual Commissioner Decision on 25th March 2015 where it was agreed that-
 - (a) the allocation of DSG is the 'making of a grant' for the purposes of Directions under section 15(5) and (6) of the Local Government Act 1999 to the Council of LBTH; and
 - (b) the operation of the existing arrangements for the DSG to the Corporate Director (Education, Social Care and Wellbeing), whereby the Schools Forum determines the allocation of the ISB [Individual School Budget] and Service Heads approve the allocation of the 'contingency'
- 5.6 The payment of the "Higher Education Award" can be paid out of the DSG and therefore the Corporate Director [now the Corporate Director, Children's Services] has the delegated authority for the operation of such and can therefore allocate monies to schools for specific purposes.
- 5.7 The Council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This is referred to as the Council's best value duty. Best Value considerations have also been addressed in paragraph 9 of the report.
- 5.8 The grant agreement should include a clear monitoring process against defined parameters in order for the Council to demonstrate either: that delivery is in line with the application and, therefore, the grant achieved its purpose; or provide clear delineation where outcomes were not achieved and the reasons for such failure are apparent.
- 5.9 When implementing the scheme, the Council must ensure that no part of the funds issued represents a profit element to any of the recipients. The inclusion of profit or the opportunity of making a profit from the grant or third parties indicates that the grant is really procurement activity and would

otherwise be subject to the Council's Procurement Procedures and other appropriate domestic and European law. This would mean therefore, that the Council would have failed to abide by the appropriate internal procedures and external law applicable to such purchases.

- 5.10 The Treaty on the Functioning of the European Union (TFEU) provides that certain government activities may be prohibited because they give an advantage in a selective way to certain entities, which might affect competition within the internal market. Those advantages may amount to prohibited state aid, or may be state aid which is either expressly allowed by the Treaty, or which may be allowed, dependent on the circumstances. Certain activities are considered to be compatible with EU law however and which includes "aid having a social character" (see Article 107(2)(a) of TFEU. In this case, the grants would be to provide "aid having a social character" and are therefore not prohibited.
- 5.11 When making decisions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). A proportionate level of equality analysis is required to discharge the duty and information relevant to this is contained in the One Tower Hamlets section of the report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 By targeting young people resident in the borough and who qualified for free school meals, we have a good proxy for those living in the greatest poverty. We know students from such backgrounds have some of the lowest access and completion rates and so this would directly seek to address that need.
- 6.2 Equality: The award is targeted at students from our most vulnerable households using free school meals as a proxy. There is good evidence that those from more affluent households also have access to wider support networks and often familial experience of continuing in education post-16. This award will allow schools to bridge those gaps, supporting those most at risk of not continuing in education and training.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 It would be for individual schools to demonstrate the impact of this grant. Should there be a decision to continue it in future years; the Mayor would want to take note of the practice in schools where the greatest impact on our young people was seen.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 N/A

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 By making schools accountable, we are ensuring the decisions taken are as near to the students who will benefit as possible. This reduces any possible confusion around purpose, and we will ensure there are clear accountability measures in place so that all monies are carefully tracked.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 It is established that those out of education, employment or training show a greater likelihood of becoming engaged in illegal activities, and/or a draw on the resources of the State. If successful, this scheme has the potential for more young people to remain for longer in education, training and employment, reducing the risk of antisocial behaviours.

11. SAFEGUARDING IMPLICATIONS

- 11.1 It is often said that one of the best safeguarding actions is to ensure all young people achieve five good GCSEs. This takes that further and aims to support students from the most vulnerable circumstances fulfil their academic potential and build for themselves and their family a sustainable future.

Linked Reports, Appendices and Background Documents

Linked Report

Previous reports to Commissioners: A resolution for the EMA element was agreed on 16th September, 2015

Appendices

Appendix 1 - Proposed Costings – based on £300k dispersed in Year:

- Table 1 Free School Meal by School by Residential Qualification

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

None

Officer contact details for documents:

N/A


APPENDIX 1

Proposed Costings – based on £300k dispersed in Year

Table 1 Free School Meal by School by Residential Qualification

All Pupils	Year12_Total			Lump sum	Weighted sum £90/pupil	Per school
	FSM	% FSM	Total Pupils			
Bethnal Green Academy	36	56%	64	10000	£3,240	£13,240
Bishop Challoner Girls	13	9%	137	10000	£1,170	£11,170
Bow	13	41%	32	10000	£1,170	£11,170
Central Foundation	69	36%	190	10000	£6,210	£16,210
George Green's	13	18%	71	10000	£1,170	£11,170
Langdon Park	29	63%	46	10000	£2,610	£12,610
Morpeth	53	30%	179	10000	£4,770	£14,770
Mulberry	98	43%	229	10000	£8,820	£18,820
Oaklands	45	40%	113	10000	£4,050	£14,050
Raine's Foundation	33	40%	83	10000	£2,970	£12,970
Sir John Cass	71	28%	257	10000	£6,390	£16,390
St Paul's Way	23	32%	71	10000	£2,070	£12,070
Stepney Green	32	46%	70	10000	£2,880	£12,880
Swanlea	72	55%	132	10000	£6,480	£16,480
Tower Hamlets College	389			10000	£35,010	£45,010
Beatrice Tate	7	78%	9	5000	£630	£5,630
Bowden House	1	100%	1	5000	£90	£5,090
Ian Mikardo	4	100%	4	5000	£360	£5,360
Phoenix	5	63%	8	5000	£450	£5,450
Grand Total	1,006	59%	1,696	170000	£90,540	£260,540

NB Small numbers of students resident in the borough and who qualify for free school meals attend the London Enterprise College. This provider has been approached for its qualifying numbers but has yet to respond. We might want to set aside £11,000 for this provider.

<p>Commissioner Decision Report 12th April 2016</p>	 TOWER HAMLETS
<p>Report of: Zena Cooke, Corporate Director Resources</p>	<p>Classification: [Unrestricted or Exempt]</p>
<p>Community Buildings and Heritage Buildings</p>	

Originating Officer(s)	Everett Haughton
Wards affected	All wards
Key Decision?	Yes
Community Plan Theme	One Tower Hamlets

Executive Summary

This report sets out the proposals for the planned reallocation of the funding that was previously allocated to the Community Faith Buildings Support Scheme (CFBSS). The proposed Community Faith Buildings Support Scheme was reviewed following a complaint in respect of the Scheme and it was decided to abandon the Scheme.

The new proposals are intended to support the Council's strategic priorities and enhance the funding available to the council's existing Historic Buildings Grant Scheme. The proposals will also ensure that the actions arising from the Council's review of community buildings will have sufficient resources.

Subject to Commissioners approval, a report will be presented to the Mayor in Cabinet to approve a virement of £300k to the Historic Buildings Grant Scheme and £1.976m to the capital programme for Community Buildings and support the Voluntary and Community Sector action plan.

Recommendations:

The Commissioners are recommended to:

1. Note the proposals to reallocate the funding of approximately £2.276m previously set aside for the Community Faith Building Scheme as follows:

A total of £300k (£100k per year for three years) for the council's existing Historic Buildings Grant scheme; and

A total of £1.976m to be allocated to deliver property related actions arising from the Community Buildings review and support the Voluntary and Community Sector action plan.

2. Note the proposed approach in terms of advice, information and guidance to the 47 organisations that applied for round 2 CFBSS funding.

1. REASONS FOR THE DECISIONS

- 1.1 This report is required to clarify the Council's position regarding the former Community Faith Buildings Support Scheme and the proposed use of the funding allocated to the Scheme.

2. ALTERNATIVE OPTIONS

- 2.1 The Council could choose not to relocate the CFBSS funding but this would not achieve the Council's strategic priorities in relation to the Borough's heritage buildings or the community buildings extensively used by voluntary and community sector organisations.

3. DETAILS OF REPORT

Background

- 3.1 In October 2012, Cabinet agreed on devising a Community Faith Buildings Support Scheme (CFBSS). The purpose was to offer assistance to faith communities to repair, adapt and improve buildings in Tower Hamlets in which faith-based activities occur. The scheme was allocated £3m of which £225,000 (7.5%) was for management and administration costs.
- 3.2 The scheme was to consist of 3 rounds. Round 1 was allocated £600,000 and projects could apply for up to £25,000. The approved portfolio was made up of 42 projects and was completed with underspends totaling £75,940.
- 3.3 Round 2 of the scheme was allocated a budget provision of £1,313,000 and Round 3 £862,000.
- 3.4 Applications for Round 2 closed in November 2013. However, shortly after the closing date a complaint was received about the Scheme.
- 3.5 It was therefore considered prudent to delay Round 2 decisions of the scheme so that the issues raised by the complainant could be fully considered. At that time, the Council had received 47 applications requesting a total of £7.3m against a total available budget of circa £2.27m.
- 3.6 The complaint was considered and as a result, the Scheme was abandoned.
- 3.7 A number of options for a revised Scheme were initially presented to Commissioners in March 2015 but these were not progressed.

Proposed Scheme and Next Steps

- 3.8 Further work has been undertaken to ensure that proposals for a future Scheme are clearly linked to the Council's strategic priorities and demonstrate value for money to the taxpayer.
- 3.9 The Council already has a scheme in place to support the Borough's heritage buildings. The scheme has operated for a number of years, the criteria, assessment and evaluation are well established and understood. The level of funding available has reduced each year and will only be £25k from 2016/17. It is therefore proposed that the funding for the existing scheme be increased by £100k per year for 3 years in order that more heritage buildings can be protected and enhanced. It is proposed that the Scheme is evaluated at the end of the second year to provide evidence of the impact of the Scheme so as to inform future budget allocation considerations. Details of the grant administration and publicity proposals are attached at Appendix A. A copy of the Historic Buildings Grant application form and guidance note is attached at Appendix B.
- 3.10 The Council is also currently undertaking a comprehensive audit of all its community buildings and will be presenting the findings of the audit to the Mayor in Cabinet. The audit report will set out proposals for the future use of the buildings, the lease and service charge arrangements and consideration of the development of "community hubs". Many of the buildings are in need of maintenance and repair some of which is considerable. Those that are identified as community hubs will require works to be undertaken to change their use to a hub.
- 3.11 The use of community buildings is a key factor in supporting the Borough's voluntary and community sector and it is therefore proposed that the remainder of the £2.276m allocation (less the £300k for the Historic Buildings Grant scheme) is allocated for community buildings. Subject to Commissioners approval, a report will be presented to the Mayor in Cabinet to approve the virement of £300k and the £1.976m to the heritage buildings grant scheme and the capital programme for Community Buildings and support the Voluntary and Community Sector action plan respectively.
- 3.12 It is acknowledged that there are 47 organisations that have had outstanding applications for a significantly long period of time. Some of those organisations applied for funding to be the catalyst for attracting external funding from elsewhere in order to finance large-scale regeneration initiatives. The Council needs to advise each organisation of these proposals and to ensure they are provided with appropriate advice, guidance and support and where possible signposting the potential alternative funding streams.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The report asks commissioners to note plans for reallocating the funding set aside for the Community Faith Buildings Support Scheme. The remaining funding allocated to the scheme is £2.276m, £797k is currently within revenue reserves and £1.479m is part of the capital programme. Cabinet will be required to approve the budget virements detailed within the report. Any costs associated with administering the revised scheme will be met from existing resources.

5. LEGAL COMMENTS

- 5.1. The power of the Commissioners to make decisions in relation to grants arises from directions made by the Secretary of State on 17 December 2014 pursuant to powers under sections 15(5) and 15(6) of the Local Government Act 1999 (the Directions). Paragraph 4(ii) and Annex B of the Directions together provide that, until 31 March 2017, the Council's functions in relation to grants will be exercised by appointed Commissioners, acting jointly or severally. This is subject to an exception in relation to grants made under section 24 of the Housing Grants, Construction and Regeneration Act 1996, for the purposes of section 23 of that Act (disabled facilities grant).
- 5.2. To the extent that the Commissioners are exercising powers which would otherwise have been the Council's, there is a need to ensure that the Council has the power to make the grant in question.
- 5.3. Section 57(1)(a) of the Planning (Listed Buildings and Conservation Areas) Act 1990, a local authority may contribute towards the expenses incurred or to be incurred in the repair or maintenance of a listed building which is situated in or in the vicinity of their area. Pursuant to this, the Council operates a Historic Building Grants Scheme and awards grant assistance to Listed Buildings, Buildings 'at Risk' or where there is clear public benefit arising from the works.
- 5.4. The Historic Buildings Grants Scheme as well as increasing the capital programme for community buildings is also additionally supported by the Council's general power of competence. Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. There are no such restrictions or limitations.
- 5.5. The Council has a duty under Section 3 of the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness (the best value duty). Awards of grants are subject to eligibility criteria and information relevant to best value is contained in section 6 of this report.

- 5.6. When exercising its functions, the Council must comply with section 149 of the Equality Act 2010 in that it must have due regard to the need to eliminate unlawful conduct under the Act, advance equality of opportunity and foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). Information about this is in the One Tower Hamlets section of this report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. This report concerns a variety of issues relating to buildings. This includes the refurbishment, lease and maintenance of buildings as well as developing building which can be utilised as community hubs. The Council is working to create a landscape where VCS Organisations from all areas of the local sector have access to good quality buildings that are fit for purpose and well used by the community.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 A number of Best Value considerations are contained within the body of the report. Where grants are made to organisations, level of awards to will depend on the quality of their individual applications as well as the overall demand for grants during the bidding process.
- 7.2 Additionally, the appraisal processes will take into consideration the overall value for money rating of all proposals; whether that is a grant request, an upgrading plan or some other required intervention.
- 7.3 Looking ahead to the long-term use buildings, there will be ongoing performance monitoring arrangements put in place to ensure that project activities meet the required standards; that the evidencing of achievements and expenditure are accurately recorded and reported.
- 7.4 Levels of outcomes and long-term impact will also be key indicators of performance.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 All proposals will need to be fully compliant with Council, local and regional policies and agreed action plans as appropriate.
- 8.2 Organisations will also be encouraged to emulate examples of good practice and where possible to set new standards which will show that Tower Hamlets is at the leading edge service delivery in this regard. In this context, the Council may wish to encourage 'green efforts' by rewarding innovative approaches demonstrated by local grant funded organisations.

9. RISK MANAGEMENT IMPLICATIONS

9.1 There are potential risks with all grant funding and development initiatives and proposals outlined within this report are no less subject to such risks. Some of the key risks which may arise from any funding of external bodies are outlined below.

- funding may not be fully utilised i.e. allocations remain unspent and outcomes/impacts are not achieved
- funding may be used for purposes that have not been agreed e.g. in the case of fraud
- organisations may not have the capacity to achieve their contracted outcomes

9.2 As part of our programme management and assurance arrangements, support will be provided to ensure that all of the above together with other foreseeable risks are minimised.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 Many of the Council's Community Buildings alongside others owned or occupied by local VCS Organisations are often used for the delivery of activities and services that have demonstrable effects in reducing crime and disorder.

10.2 We will endeavour to ensure that buildings utilised by people involved in, or at risk of involvement in the criminal justice system will be high on the list of priorities for support through funding and other initiatives related to this programme.

11. SAFEGUARDING IMPLICATIONS

11.1 Where organisations apply grant support, as part of the application process they will be required to provide details of their safeguarding policy if appropriate. The Grant Agreement that funded organisations will be obliged to comply with has a number of requirements in relation to safeguarding.

11.2 Organisations providing services to vulnerable adults and employing staff or volunteers in a position whose duties include caring for, training, supervising or being responsible in some way for them, will be required to fully comply with all necessary safeguarding requirements.

Linked Reports, Appendices and Background Documents

Linked Report

None

Appendices

- **Appendix A – Details of Grants administration and publicity proposals**
- **Appendix B – Heritage Buildings Grant Application Form and Guidance notes**

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

None

Officer contact details for documents:

N/A

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Heritage Buildings Scheme – Historic Buildings Grants

The Borough has in operation a Historic Buildings Grants (HBG) scheme to assist owners and occupiers of listed buildings and buildings in Conservation Areas in meeting their responsibilities for the care and maintenance of the irreplaceable cultural asset, which these buildings represent. With 58 Conservation Areas and approximately 3000 listed buildings, demand in the Borough for grant-aid assistance in meeting the costs of building repair remains high.

Grants are awarded on the basis of criteria established and included in the Grant Application Form. Grants are prioritised focusing firstly on those structures that are included in the Heritage at Risk Register followed by those that are statutorily listed and followed by those that are locally listed. HBG is limited to these three categories and if an application is made for grants where the structure does not fall within these three categories, the Council is unable to consider such applications.

The Borough has a budget of around 50k for HBG in 2015-16. However, this funding has now been reduced to 25k in 2016-17 due to budgetary considerations. The information about HBG is available on the Council's website and at present requests are considered on a first come first serve basis.

Application process for HBG in the next three years

2016-17

In terms of how we administer the grants in 2016-17, it will be useful to consider a bidding process to ensure a fair distribution of grant money across the year than be allocated on a first come first serve basis. As the HBG has a yearly budget, *we could formally announce the process in the first week of April with two deadlines for application. This assumes a virement of the funds early in April. Otherwise some slippage may be expected.*

First Deadline - End of May

This gives applicants two months(April-May) to put their application pack together as this involves them carrying out survey/assessment work involving specialist consultants. We make a decision by end of June and works to commence from July. Invoices to be submitted following completion of works and inspected by the Council's Conservation Officer(as set out in the application pack).

Second Deadline- End of Oct

Decision on grant to be made by end of Nov and works to commence from 1st of Dec. Invoices to be submitted following completion of works and inspected by the Council's Conservation Officer(as set out in the application pack).

Ideally we would like the grant money split equally between the two rounds of application for 12.5k (existing funding of 25k)- 62.5k (125k-increased funding

with additional 100k from Community Faith Building Grant).

If, in round 1, available funds are not allocated, the funds will become available to applications in round 2.

If at the end of round 2, (end Oct) we receive no applications, we can Provisionally have a round 3 by the end of Feb (only in 2016-17). If successful, the grant money will be allocated by the end of March to the relevant application. If more applications are received than what we can fund within that year's budget, those schemes will be taken forward to the next year and be considered as part of the next year's funding.

2017-18 & 2018-19

From 2017-18 onwards, there will be only two rounds for application – Aug and Feb. This way, we can better manage the application process and where necessary, carry forward projects/funding.

Publicity

Historic Buildings Grants have been in existence for many years and the grant has been successfully publicised in the past through the council's website.

In addition to publicising on the council's website, we will explore the possibility of publicising the scheme through Historic England website that provides funding for Historic Buildings in Tower Hamlets.

LONDON BOROUGH OF TOWER HAMLETS
HISTORIC BUILDINGS GRANTS

**Place Shaping Team
Directorate of Development and Renewal
Town Hall Mulberry Place
5 Clove Crescent
Poplar, London E14 2BG**

**APPLICATION FOR A GRANT UNDER THE PROVISION
OF THE PLANNING (LISTED BUILDINGS AND
CONSERVATION AREAS)
ACT 1990**

Please read the guidance notes carefully. These set out the criteria against which applications are assessed and may prevent unnecessary work.

The grant forms should be completed and returned to the address above. Please answer all questions; an incomplete form can not be assessed.

The form must be accompanied by two estimates broken down into the elements of the work and full details of work proposed and photographs of the building.
(See Guidance notes at the back)

1.a Full postal address of the building or site for which grant is sought.

1.b Is the building a statutorily Listed Building under Section 1 of the Planning (Listed Buildings & Conservation Areas) Act 1990?

Yes / No

If so, is it Grade I, II, II*

1.c Is the building within a Conservation Area?

Yes / No

1.d Is the building a "Locally Listed" building?

Yes / No

2. Name, address and day time telephone number of applicant.

3. Is the applicant the freehold owner of the building or land concerned, and totally responsible for its upkeep and repair?

Yes / No

If No, please explain (use a separate sheet if required), the applicant's legal interest in the property, and/or who is responsible for upkeep and repair.

4.a What is the present use of the building or site?

4.b What is the proposed use after repair? (If different from 4a)

5.a Description of proposed works (a copy of the detailed specification and, if alterations are proposed, drawings of the buildings as existing and as proposed, must be enclosed).

5.b Please indicate how the proposed work including proposed materials will improve the sustainability quotient of the building (a copy of the material specification impacting buildings sustainability as proposed, must be enclosed).

6. Three quotations for the works must be supplied based on the detailed specification prepared for Question 5 above. Estimated total cost should be provided in each case with the figure for VAT shown separately. Each estimate should include a breakdown showing the cost of individual items such as work on the roof, walls, joinery, etc. The estimates must be directly comparable. Copies of builder's tenders, if already obtained, should be enclosed; and percentage(s) to be charged detailed. If tenders are not yet available, estimates should be submitted.

£ _____

£ _____ (including VAT)

7. When do you expect work to start?

PLEASE NOTE: THIS APPLICATION WILL BE DISQUALIFIED FROM CONSIDERATION FOR A GRANT IF WORK STARTS BEFORE AN OFFER OF GRANT HAS BEEN MADE, OR WITHOUT THE COUNCIL'S EXPLICIT PRIOR APPROVAL IN WRITING.

8. Have you applied, or do you intend to apply for a grant from any other source?

Yes / No

If yes, please give details

9. Can you reclaim VAT on eligible work?

Yes / No

10. Do you wish to include professional fees? (The resources available for grant aid will not normally permit grant aid towards fees).

Yes / No

And percentage(s) to be charged

11. Any additional information you wish to be taken into account when the applications being considered.

I declare that I have read the guidance notes on Tower Hamlets Historic Buildings Grants and that the information given above is true and accurate to the best of my knowledge and belief.

Signature _____

Print Name _____

Address _____

Date _____

This application form with the supporting information should be sent to:

**London Borough of Tower Hamlets
Development, Design & Conservation
Mulberry Place (AH), P O Box 55739,
5 Clove Crescent, Poplar
London E14 2BY**

London Borough of Tower Hamlets
Grants for Historic Buildings

Guidance Notes for Applicants

Introduction

There are approximately 2000 buildings in Tower Hamlets, which are **listed** - that is they are nationally recognised as being of special architectural or historic interest. There are 58 **Conservation Areas** - which are areas of special interest, designated by the Council. Additional information about Listed Buildings or buildings in Conservation Areas can be obtained from the Council's Place Shaping Team at Mulberry Place(AH), PO Box 55739, 5 Clove Crescent, Poplar, London E14 2BY.

The Planning (Listed Buildings and Conservation Areas) Act 1990 enables the London Borough of Tower Hamlets to make grants available towards the cost of the repair or refurbishment of Historic Buildings and enhancement of Conservation Areas within the Borough. The owners of older buildings face considerable expense in repairing, restoring and maintaining their properties, thus provisions have been made by the Council to provide financial assistance to help owners carry out these works.

Grant applications are considered on their own merits, in the light of the importance of the proposed works, the availability of resources, and the contribution of the proposed works to the preservation of the building and townscape. Limited assistance is available from the Historic Buildings Department, subject to eligibility. Grants are discretionary and there is no automatic right to a grant under any circumstances.

The Council is not able to give assistance for the routine repair and maintenance of buildings. Works including the eradication of damp and dry rot, the removal of defective timber, the replacement of decaying stucco or plasterwork, the replacement of windows and re-roofing are not grant eligible regardless of whether or not the building is Listed or in a Conservation Area. Whilst sympathetic to these problems the Council believes that routine maintenance works are the responsibility of the property owner.

Works eligible for Grants

Grants will be considered for specific works of external repair, which the Council considers, are necessary to protect the specific interest of the

building and to maintain or restore its structural or architectural integrity. The Council is happy to consider grant aiding for small-scale visible improvements to Listed Buildings or buildings within Conservation Areas including the restoration or replacement of missing architectural / ornamental features, to include shop fronts, doors and door surrounds, balustrades, cornices and railings.

The following criteria are normally applied in considering grant applications, although, exceptions may occasionally be made to meet unusual circumstances.

1. The building must normally be included in the Statutory List of Buildings of Special Architectural or Historic Interest, situated within a designated Conservation Area or included in the Local List of Buildings of Historic Interest.
2. Grants will be targeted to achieve the maximum visual benefit to the general community. (Preference will be given towards the reinstatement of architectural features - works which are generally expensive and by their nature are of little practical benefit to the applicant). They are normally available for the repair / refurbishment of the exterior of the building only.
3. Applications may be considered from any person or body provided they are in a position to carry out the works. Applicants may be asked to provide in confidence to the Council financial information relevant to the project and their own circumstances. Preference will be given to offering grant aid to charities and those residents of the Borough who are on low incomes.
4. The Council will consider grant aiding buildings in a defined group where works are carried out simultaneously to more than one building, which would enhance the character of a particular terrace or street. Grants are targeted to achieve the maximum benefit for the community.
5. Grants will be targeted to assist in the regeneration of the urban environment, with preference given to "Buildings at Risk". These buildings blight the local environment and inhibit regeneration.
6. The minimum total cost eligible for grant aiding is £1,000. Where works are eligible, the grant will not exceed 60% of the total cost (including VAT). Commercial properties are not grant eligible with the exception of shop fronts to properties within Conservation Areas.

Applications

The information regarding eligibility provided in the guidance overleaf should be considered carefully before a grant application is made.

To submit an Historic Buildings Grant Application you will need to provide the following information:-

- A professional specification of the proposed works
- 3 alternative detailed quotations, based on the schedule of works and **broken** down into the individual elements of the work identified in the specification. These estimates must be clearly comparable.
- Clear drawings of the proposed works supported by photographs of the property.

It is essential that any new work or repair work to be grant aided is correctly detailed and carried out to match the existing original work. The restoration of historic buildings is a skilled job and applicants are recommended to obtain professional advice. The technical advice of the Council officers will normally be available so far as staff resources permit.

Fees of professional advisors belonging to a recognised institution, e.g. Architects or Chartered Surveyor's may be included within the costs to be grant aided.

The contractor's reliability, standard of workmanship, experience and satisfactory general conduct is the applicant's responsibility. OFFICERS CANNOT SUPERVISE WORKS OR BE HELD RESPONSIBLE FOR ANY TECHNICAL DECISIONS TAKEN.

All grant applications will be acknowledged. Once a complete and satisfactory grant application is received the building will be inspected by the Council's Conservation Officers with regard to the works proposed. The applicant will be advised of the Council's decision as soon as possible.

Work must not commence until an offer of grant has been made or until the Council has agreed in writing that work may proceed without prejudice to the application. **IN NO CIRCUMSTANCES SHOULD YOU COMMIT YOURSELF TO WORKS IN EXPECTATION OF A GRANT** unless you are able to undertake the entire expense in the event of a refusal.

The making of a grant does not relieve the applicant of the need to apply for any necessary consent under the Planning Acts or Building Regulations. All consents and permission should be obtained BEFORE WORKS COMMENCE.

Grant Offers

An offer of a grant will normally be based on the lowest of the two estimates, it is not transferable and is offered only to the applicant. The following conditions automatically apply although exceptions may occasionally be agreed in writing.

1. Any offer of a grant will only be valid for six months from the date of the committee at which it was agreed. If funding has been entirely committed within a particular financial year, an applicant will be advised of the fact, and will be eligible to apply in the following year.
2. In the event of the actual cost of the works against which grant is offered being less than the anticipated cost contained in your application, the Council may at its discretion reduce the sum paid in proportion to the costs actually incurred/
3. Should the costs exceed the anticipated costs there is no provision for increase of the grant sum offered.
4. A sign must be displayed on the building during the course of the works, indicating that the Council has made a grant. The sign will be supplied by the Council (in the form of a sticker) but the cost of its erection and display is to be borne by the persons receiving the grant.
5. **Payment of a grant will be conditional upon the approved works being carried out to the complete satisfaction of the Council. An offered grant will not be paid or may be reduced if the work is, in the view of the Council, not of a sufficiently high standard.**
6. Before making the final payment, the Conservation officer dealing with the application will inspect the work to ensure it has been carried out satisfactorily and to a conservation standard. It is suggested that, the claim is adequately documented and all the paper-works are kept in order so that the payment can be made as quickly as possible. Once it has been approved, it is passed to the Financial Accounts Payments Section for the payment to be made.
7. **You are recommended not to apply for a grant unless your application meets the entire criterion outlined in the guidance paper, and you can provide all the information required to enable the authority to fully assess the application. Without this information your application can not be processed.**

Historic Buildings Grant Application forms are available from:

London Borough of Tower Hamlets,


Place Shaping Team

Mulberry Place (AH), P O Box 55739, 5 Clove Crescent, Poplar, London E14 2BY

Telephone : 020 7364 5372/5393

If you have any other conservation queries please do not hesitate to contact us.

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<p>Commissioner Decision Report 12th April 2016</p>	
<p>Report of: Zena Cooke – Corporate Director Resources</p>	<p>Classification: Unrestricted</p>
<p>Grants Register 2016/17</p>	

Originating Officer(s)	Steve Hill – Head of Benefits Services
Wards affected	All
Key Decision?	Yes
Community Plan Theme	One Tower Hamlets

Executive Summary

This report sets out the approach being taken in maintaining the Councils 2016/17 Grants Register.

Recommendations:

The Commissioners are recommended to:

1. Note the report and share any comments they may have.
2. Note the 2016/17 Grants Register attached at Appendix A.

1. REASONS FOR THE DECISIONS

- 1.1 Commissioners at their pre- agenda planning meeting on 9th February 2016 requested an update on the development of the new 2016/17 grants register.
- 1.2 This report details progress on developing the 2016/17 Grants Register which is attached at Appendix A.

2. ALTERNATIVE OPTIONS

- 2.1 The council is required to comply with Secretary of State Directions and to deliver the actions set out in the Best Value Action Plan. The grant register was a specific recommendation made by Commissioners. No alternatives are proposed.

3. DETAILS OF REPORT

- 3.1 The Grants Register was a recommendation of Commissioners and acts as a central database for all grant funding that the council awards.
- 3.2 The register is updated on a monthly basis and details the budget for each grant stream. The register also details the responsible officers and the decisions of awards made by the Commissioners together with details of delegation of decisions to relevant Directors or their delegates.
- 3.3 The attached spreadsheet (at Appendix A) shows the Grants Register going forward for 2016/17. All officers that administer a grant scheme within the register have been contacted and the register updated as set out below.
- Grants that are expected to continue in 2016/17
 - The budget associated with each of those grants for 2016/17
 - Whether decisions for the grant have been delegated to officers or will remain with Commissioner
 - The Cabinet Lead Member for the grant scheme
- 3.4 The updated Grants Register for 2016/17 will go live in April and is attached at Appendix A.
- 3.5 Officers are currently exploring the possibility of integrating the Grants Register within the council's grants management ICT system (GIFTS). This would support greater efficiency in the analysis and reporting of grants. An update on progress of this development will be presented to a future Commissioners Decision Making Meeting in Public.
- 3.6 The new Grants Register together with a separate piece of work being undertaken which links individual grants to Community and Strategic plan priorities (part of the Best value Action Plan) will be used to inform our work on the consolidation of grants.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no financial implications arising from the recommendations in the report and all costs can be met from within existing resources.

5. LEGAL COMMENTS

- 5.1 Whilst there is no strict legal definition of grant, a grant is in the nature of a gift and is based in trust law. However, grants are often given for a purpose so it is sometimes unclear whether a grant has been made or the arrangement is a contract for services. A contract for services is not a grant and therefore, an arrangement which is classified as a contract

for services would be outside the remit of the power conferred upon the commissioners to approve.

- 5.2 There will be many grants which are made by the Council for the purpose of discharging one of its statutory duties. However, as a grant is in the nature of a gift, it is considered there must be some element of discretion on the part of the Council as grantor as to whom a grant is made to and whether this is made. If the Council is under a legal duty to provide a payment to a specific individual or organisation, and cannot lawfully elect not to make such a payment, then that should not amount to a grant.
- 5.3 There are a number of similarities between the mainstream grants process and procurement of public contracts within the meaning of the Public Contracts Regulations 2015. The key features which separate the grants process from the need to comply with the requirements of those Regulations are as follows. Firstly, the payment of money by the Council is to reimburse actual costs incurred by the recipient and not profits. Secondly, the Council pays the amount that it deems appropriate from the funds available rather than paying the most economically advantageous bid price. Thirdly, grants typically proceed from an application process rather than a procurement procedure. A feature of the application process is that the applicant requests funding for a project that it has developed, rather than developing a proposal to the Council's technical specification. When implementing the grants programme, the Council must take care to maintain these points of distinction.
- 5.4 In this case, the Council is not under a legal duty to provide these payments. The payments are discretionary and therefore considered to be a grant.
- 5.5 The power of the commissioners to make decisions in relation to grants arises from directions made by the Secretary of State on 17 December 2014 pursuant to powers under sections 15(5) and 15(6) of the Local Government Act 1999 (the Directions). Paragraph 4(ii) and Annex B of the Directions together provide that, until 31 March 2017, the Council's functions in relation to grants will be exercised by appointed Commissioners, acting jointly or severally. This is subject to an exception in relation to grants made under section 24 of the Housing Grants, Construction and Regeneration Act 1996, for the purposes of section 23 of that Act (disabled facilities grant).
- 5.6 To the extent that the Commissioners are exercising powers which would otherwise have been the Council's, there is a need to ensure that the Council has the power to make the grant in question.
- 5.7 The proposed grants are supported by others of the Council's statutory powers, such as its general power of competence. Section 1 of the Localism Act 2011 gives the Council a general power of competence to

do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. This general power of competence supports the Mainstream Grants programme.

- 5.8 The Council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This is referred to as the Council's best value duty. Best Value considerations have also been addressed in paragraph 9 of the report.
- 5.9 The Council must operate a fair and open application procedure to process a request to obtain funding. Requests for grant funding should ordinarily be measured against a predetermined set of criteria and the criteria themselves must be fair and transparent.
- 5.10 The grant agreement should include a clear monitoring process against defined parameters in order for the Council to demonstrate either: that delivery is in line with the application and, therefore, the grant achieved its purpose; or provide clear delineation where outcomes were not achieved and the reasons for such failure are apparent. Monitoring should therefore include measuring performance against the expected outcomes.
- 5.11 When implementing the scheme, the Council must ensure that no part of the funds issued represents a profit element to any of the recipients. The inclusion of profit or the opportunity of making a profit from the grant or third parties indicates that the grant is really procurement activity and would otherwise be subject to the Council's Procurement Procedures and other appropriate domestic and European law. This would mean therefore, that the Council would have failed to abide by the appropriate internal procedures and external law applicable to such purchases.
- 5.12 The Treaty on the Functioning of the European Union (TFEU) provides that certain government activities may be prohibited because they give an advantage in a selective way to certain entities, which might affect competition within the internal market. Those advantages may amount to prohibited state aid, or may be state aid which is either expressly allowed by the Treaty, or which may be allowed, dependent on the circumstances. Certain activities are considered to be compatible with EU law however and which includes "aid having a social character" (see Article 107(2)(a) of TFEU. In this case, the grants are for the provision of social and community facilities and services and are therefore not prohibited.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The council's support of the voluntary and community sector through grants, contributes to the delivery of the One Tower Hamlets priorities and objectives.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The Grants Register was a recommendation by Commissioners; this report provides an update on progress to update the Grants Register for the 2016/17 financial year.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no immediate sustainability or environmental issues to consider.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The recommendations made in this report will minimise the risk of failing to implement the actions agreed in the Best Value Action Plan on grants.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no immediate Crime and Disorder reduction implications.

11. SAFEGUARDING IMPLICATIONS

- 11.1 There are no immediate Safeguarding implications.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

- Appendix A – Grants Register 2016/17

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- None

Officer contact details for documents:

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No	Name of Grant	Responsible Officer(s)	Recipients	Budget 2016/17	Lead Member	Delegated to Officer (Y/N)	Delegated to
1	Annual Street Count	Jackie Odunoye	Thames Reach	£ 750	Cllr Sirajul Islam	Y	Corporate Director Development & Renewal
2	B&B budget – for rough sleepers where no other provision is available overnight	Jackie Odunoye	Thames Reach	£ 1,500	Cllr Sirajul Islam	Y	Corporate Director - Development & Renewal
3	Ben Jonson Road Improvement Works (s106 funding)	Owen Whalley	The Community	£ 250,000	Cllr Rachael Saunders	N	
4	Community Facilities (s106 funding)	Owen Whalley	The Community	£ 189,000	Cllr Rachael Saunders	N	
5	Crisis and Support Grants	Steve Hill	Residents	TBC	Cllr David Edgar	Y	Corporate Director - Resources
6	DAAT – Brook Drive Rehabilitation Centre	Jackie Odunoye	Thames Reach	£ 15,000	Cllr Sirajul Islam	Y	Corporate Director - Development & Renewal
7	Discretionary Awards: 16 - 19 Travel	Terry Parkin/Terry Bryan	Young People	£ 5,000	Cllr Rachael Saunders	Y	Interim Service Head - Learning & Achievement
8	Discretionary Awards: Budget Holding Lead Professional Attendance Support	Terry Parkin	Schools	£ 21,000	Cllr Rachael Saunders	Y	Interim Service Head - Learning & Achievement
9	Discretionary Awards:Council's Higher Education Awards	Terry Parkin / Tim Williams / Sue Crane	Young People	£ 600,000	Cllr Rachael Saunders	N	
10	Discretionary Awards:Tower Hamlets Educational Maintenance Allowance	Terry Parkin / Tim Williams / Sue Crane	Young People	£ 370,000	Cllr Rachael Saunders	Y	Interim Service Head - Learning & Achievement
11	Early Years Learning Programme Capital	Terry Parkin/Pauline Hoare	Children / Schools	£ 3,100,000	Cllr Rachael Saunders	Y	Interim Service Head - Learning & Achievement


No	Name of Grant	Responsible Officer(s)	Recipients	Budget 2016/17	Lead Member	Delegated to Officer (Y/N)	Delegated to
12	Early Years Service Grant Funding	Terry Parkin/Pauline Hoare	Childcare Providers	£ 100,000	Cllr Rachael Saunders	Y	Interim Service Head - Learning & Achievement
13	East End Film Festival	Shazia Hussain	The East End Film Festival 2015	£ 10,000	Cllr Asma Begum	N	
14	Economic Developmet Programme (New Homes Bonus Top Slice)	Aelswith Frayne	Individuals	£ 337,000	Cllr Josh Peck	N	
15	School Clothing Grants	Terry Parkin	Children	TBC	Cllr Rachael Saunders	N	
16	Emergency Funding (Revenue - Funding from Corporate Match Funding Budget)	Steve Hill	Charities /Voluntary Groups	£250,000 (tbc)	Cllr Rachael Saunders	N	
17	European Union and international reconnection budget	Jackie Odunoye	Thames Reach	£ 5,000	Cllr Sirajul Islam	Y	Corporate Director - Development & Renewal
18	Events Fund	Shazia Hussain	The Community	£ 52,500	Cllr Asma Begum	Y	Service Head - Culture, Learning & Leasure
19	Extended Severe Weather Emergency Provision	Jackie Odunoye	Thames Reach	£ 2,000	Cllr Sirajul Islam	Y	Corporate Director - Development & Renewal
20	Financial incentives for accommodation portfolio holders	Jackie Odunoye	Private landlords and Managing Agents	£ 300,000	Cllr Sirajul Islam	Y	Corporate Director - Development & Renewal
21	Financial incentives for the issuing of Assured Short-hold tenancies	Jackie Odunoye	Private landlords and Managing Agents	£ 200,000	Cllr Sirajul Islam	Y	Corporate Director - Development & Renewal
22	Free School Meals (Years 3 - 6, Primary Schools)	Kate Bingham /Michael Hales	Children	£ 2,800,000	Cllr Rachael Saunders	Y	Interim Service Head - Learning & Achievement

No	Name of Grant	Responsible Officer(s)	Recipients	Budget 2016/17	Lead Member	Delegated to Officer (Y/N)	Delegated to
23	Greenwich & Docklands Festival SLA	Shazia Hussain	Greenwich & Docklands Festival	£ 25,000	Cllr Asma Begum	N	
24	Historic Buildings Grants	Owen Whalley	Arts and Culture / Heritage Groups	£ 171,000	Cllr Rachel Blake	N	
25	Homelessness - Discretionary Housing Payments	Steve Hill	Homeless Individuals	TBC	Cllr David Edgar	N	
26	Independent Living Fund	Karen Sugars	Adults	£ 321,000	Cllr Whitelock-Gibbs	Y	Interim Director - Public Health
27	Local Community Initiatives (s106 funding)	Owen Whalley	The Community	£ 318,000	Cllr Rachael Saunders	N	
28	Local Community Ward Forums	Shazia Hussain	Community Groups	TBC	Mayor John Biggs	N	
29	Mainstream Grants - 15 to 18 Programme (2015/2016)	Steve Hill	Charities / Voluntary Groups	£ 3,211,000	Cllr Rachael Saunders	N	
30	Mayors Cup Prizes	Shazia Hussain	The Community	£ 2,000	Cllr Asma Begum	Y	Service Head - Culture, Learning & Leisure
31	Mental Health User Led Grants 2016/17	Carrie Kilpatrick	Small Local Groups	£ 85,500	Cllr Whitelock Gibbs	Y	Interim Director - Public Health
32	NDR Discretionary Relief	Roger Jones	Residents	£ 13,000,000	Cllr David Edgar	Y	Corporate Director - Resources
33	Ocean Regeneration Trust grant funding 2014/2015, 2015/2016 and 2016/2017	Jackie Odunoye	Community/Culture	£ 80,000	Cllr Rachel Blake	Y	Corporate Director - Development & Renewal

No	Name of Grant	Responsible Officer(s)	Recipients	Budget 2016/17	Lead Member	Delegated to Officer (Y/N)	Delegated to
34	Personal service charge – Assessment beds provided by hostel accommodation as required for rough sleepers	Jackie Odunoye	Thames Reach	£ 2,450	Cllr Sirajul Islam	Y	Corporate Director - Development & Renewal
35	Personalised budgets for long term and entrenched rough sleepers	Jackie Odunoye	Thames Reach	£ 10,000	Cllr Sirajul Islam	Y	Corporate Director - Development & Renewal
36	Positive Activities for Young People	Andy Bamber	Young People	£ 50,000	Cllr Shiria Khatun	N	
37	Private Sector Renewal Grants (includes : Home Repairs Grant, Empty Properties Grant, Discretionary Disabled Facilities Grant)	Jackie Odunoye	Residents - Disabled Persons	£ 1,000,000	Cllr Rachel Blake	Y	Corporate Director - Development & Renewal
38	Public Health: Can Do Community Development	Dr Somen Banerjee	Local Communities	£ 42,000	Cllr Whitelock-Gibbs	Y	Interim Director - Public Health
39	Removal - Tenants giving up a 3 bedroom or larger home	Jackie Odunoye	Tenants/Removal companies	£ 75,000	Cllr Sirajul Islam	Y	Corporate Director - Development & Renewal
40	School Cycle Grants	Margaret Cooper	Schools	£ 9,000	Cllr Ayas Miah	Y	Interim Service Head - Public Realm
41	School Pool Bikes	Margaret Cooper	Schools	TBC	Cllr Ayas Miah	N/A	
42	School Travel Plans Implementation Grants	Margaret Cooper	Schools	£ 12,000	Cllr Ayas Miah	Y	Interim Service Head - Public Realm
43	School Walking Grants	Margaret Cooper	Schools	£ 2,100	Cllr Ayas Miah	Y	Interim Service Head - Public Realm

No	Name of Grant	Responsible Officer(s)	Recipients	Budget 2016/17	Lead Member	Delegated to Officer (Y/N)	Delegated to
44	Small Grants for Pensioners Groups 2015/16	Barbara Disney	Small Local Groups for Older People	£ 20,000	Cllr Whitelock-Gibbs	N	
45	Stepney City Farm Access Audit (s106)	Owen Whalley	Charity	£ 1,000	Cllr Rachael Saunders	N	
46	Tower Hamlets ESF Community Grants 2016-2019	Steve Hill	Charities /Voluntary Groups	£ 225,000	Cllr Rachael Saunders	Y	Corporate Director - Resources
47	Whitechapel High Street Fund	Owen Whalley, Duncan Brown	Social Enterprises/ Charities	£ 400,000	Cllr Josh Peck	N	
48	Youth Opportunities Fund	Andy Bamber	Young People	£ 45,000	Cllr Shiria Khatun	N	
49	Youth Service Core Funding	Andy Bamber	a. East London Tabernacle b. Shadwell Outdoor Activity Centre	TBC	Cllr Shiria Khatun	N	
50	Zero Emissions Network	Andy Bamber	Businesses	TBC	Cllr Shiria Khatun	Y	Service Head - Community Service

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<p>Commissioner Decision Report 12th April 2016</p>	
<p>Report of: Zena Cooke, Corporate Director Resources</p>	<p>Classification: Unrestricted</p>
<p>Grants Forward Plan 2016/17</p>	

Lead Member	Rachel Saunders
Originating Officer(s)	Steve Hill, Zena Cooke
Wards affected	All wards
Key Decision?	No
Community Plan Theme	One Tower Hamlets

EXECUTIVE SUMMARY

The council’s committee meetings have forward plans of agenda items and it is proposed that the Commissioners’ Decision Meeting has a Forward Plan as a standing agenda

RECOMMENDATIONS:

Commissioners are recommended to:

Agree to have a Forward Plan as a standing agenda item

Review and agree the draft Forward Plan attached as Appendix 1

1. REASONS FOR THE DECISIONS

- 1.1 It is considered good practice and effective planning to have a forward plan of agenda items for formal meetings. It also ensures that future items are publicised at the earliest opportunity in the interests of openness and transparency.

2. ALTERNATIVE OPTIONS

- 2.1 The Commissioners may choose not to have a forward plan but this is not recommended.

3. DETAILS OF REPORT

- 3.1 The Commissioners Decision Meeting makes a number of decisions that are of interest to Members the public, the voluntary and community sector and other partners.
- 3.2 It is proposed to have a forward plan as a standing agenda item for all future meetings to ensure all future items are publicised well in advance of the meeting.
- 3.3 Appendix 1 provides a draft Forward Plan setting out all future agenda items that arise from decisions made at previous Commissioners Decision Meetings.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There are no financial implications arising from the recommendations within this report.

5. LEGAL COMMENTS

- 5.1. This proposal is a comfortable fit with the Council's best value duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised having regard to a combination of economy, efficiency and effectiveness.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The council's support of the voluntary and community sector through grants, contributes to the delivery of the One Tower Hamlets priorities and objectives.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 Best Value implications associated with each of the reports to Commissioners be identified and evaluated as an integral part of the reports concerned.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There is no sustainable action for a greener environment implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 There are no risk management implications associated directly with this report. However, the risk management implications associated with each of the planned reports to Commissioners will be identified and evaluated as an integral part of those reports.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no crime and disorder reduction implications associated directly with this report.

11. SAFEGUARDING IMPLICATIONS

- 11.1 There are no safeguarding implications associated directly with this report.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices

Appendix 1 – draft 2016/17 forward plan for Commissioners Decision Meetings

Background Documents – Local Authorities (Executive Arrangements) (Access to Information)(England) Regulations 2012

- None

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Grants Forward Plan 2016/17

12 APRIL 2016 – COMMISSIONERS DECISION MAKING MEETING IN PUBLIC				
	Report Title	Lead Officer	Officer Confirmation	Notes
1	Grant payment to Local Town Team for Roman Road Summer Festival 2016	Chris Holme		01/03/2016 meeting - that a report detailing the costs of the in kind support to be provided by the Council be made at the next Commissioners Decision Making Meeting.
2	Cross Party Forum on Grants	Steve Hill / Zena Cooke		01/03/2016 meeting - that a further report be received at the April Commissioners' Decision making meeting which will set out the detailed proposals including clear terms of reference for the Scrutiny Sub-Committee.
3	Mental Health User Led Grants	Carrie Kilpatrick		
4	Extension to Early Years MSG Funding	Terry Parkin		
5	Community Buildings and Heritage Buildings	Steve Hill / Zena Cooke		
6	Interim Arrangements in Council Owned Buildings	Steve Hill / Zena Cooke		TBC
7	Support for VCS and New Innovation Fund	Steve Hill / Zena Cooke		
8	Reports Forward Plan	Steve Hill / Zena Cooke		
9	Grants Register	Steve Hill / Zena Cooke		

3 May 2016 - Pre Agenda Planning Meeting

	Report Title	Lead Officer	Notes
1	MSG Quarterly Monitoring Report	Steve Hill Everett Haughton	Oct/Nov/Dec monitoring
2	Whitechapel High Street Fund	Owen Whalley	
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24 May 2016 – COMMISSIONERS DECISION MAKING MEETING IN PUBLIC

	Report Title	Lead Officer	Officer Confirmation	Notes
1	Early Learning for 2 Year Olds	Terry Parkin		27/05/2015 meeting - that a report be sent to the Commissioners on a quarterly basis with details of the awards made
2	Independent Living Fund	Karen Sugars		27/05/2015 meeting - that an annual report of the monies spent be made to Commissioners.
3	Early Years Non-statutory Grant Funding	Terry Parkin		29/07/2015 meeting - that a report be provided to the Commissioners on a quarterly basis with details of the awards made for: I. Inclusion Funding; II. Child-minder Grants; III. Training Grants; IV. Special Project Funding
4	Whitechapel High Street Fund	Owen Whalley		
5	Higher Education Award	Terry Parkin		22/03/2016 meeting – that a report come forward for consideration at the next Public Meeting
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14 June 2016 – Pre Agenda Planning Meeting

	Report Title	Lead Officer	Notes
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5 July 2016 – Commissioners Decision Making Meeting in Public

	Report Title	Lead Officer	Officer Confirmation	Notes
1	Event Fund Applications	Shazia Hussain		09/09/2015 meeting - that Commissioners receive a quarterly report of applications funded via this delegation.
2	Incentives to Tackling Overcrowding	Jackie Odunoye		02/12/2015 meeting - that a six-monthly report be made to a Commissioners Decision Making Meeting detailing the monies spent.
3	Annual report – Can Do outcomes	Somen Banerjee		
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26 July 2016 – Pre Agenda Planning Meeting

	Report Title	Lead Officer	Notes
1	MSG Quarterly Monitoring Report	Steve Hill / Zena Cooke	Jan/Feb/March monitoring
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16 August 2016 – Commissioners Decision Making Meeting in Public

	Report Title	Lead Officer	Officer Confirmation	Notes
1	Early Learning for 2 Year Olds	Terry Parkin		27/05/2015 meeting - that a report be sent to the Commissioners on a quarterly basis with details of the awards made
2	Early Years Non-statutory Grant Funding	Terry Parkin		29/07/2015 meeting - that a report be provided to the Commissioners on a quarterly basis with details of the awards made for: I. Inclusion Funding; II. Child-minder Grants; III. Training Grants; IV. Special Project Funding
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6 September 2016 – Pre Agenda Planning Meeting

	Report Title	Lead Officer	Notes
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27 September 2016 – Commissioners Decision Making Meeting in Public

	Report Title	Lead Officer	Officer Confirmation	Notes
1	Resolution of Grant Payments: Children's Services (Educational Maintenance Allowances)	Terry Parkin		09/09/2015 meeting - that an annual report be made setting out how the scheme has been allocated and which allocations have been successful and unsuccessful
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18 October 2016 – Pre Agenda Planning Meeting

	Report Title	Lead Officer	Notes
1	MSG Quarterly Monitoring Report	Steve Hill / Zena Cooke	April/May/June monitoring
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8 November 2016 – Commissioners Decision Making Meeting in Public

	Report Title	Lead Officer	Officer Confirmation	Notes
1	Early Learning for 2 Year Olds	Terry Parkin		27/05/2015 meeting - that a report be sent to the Commissioners on a quarterly basis with details of the awards made
2	Early Years Non-statutory Grant Funding	Terry Parkin		29/07/2015 meeting - that a report be provided to the Commissioners on a quarterly basis with details of the awards made for: I. Inclusion Funding; II. Child-minder Grants; III. Training Grants; IV. Special Project Funding
3	Event Fund Applications	Shazia Hussain		09/09/2015 meeting - that Commissioners receive a quarterly report of applications funded via this delegation.
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29 November 2016 – Pre Agenda Planning Meeting

	Report Title	Lead Officer	Notes
1	MSG Quarterly Monitoring Report	Steve Hill / Zena Cooke	July/Aug/Sept monitoring
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20 December 2016 – Commissioners Decision Making Meeting in Public

	Report Title	Lead Officer	Officer Confirmation	Notes
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24 January 2017 – Pre Agenda Planning Meeting

	Report Title	Lead Officer	Notes
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14 February 2017 – Commissioners Decision Making Meeting in Public				
	Report Title	Lead Officer	Officer Confirmation	Notes
1	Early Learning for 2 Year Olds	Terry Parkin		27/05/2015 meeting - that a report be sent to the Commissioners on a quarterly basis with details of the awards made
2	Early Years Non-statutory Grant Funding	Terry Parkin		29/07/2015 meeting - that a report be provided to the Commissioners on a quarterly basis with details of the awards made for: I. Inclusion Funding; II. Child-minder Grants; III. Training Grants; IV. Special Project Funding
3	Event Fund Applications	Shazia Hussain		09/09/2015 meeting - that Commissioners receive a quarterly report of applications funded via this delegation.
4	Incentives to Tackling Overcrowding	Jackie Odunoye		02/12/2015 meeting - that a six-monthly report be made to a Commissioners Decision Making Meeting detailing the monies spent.
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<p>Commissioner Decision Report 12th April 2016</p>	
<p>Report of: Zena Cooke - Corporate Director of Resources</p>	<p>Classification: Unrestricted</p>
<p>Support for the VCS and the Innovation Fund</p>	

Originating Officer(s)	Everett Haughton – Third Sector Programmes Manager
Wards affected	All Wards
Key Decision?	Yes
Community Plan Theme	A Prosperous Community / A Safe and Cohesive Community / A Healthy and Supportive Community

EXECUTIVE SUMMARY

Initial proposals for the Tower Hamlets Community Fund were presented to Commissioners at their meeting of 27 May 2015. The Commissioners agreed to postpone the decision pending further consultation with the Voluntary and Community Sector to better determine the range of criteria and priorities relating to the scheme.

The consultation process has now been completed and the summary feedback from the consultation is set out within the report. The full report on the findings of the consultation survey is attached as Appendix 1.

Since the consultation was undertaken extensive work has been undertaken to produce a new Voluntary and Community Sector (VCS) strategy that has been widely consulted on, which sets out a new relationship between the council and the sector.

Based on the consultation responses, an analysis of the use of the Fund and the objectives of the new VCS strategy, it is proposed to separate the funding available into two elements. The first to provide infrastructure support to the voluntary and community sector through a contract for services with THCVS, which will ensure that the sector is appropriately and consistently supported through a more efficient process and value for money is achieved. The second is the creation of an Innovation Fund that voluntary and community sector organisations bid for to develop new initiatives or delivery models that support the council's priorities and can be scaled if successful.

The council already has a number of small grants “pots” which support a range of activities including those highlighted in the consultation responses. It is proposed that these existing funding streams are publicised to the sector to ensure they are fully aware of what is already available.

RECOMMENDATIONS

The Commissioners are recommended to:

1. Agree the proposal to have two funding arrangements to provide 1) infrastructure support via the CVS and 2) the creation of an Innovation Fund.
2. Agree the criteria, process and timetable for the new Innovation Fund be co-produced with the voluntary and community sector and consulted on in line with the principles of the VCS strategy.
3. Receive a further report on the outcome of the consultation and the final arrangements for the Innovation Fund.

1. REASONS FOR THE DECISIONS

- 1.1 The Community Fund has historically provided a valuable source of funding to local Voluntary & Community Sector organisations. Particularly for organisations that require support for activities which do not deliver the outputs or outcomes targeted by service specific funding streams; and have difficulty in accessing unrestricted funds for such activities.
- 1.2 A significant proportion of the Fund has been used for infrastructure support which can be procured more efficiently and effectively. It is also appropriate for this type of support to be co-ordinated by and delivered through the CVS as the borough's infrastructure organisation.
- 1.3 The council is keen to encourage and support innovation in the sector and acknowledges that this will require some funding to enable the sector to pilot new initiatives and approaches to service delivery and support.
- 1.4 The new funding streams for infrastructure support and innovation seek to ensure that supported activities make effective contributions to the council's priorities and also target operational and organisational improvements within the sector.

2. ALTERNATIVE OPTIONS

- 2.1 The Commissioners could choose not to approve the proposals for a contractual arrangement with the CVS or the proposal to establish an Innovation Fund, but these proposals are intended to improve efficiency and consistency of support for the sector and to financially support innovation in the sector that, if successful, could be scaled up more widely.

3. DETAILS OF REPORT

Introduction and Background

- 3.1 Tower Hamlets Council has a history of providing small grants programmes to support voluntary and community organisations.
- 3.2 Initial proposals for the Tower Hamlets Community Fund were presented to Commissioners at their meeting of 27 May 2015.
- 3.3 The Commissioners agreed to postpone the decision pending further consultation with the Voluntary and Community Sector to better determine the range of criteria and priorities relating to the scheme.
- 3.4 The consultation with representatives from local Voluntary and Community Sector Organisations (VCSOs) was carried out during a four week period from late September to late October 2015. Its purpose was to capture their views on the scope, purpose and award criteria related to the proposed Tower Hamlets Community Fund (THCF).
- 3.5 A total of 43 responses were received and analysed. A full report on the findings from the consultation survey is attached as **Appendix 1**.
- 3.6 A wide variety of views were put forward about what the council should fund from the replacement for the Community Fund. A range of activities and costs related to areas such as training, accreditation, room hire, support for fund raising etc. It is clear that some organisations have requirements for key capabilities such as financial management, understanding of the governance responsibilities of their boards and for acquiring expertise in partnership development. Some also mentioned a need for a better understanding of how the Council can support them and for access to expert advisors as and when needed.
- 3.7 Based on the feedback from the consultation and subsequent work undertaken in developing the new Voluntary and Community Sector strategy, there is a very strong case for allocating funding for the provision of these activities through a contractual arrangement with the THCVS. A dedicated funding arrangement would appear to be well supported and could ensure that these needs are addressed cost effectively and to a high standard. There is also the potential 'benefits of scale' to be achieved by bringing organisations together that are targeting the same areas of training or other support or activities.
- 3.8 In relation to the broader use of the Fund, the original consultation asked a range of questions regarding eligibility, capping, mix of schemes etc. and also more general comments and suggestions.
- 3.9 In line with the principles set out in the Voluntary and Community Sector strategy and the subsequent consultation, the council has stated that there will be a move to a commissioning based approach with the sector and this will be developed in conjunction with the sector. The council has also highlighted the

innovation already in the sector and the intention to support this is through the creation of an Innovation Fund that voluntary and community sector organisations bid for to develop new initiatives or delivery models that support the council's priorities and can be scaled if successful. Whilst it is acknowledged that some organisations were not keen to see innovation prioritised above existing projects, the council already has a number of small grants "pots" which support a range of activities including those highlighted in the consultation responses such as events. It is proposed that these existing funding streams are publicised to the sector to ensure they are fully aware of what is already available.

- 3.10 The creation of an Innovation Fund is expected to support the sector "test and learn" new ways of working, new initiatives and new delivery models that if successful could be scaled up and commissioned more formally. The intention is to produce the criteria, assessment process, evaluation methodology and application process and guidance jointly with the sector in line with the co-production principles set out in the VCS strategy.

The draft criteria, assessment process, evaluation methodology application process and guidance will be presented to the May Commissioners Decision Making meeting and subject to the outcome of the meeting, the fund will be launched in June.

The co-production will be undertaken with the Third Sector Advisory Board and the proposals for the Innovation Fund will be fully consulted on before it is implemented in 2016/17.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. Resources totalling £200k for the 2015/16 financial year are available from the residual balance held within the Mayor's Priority Reserve. Uncommitted funding of £20k is also available to be carried forward from the previous scheme, meaning that the total available budget is £220k. It is proposed that £100k is made available for the contractual arrangement with the CVS to provide infrastructure support with the remaining £120k allocated to the new Innovation Fund. The resources currently available are one-off, existing revenue resources will need to be reallocated to provide recurrent funding for the CVS and for the Innovation Fund for future years.

5. LEGAL COMMENTS

- 5.1 Whilst there is no strict legal definition of grant, a grant is in the nature of a gift and is based in trust law. However, grants are often given for a purpose so it is sometimes unclear whether a grant has been made or the arrangement is a contract for services. A contract for services is not a grant and therefore, an arrangement which is classified as a contract for services would be outside the remit of the power conferred upon the commissioners to approve.

- 5.2 There will be many grants which are made by the Council for the purpose of discharging one of its statutory duties. However, as a grant is in the nature of a gift, it is considered there must be some element of discretion on the part of the Council as grantor as to whom a grant is made to and whether this is made. If the Council is under a legal duty to provide a payment to a specific individual or organisation, and cannot lawfully elect not to make such a payment, then that should not amount to a grant.
- 5.3 In this case, the Council is not under a legal duty to provide the payments envisaged under the proposed schemes. The payments are discretionary and therefore considered to be a grant.
- 5.4 The power of the commissioners to make decisions in relation to grants arises from directions made by the Secretary of State on 17 December 2014 pursuant to powers under sections 15(5) and 15(6) of the Local Government Act 1999 (the Directions). Paragraph 4(ii) and Annex B of the Directions together provide that, until 31st March 2017, the Council's functions in relation to grants will be exercised by appointed Commissioners, acting jointly or severally. This is subject to an exception in relation to grants made under section 24 of the Housing Grants, Construction and Regeneration Act 1996, for the purposes of section 23 of that Act (disabled facilities grant).
- 5.5 To the extent that the Commissioners are exercising powers which would otherwise have been the Council's, there is a need to ensure that the Council has the power to make the grant in question.
- 5.6 These proposed grants would be supported by the Council's general power of competence. Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. There are no such restrictions and limitations.
- 5.7 The Council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This is referred to as the Council's best value duty, and these proposals seek to improve the economy, efficiency and effectiveness of the Tower Hamlets Community Fund.
- 5.8 The Council must operate a fair and open application procedure to process a request to obtain funding. Requests for grant funding should be measured against a predetermined set of criteria and the criteria themselves must be fair and transparent. These will be submitted to Commissioners in May for final determination of the scheme.
- 5.9 When making decisions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). A proportionate level of equality analysis is required to

discharge the duty and information relevant to this is contained in the One Tower Hamlets section of the report as well as Appendices A and B.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The contribution of voluntary and community sector organisations to delivering One Tower Hamlets objectives and priorities are explicitly recognised in the Council's Voluntary and Community Sector strategy. Organisations play a key role in delivering services that address inequality, improve cohesion and increase community leadership: the deliveries of these services are real examples of 'One Tower Hamlets' in practice.
- 6.2. The opportunities offered through the Innovation Fund and the infrastructure contract with the CVS play a key role in delivering the aims of One Tower Hamlets.

7. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 7.1. There are no direct SAGE implications arising from this report.

8. RISK MANAGEMENT IMPLICATIONS

- 8.1. A number of different risks arise from any funding of external organisations. The key risks are:
- The funding may not be fully utilised i.e. allocations remain unspent and outcomes are not maximised
 - The funding may be used for purposes that have not been agreed e.g. in the case of fraud
 - The organisations may not be able to secure additional funding necessary to deliver the agreed activities
 - The organisation may not in the event have the capacity to achieve the contracted outputs/outcomes
- 8.2. To ensure that risks are minimised, each project/organisation will be required to comply with the standard Grant Agreement terms and these will be monitored on a proportionate basis.

9. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 9.1. The Innovation Fund may cover a broad spectrum of activities some of which are key drivers in contributing to the reduction in crime and disorder; these include:
- Improving community cohesion
 - Getting people into employment
 - Providing timely advice and advocacy
 - Supporting 'at risk' individuals

10. **SAFEGUARDING IMPLICATIONS**

- 10.1 As part of the application process organisations will be required to provide details of their safeguarding policy if appropriate. The Grant Agreement that funded organisations enter into commits them to complying with a number of requirements in relation to safeguarding.
- 10.2 If the organisation provides services to persons under 18 or to vulnerable adults and employs staff or volunteers in a position whose duties include caring for, training, supervising or being responsible in some way for children or vulnerable adults or who have access to records or information about any of these types of individuals, the organisation must ensure that all such staff and volunteers receive an Enhanced Check For Regulated Activity for the purposes of the Protection of Freedoms Act 2012 (Disclosure and Barring Service Transfer of Functions) Order 2012 before such staff and volunteers commence relevant activities.
-

Linked Reports, Appendices and Background Documents

Linked Report

None

Appendices

- Appendix 1 – Report on Findings From The Consultation Survey

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012

- Tower Hamlets Community Fund Report – 27 May 2015. Link:
<http://moderngov.towerhamlets.gov.uk/ieListDocuments.aspx?CId=695&MIId=5850&Ver=4>

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**Tower Hamlets Community Fund
Report on Findings From The
Consultation Survey**

**Final Report
3rd November 2015**

Summary of Key Findings

1. Purpose of and Approach to Survey

A consultation survey with local Voluntary and Community Sector Organisations (VCSOs) was carried out during a four week period from late September to late October 2015. Its purpose was to capture their views on the scope, purpose and award criteria related to the proposed Tower Hamlets Community Fund (THCF). This was based on an electronic questionnaire survey process that was announced through the web sites of the Council and Tower Hamlets Council for Voluntary Services and through announcements in the local press and social media. A total of forty three responses were received from which the following insights have been gleaned.

2. Demand for THCF Funding

There is likely to be strong demand for the Tower Hamlets Community Fund. Two thirds of the organisations who responded to the survey expected to be applying to it for funding a wide range of community-related projects. Whilst a diverse range of applications for funding is envisaged, the most prominent requirements will be for quality assurance accreditations, training of management and staff and furniture, IT and other equipment.

3. Views on the Proposed Scope of the Fund

Most organisations agree with the scope of activities, services and functions that were suggested to be funded through the scheme. It is seen by some as important in filling the gap in provision not available from mainstream grant funding. Several organisations advocate an open minded approach to funding, based on the merits of individual projects particularly those that are already achieving valuable community benefits but need funding for such activities to be continued.

The majority of organisations also consider the proposed list of what is unlikely to be funded to be appropriate. However, some organisations have expressed views that charging for funded events should be possible and that, providing that this is not excessive, should be allowed as it represents good value for money. Some other organisations have suggested that some funding should be allocated to staff costs and as a contribution to overheads (this has not typically been council policy).

4. Identified Priorities

There are mixed views as to whether any particular activities should be prioritised for funding. However, building board and management capacity, quality assurance accreditations and measures to make organisations more effective are seen as priorities by a number of organisations. These are seen as important in achieving self-sufficiency and the quality of what is delivered to communities. Just over half (54%) believe these services should be offered via the THCVS, under separate funding arrangements.

Promotion of social cohesion and related activities where individual community members take the lead are seen as priorities by various organisations. As regards other possible priorities, naturally, individual views are likely to be influenced by the aims of the organisations people work for.

5. Views on Funding Allocations

The majority of organisations believe that no specific rules should be set as to how funds are distributed and that it should depend on who bids in for what, rather than for example favouring less projects with larger funding awards or smaller awards to a wide range of organisations. Just over half believe with the suggestion that a cap of £5,000 should be placed on funding for events.

6. Views on Eligibility Criteria

The proposed eligibility criteria are agreed by most organisations, except for one aspect – the stipulation that at least 4 trustees of organisations must live in the borough. Less than a quarter of organisations consider this either important or very important. Views have been expressed that valuable expertise and experience on the boards of community organisations from those living outside the borough should be welcomed and not be excluded.

However the inclusion of one or more local residents, particularly those who are representative of the relevant beneficiary communities, is seen as useful in feeding in knowledge and understanding of relevant community needs and issues.

Other eligibility criteria that have been suggested are that the activity must take place within Tower Hamlets and that organisations to be funded should have a suitable track record and references. The point has also been made that some outcomes may not be immediate and that related impacts may be long term.

7. Views on Assessment Criteria

As regards the proposed assessment criteria, these appear to be agreed by the vast majority of respondents.

8. Other Suggestions Put Forward

Amongst other suggestions of a more general nature that have been fed in are to keep funding existing projects that are working well rather than just inventing and/or encouraging new schemes, keeping it easy to apply for funds for projects, and more emphasis on collaborative work. As one organisation has commented, funds should be allocated fairly, equally, and justly based on full knowledge of the organisation applying.

1. Introduction

1.1 Purpose of the Survey

The Tower Hamlets Community Fund (THCF) is a small grants programme aimed at providing a source of funding to local Voluntary & Community Sector organisations. This is a new integrated fund which seeks to ensure that supported activities make effective contributions to the Tower Hamlets Community Plan and that local voluntary & community sector bodies are able to take forward improvements to the way they are set up and operated in order to maximise the impacts and benefits they bring about to the communities they purport to serve.

This funding initiative builds on the success of the former Mayor's Community Chest and the Mayor's Community Events initiatives which made up the Council's previous small grants programmes. The Tower Hamlets Community Fund is considered a particularly important source of support for those organisations that are not traditionally supported through the Council's major grant regimes such as the Main Stream Grants Programme.

Against this background, this survey was conducted in order to capture the views of local organisations about the types of activity the fund should cover, how it should be structured and operated and what factors should determine the eligibility of applicants for receiving funding.

1.2 Approach and Method

The survey was conducted by way of an on-line survey. This was launched on 25th September 2015 by way of announcements on the web sites of the Tower Hamlets Council for Voluntary Services and the London Borough of Tower Hamlets followed by announcements issued by the LBTH Communications Team through social media, East End Life, the East London Advertiser and local BME media, inviting local third sector organisations to respond to the survey. Respondents were given four weeks to submit their answers, with the survey closing on Friday 23rd October.

Key aspects on which the survey sought to capture views were:

- Prospects of VCS organisations applying for funding from this programme over the next 2-3 years and for what types of activities.
- Views on the range of activities that should be eligible for THCF funding given the needs of local third sector organisations and whether any particular activities should be prioritised.
- Views on the size of funding awards.
- Likely demand for support in the training, advice and guidance of board members and trustees and the preparation of plans and strategies and how the funding for this should be approached.
- Views on the eligibility criteria that should be adopted to assure a fair and equitable approach to grant funding.
- Views on proposed assessment criteria to be adopted for the fund.

- Any other views, comments or suggestions as to how the Tower Hamlets Community Fund should be applied.

A full list of questions covered in the survey is set out in Appendix 1.

2. Acknowledgements

The contributions of the following bodies are acknowledged.

- Tower Hamlets Council for Voluntary Services for their advice on the survey design and support in publicising the consultation survey.
- The Communications Team of the London Borough of Tower Hamlets for their assistance in formulation of the electronic survey questionnaire and their efforts in publicising the survey.
- The forty three local VCS organisations who participated in the survey.

Findings from the survey are set out below.

3. Likely Demand for the Tower Hamlets Community Fund

Of the 43 Respondents, 26 (67%) stated that they expected to apply for funds under the THCF scheme over the next 2-3 years. A further 14 (33%) stated that they were not sure. No organisation stated that they had no intention at all to apply for the funding.

Will your organisation apply for funding from this programme over the next 2-3 years?	No. of Responses	%
Yes	26	67%
Unsure	14	33%

Respondents were asked to indicate the types of activities and services for which respondents expect to apply for THCF funding. The profile of responses is set out below.

Activities and Services for Which Respondents Expect to Apply for Funding

Activities and Services	No. of Responses
Quality assurance and other accreditations	12
Arts, cultural and creative activities	10
Furniture, IT & other equipment	10
Community cohesion, inter-organisational and inter-cultural activities	9
Training of management and staff	8
Employment and skills development	8
Organisational development and business planning	6
Building refurbishment, repairs and DDA	6

Activities and Services	No. of Responses
Events and festivals	6
Youth activities	6
Sports and recreation activities (various)	6
Study support and raising education attainment	5
Help with core costs and overheads	5
Health and wellbeing activities	5
Volunteering opportunities and training	4
Children's and nursery activities	4
Activities and support for the disabled	3
Innovative projects and events	3
Digital inclusion	2
SEN related activities	2
Activities related to mental health	2
ESOL and languages	2
Support in diversifying services offered	1
Women's activities and empowerment	1
Conferences	1
Family support	1
Leadership training for young people	1
Drug rehabilitation	1
Citizen's rights awareness	1
Fundraising support	1

4. Views What Should be Funded

4.1 Views on Activities to be Funded

In the course of the survey it was explained that The Tower Hamlets Community Fund is able to support a wide range of activities, services and functions which can clearly demonstrate a need and demand, including:

- Activities designed to improve an organisation's infrastructure, including: staff training; quality assurance accreditation; essential improvements to an organisation's management systems; and training for board members; staff and volunteers.
- Small capital works or equipment purchases, which may also be used as a contribution toward a larger proposal including building improvements to meet DDA requirements, improved access or security or repair or replacement of fixed equipment.
- Purchase of furniture, equipment or specialist software essential for the effective delivery of the organisation's contracted or designated activities/services for which the organisation is either contracted to deliver or which is clearly part of the organisation's stated objects/priorities.

- Organisational and inter-organisation development, including plans, strategies, partnership initiatives and network development.
- Properly managed and supervised events or open days involving the local community for the purposes of: celebration; awareness raising; improving the health, wellbeing and enjoyment of local residents; and improving community cohesion.
- Innovative projects and other initiatives consistent with the purpose of the fund.

Respondents were asked whether they thought the range of activities listed above is adequate, given the needs of the local Voluntary and Community Sector.

27 (67%) of organisations stated that they believed this range of activities would be adequate, with 7 (18%) indicating that they did not think it was and 6 (15%) indicating that they were unsure.

Do you think the range of activities listed above is adequate, given the needs of local Third Sector Organisations?	No. of Responses	%
Yes	27	67%
No	7	18%
Don't Know	6	15%

4.2 Suggestions as to Other Activities to be Funded

Respondents also highlighted a number of other activities that should be considered for funding. Most organisations submitted comments on this question.

- Of these, four stated that they thought the proposed list of activities services and functions activities eligible for funding was wide ranging and sufficiently broad and gave any organisation applying for funds good scope to choose from.
- Two organisations indicated that the fund would be useful in filling gaps, given that programmes like MSG are more strategic and that smaller projects need a source of Council funding to apply to. For example, money for development and training is very hard to find elsewhere.
- Two organisations alluded to the need to be open minded about maintaining activities through funding that have already worked well and need to remain open. Of these, one questioned the need for projects to be innovative; questioning the requirement to be re-inventing the wheel.
- A number of additional items for funding were suggested such as funds to assist small local groups that meet regularly and the work of many small to medium community groups who provide services right across the board and often over weekends when large organisations do not operate.
- A few organisations suggested that the fund should contribute to overheads such as rent or the fixed costs of staff setting up projects.

4.3 Views on Prioritisation of Activities to be Funded

17 (45%) of organisations believed that some activities should be prioritised, whereas 12 (32%) believed that no priority should be applied, with 9 (24%) being unsure.

Do you think there should be any activities that should receive more priority for funding from the programme than others? If so, what should these be?	No. of Responses	%
Yes	17	45%
No	12	32%
Don't Know/Unsure	9	24%

As regards specific activities that respondents considered should be prioritised, views expressed included the following.

- Several organisations mentioned capacity building support and quality assurance accreditations for various reasons, such as enabling groups to become more self-sufficient long-term and things that have lasting effect like training that leads to new ways of working and can improve the quality of services to beneficiaries. Quality accreditation can assist with leveraging other funding into the borough.
- A number favoured prioritising activities hard to fund from elsewhere, particularly for needs for which it is very hard to secure funding particularly where they are unfashionable. One such example cited was recovery from addiction, which is considered to have more social stigma than other activities. (It should be noted that this activity does already receive funding from the Council through contracted provision).
- Several others highlighted promotion of social cohesion, such as building inter-generational and inter-cultural relationships, social inclusion or interfaith activities. On a related note, others highlighted community focused, local initiatives with local community members taking a lead role in the development and delivery of projects.
- Community education such as language support, homework clubs, parent empowerment, BME school governor recruitment, youth services and community cultural activities.
- Disability should be highlighted as children with disabilities are often made to "fit in" with other activities.
- Funding programmes to tackle the endless cycle of child poverty, given that Tower Hamlets has the highest child poverty rate in the UK.
- Activities that are shown to work, but can't be funded because it has happened before.
- Emergency funds- for example short term help for any organisation facing crisis because of funding cuts.

- A number of more miscellaneous activities such as sustainable arts activities, well-being, IT for more people of all ages, support for elderly carers, more advice centres and more provision for SEN were mentioned.

As one organisation commented, this is a difficult question to answer as people's priority will be the aims and purpose of their own organisation and the needs of the people they work with. All voluntary organisations are striving in hard times to achieve the best for people and communities and each application should be taken on an individual basis.

5. Demand for Training and Advice and Guidance for Board Members

With regard to strategic development and the training of board members, organisations were asked what types of support in the form of training or tailored advice and guidance they expected would be needed over the next 2-3 years. As can be seen from the responses below, capacity building for delivery, strategic development and business planning and fundraising were the most frequently mentioned requirements.

It is clear that some organisations have requirements for fundamental capabilities such as financial management, understanding of the governance responsibilities of their boards and for acquiring expertise in partnership development.

Some also mentioned a need for better understanding of how the Council can support them and for access to expert advisors as and when needed.

One organisation highlighted the fact that training for the staff, board members & trustees of the organisations can definitely develop and strengthen the organisations which helps local communities in different ways. Organisational and inter-organisational development can help organisational partnership and community cohesion by taking projects for the local communities in partnership and multi-cultural events help promote community cohesion.

With regard to strategic development and the training of board members, what types of support in the form of training or tailored advice and guidance do expect your organisation will require over the next 2-3 years?	No. Respondents Stating
Management capacity for implementation and delivery of projects or new types of work	6
Vision Building, strategic development & business planning	4
Fundraising & funding proposals	4
Financial management	3
Governance, trustee roles and responsibilities	3
Charitable and/or company law	2
Understanding help available from the council	2
Partnership development	2
Ad-hoc links to knowledgeable advisers	2
Presentation support	1
Monitoring systems	1
Re-branding	1
Prevention training, British values and safeguarding	1
Change management	1

With regard to strategic development and the training of board members, what types of support in the form of training or tailored advice and guidance do you expect your organisation will require over the next 2-3 years?	No. Respondents Stating
Don't yet know	4
None	6

With regard to funding for training of board members and trustees and the preparation of plans and strategies, respondents were asked to comment on the two options in the table below. Of the 39 organisations who responded to this question. 21 (54%) believed that these services should be offered by the THCVS under separate funding arrangements with just 33% believing that organisations should have to apply to the THCF specifically for these activities.

With regard to funding for training of board members and trustees and the preparation of plans and strategies, which approach do you consider most appropriate?	No. of Responses	%
Organisations should have to apply specifically for funding for these activities through the Tower Hamlets Community Fund	13	33%
These services should be offered via the THCVS, under separate funding arrangements	21	54%
Don't Know	5	13%

6. How Funding Should be Allocated

6.1 Views on Options for Distribution of Funding

Respondents were asked to give views on three alternative options for the allocation of THCF funding.

- a) *Make grant awards to fewer organisations and for larger amounts (e.g. £5-10,000)?*
- b) *Distribute grants to a wider range of organisations and initiatives, but of a smaller amounts (e.g. £1-5000)?*
- c) *No specific mix – just see who bids in for what?*

In allocating funds from the programme, which of the following approaches do you consider most appropriate for the council to take?	Respondents Preferring this Option	%
Make grant awards to fewer organisations and for larger amounts (e.g. £5-10,000)	4	11%
Distribute grants to a wider range of organisations and initiatives, but of a smaller amounts (e.g. £1-5000)	11	30%
No specific mix – just see who bids in for what	22	59%

As can be seen, the majority of respondents (59%) do not favour any rigid policy about the size of grants and believe the fund should respond to what organisations bid for. However, a sizable proportion of respondents (30%) indicated a preference for distributing the fund widely with smaller amounts of funding, with only 11% favouring fewer grants but for larger amounts.

6.2 Views on Funding Cap According to Income Levels

Respondents were asked if they think there should be a cap applied on the fund to organisations above a certain annual income level and if so, what do you think this income level should be.

Do you think there should be a cap applied on the fund to organisations above a certain annual income level?	Responses	%
Yes	13	35%
No	17	46%
Unsure/Don't Know	7	19%

Views on this issue were mixed, with 46% of the 37 organisations responding considering that there should be no cap, 35% of the view that there should be a cap and 19% unsure.

6.3 Views on Funding for Events

As regards funding for events, respondents were asked whether this should be capped at £5,000 per event.

58% believed that this should be the case, with 25% being unsure and 18% not in agreement to this proposal.

Do you agree with the proposal that funding for events should be capped at £5,000?	Responses	%
Yes	27	57.5%
No	3	17.5%
Unsure/Don't Know	10	25%

7. Views on Activities unlikely to be Funded

7.1 Proposals as to Activities Unlikely to be Funded

Respondents were first informed that it is proposed that the following activities, services and functions would not normally be funded by the Tower Hamlets Community Fund:

- a) of a political or religious nature

- b) related to day-to-day running costs of the applicant's organisation, such as utility bills, rent, insurance, or ongoing staff costs related to day-to-day work
- c) duplicating those generally funded through other Council grant programmes and/or already in receipt of grant funding either from LBTH or other funders
- d) for premium priced ICT equipment
- e) for events subject to charging of entry fees
- f) for costs incurred in putting together an application for this fund
- g) for contingency funds to cover unforeseen or upcoming general organisational running costs
- h) work associated with land or building projects where the ownership or lease is not yet in place
- i) costs of fundraising activities for your organisation or others
- j) items to be purchased on behalf of another organisation
- k) repayment of loans/interest or for the payment of fines
- l) any project or activity that cannot be completed within 12 months of receiving the grant
- m) the purchase of alcohol.

7.2 Views on Whether Any Excluded Activities Should be Funded

Respondents were asked if they thought that any of these activities, services or functions should, in fact, be funded.

Do you think there are any activities above that should be funded?	Responses	%
Yes	12	31%
No	23	59%
Unsure/Don't Know	4	10%

59% agreed that these should be considered unlikely to be funded, 31% stated that they believed some of the above activities should be funded, with 10% who did not know.

Of fourteen respondents who commented on this aspect, five believed that overheads and day to day running costs should be funded. One felt that grants should be available to a charity if their work is valuable and is facing closure and this may include running costs. However, another organisation felt the reverse – that funding should be specifically for each individual new project. Other points raised were:

- events that charge fees should not always be excluded from funding, because there may be events where is appropriate to charge as part of income mix for good value.
- fundraising activities should be funded
- reasonable costs related to putting together the application and completing the report should be included
- organisations should be able to apply for an element towards the staff time of existing workers in running the event or preparing a quality accreditation portfolio, otherwise these issues remain barriers to successful achievement.

7.3 Views as to Other Activities that Should be Excluded from Funding

When asked if there are other activities or items that should be added to the list of what is unlikely to be funded, 47% said no and 37% said they did not know with 6% indicating that other with items should be added to this list (38 responded).

Are there any other activities or items that should be added to the list of what is unlikely to be funded?	Responses	%
Yes	6	16%
No	18	47%
Unsure/Don't Know	14	37%

Such items mentioned were:

- anything premium priced, such as inflated costs for food at networking events
- repairs/alterations to buildings owned by private landlords
- one-off pilot projects
- long-term evaluation of project outcomes, where funding is only within 1 year.

8. Views on Eligibility and Assessment Criteria for Grant Awards

8.1 Views on Funding Eligibility Criteria

Respondents were asked to give their views on a series of eligibility criteria for funding by ranking them from 1 to 5, where 1 = unimportant and 5 = very important.

39 out of the 43 respondents replied to this question. As can be seen from weighted average of the rankings in the table below, the majority of respondents are broadly in agreement with the eligibility criteria proposed for all criteria, except for the stipulation that an organisation applying for funding should have a management committee or board of trustees with at least 4 of its members living in the borough. This received a weighted average ranking of 2.9, whereas all other criteria scored weighted average ranking for between 4.21 and 4.56.

Bearing in mind the need to assure a fair and equitable approach to grant funding, from the eligibility criteria listed below, please rank these on a scale of 1 to 5 where 1 = unimportant and 5 = very important.	Weighted Average
Be a not-for-profit group based-in Tower Hamlets	4.56
Be a properly constituted organisation with a governing document such as a constitution	4.33
Have a track record of delivery in Tower Hamlets	4.21
Have a Management Committee or Board of Trustees with at least 4 of its members living in the borough	2.90
Have an Equal Opportunities Policy that sets out how the organisation and services will be provided and how it will abide by anti-discriminatory legislation	4.38
Have a bank or building society account (in the organisation's name) which has at least 2 signatories from the Management Committee or	4.26

Bearing in mind the need to assure a fair and equitable approach to grant funding, from the eligibility criteria listed below, please rank these on a scale of 1 to 5 where 1 = unimportant and 5 = very important.	Weighted Average
Board of Trustees, who are not related	
Have current and appropriate insurance that covers its activities, premises & equipment, staff and volunteers as well as service users where relevant	4.36

8.2 Views on Importance of Trustees Being Resident in the Borough

The survey went on to probe the question of how important it would be for some trustees of organisations applying for funding to live in the borough in further detail. The responses indicate that just over half of organisation believe that this criterion is either not necessary or not that important, with less than a quarter considering it to be important or very important.

Please indicate how important it would be for some trustees of organisations applying for funding to live in the borough?	Responses	%
Not necessary at all	14	36%
Not that important	7	18%
Of some importance	9	23%
Important	4	10%
Very Important	5	13%

Respondents were then asked if they thought there should be a minimum number, and if so to indicate what that number should be.

If you think there should be a minimum number, please indicate what you consider that number should be?	Respondents
None	2
1	2
2	4
3	1
4	1
5-6	1
At least 25%	1
60%	1
70%	1

Comments put forward on this issue by some respondents highlighted the issues that need to be considered with regard to where trustees reside.

- Some felt that this was not relevant because the selection of trustees depends upon on their particular expertise, experience, skills, competence and commitment, as key expertise may not be available locally. As one respondent pointed out, it is really difficult to recruit really good trustees who are not only engaged but have skills and expertise that will really help the organisation; restrictions such as a high resident trustee quota for a small organisation will hinder its development.

- Another commented that if the Council insists on a particular number of trustees living in Tower Hamlets, some organisations will "load" their boards with token residents who will not necessarily be competent or committed to governing an organisation.
- On the other hand, the view was expressed that it would be ideal to have at least one trustee who knows the borough and that organisations should be encouraged to involve service users at governance level.

8.3 Suggested Additional Eligibility Criteria

With regard to additional eligibility criteria that should be added in order to ensure fairness, value for money or impact, the following factors were mentioned.

- Length of operation and delivery in the borough
- Insurance should be a condition of the grant rather than eligibility for the grant, as for some small organisations this may be their first piece of funding
- Recognition that impact is not necessarily high numbers and that some charities' work is long term and outcomes are not immediate
- For the committee to include local people that understand the need
- Diversity of the board members and trustees and ensuring that they are representative of the local community rather than to purely living in the Borough
- That the activity takes place in Tower Hamlets specifically
- Charity registration
- A good track record with relevant experience and referees to back it up is sufficient

One respondent highlighted the advantages held by larger organisations who have finance and other staff who are not directly involved in delivering services and therefore have more time to spend on fundraising. These organisations are more likely to be better funded than smaller grass-roots organisations.

8.4 Views on Assessment Criteria for Funding Applications

Within the survey, respondents were informed of the proposal that the assessment of applications will, amongst other things, consider:

- Whether the applicant organisation meets the Eligibility Criteria
- Whether the activities/services for which funding is sought are suitable to be funded under this programme and are consistent with the expressed purpose of the fund
- Whether the application is clear as to what is being asked for
- Whether costings are accurate, appropriate and represent good value for money
- Whether the need and demand for the activity or service has been adequately and accurately demonstrated

- Whether the proposed activity/service will contribute to the aims and aspirations of the Tower Hamlets Community Plan
- The outcome or difference the proposed project/event/activity will make within the context of the targeted beneficiaries and/or the local community as a whole.


Respondents were asked to indicate if they felt these criteria were reasonable. Only 1 respondent said no with 32 (86%) indicating that they thought they were, with 4 (11%) unsure.

Do you think these criteria are reasonable?	Responses	%
Yes	32	86%
No	1	3%
Unsure/Don't Know	4	11%

9. Other Views, Comments and Suggestions Offered

Respondents were invited to put forward any other comments or suggestions they considered appropriate. The following points were put forward.

- One organisation was keen to get the point across that the Council should not try to re-invent the wheel by favouring innovative projects over existing work that has been proven to work well in improving people's quality of life, health and financial position.
- Another highlighted the importance of keeping it easy to apply for projects and sustainable work within the Borough, even though organisation development is vital in improving efficiency.
- Another proposed more emphasis on collaborative work and approaches that build partnerships so that residents' best interests are at heart.
- The application process needs to be accountable but also appropriate to the types of organisations applying. For example a local Church of England does not have a written constitution.
- Funds should be allocated fairly, equally, and justly based on full knowledge of the organisation applying.
- A concern was raised that funding of THCVS by the local authority means it is less likely to serve as a voice to raise concerns about processes by which the community sector is managed and this arrangement could muzzle disparate voices and that mechanisms should be built in to address this problem.

<p>Commissioner Decision Report Insert Date 12 April 2016</p>	
<p>Report of: Aman Dalvi - Corporate Director Development & Renewal</p>	<p>Classification: Unrestricted</p>
<p>Local Affordable Housing Grant 2016/19</p>	

Originating Officer(s)	Jackie Odunoye
Wards affected	All wards
Key Decision?	Yes
Community Plan Theme	Great Place to Live

1. Executive Summary

1.1 In December 2015, The Commissioners agreed £7.065m of retained RTB receipts could be used to set up a Local Housing Affordable Grant Programme for the period 2016/19 for the provision of affordable housing in Tower Hamlets.

1.2 At the same time the Commissioners endorsed the process and timetable within which the programme would operate.

1.3 This report is intended to update the Commissioners on the bidding process, details of the submissions received, and the result of the interview and selection process for awarding grant funding to the successful Registered Providers (RPs).

2 Recommendations:

The Commissioners are recommended to:

2.1 Consider and endorse Officers' recommendations to award Right To Buy grant funding in the amounts listed to the Registered Providers outlined in point 5.2 of the report and allow for a 10% uplift to this amount to allow flexibility to take account of potential higher build or acquisition costs.

2.2 Note that the programme has been extended beyond December 2017 to encourage the inclusion of more new build schemes and facilitate the take up of RTB receipts that continue to accumulate.

3 REASONS FOR THE DECISIONS

3.1 An advertisement inviting Registered Providers to submit an Expression of Interest was placed on the Council's website on the 14th December 2015, immediately after the decision to operate a grant scheme was agreed by the Commissioners. The advert was also placed in East End Life, RP's were formally advised individually and at Tower Hamlets Housing Forum meetings.

3.2 To qualify to submit more detailed proposals on prospective schemes, RPs were required to demonstrate their ability to satisfy the following criteria :-

- a) Have knowledge of the Borough's housing needs.
- b) Be a signed up member of the Common Housing Register or be able to sign up to it.
- c) Have a management arm based in the Borough.
- d) Be easily accessible to their new tenants.
- e) Have extensive experience of affordable housing development.
- f) Be included on the Homes and Communities Agency (HCA) published list of RPs.
- g) Have the financial liquidity needed to successfully deliver a development programme over period of the grant scheme
- h) Consider the prerequisite that priority will be given to schemes with planning permission or in the planning process to enable them to meet the required deadline of December 2017 for completed spend.

3.3 Thirteen Registered Providers had expressed an interest by the stipulated deadline of the 15th January 2016.

4 The Bidding Process.

4.1 On the 5th February 2016 the Bidding Packs were made available on the Council's website incorporating a Grant Agreement, Application Form, a worked example and Certificate and invoice for payment. Interested bidders were advised that full submissions must be received by the Council by 5pm on Friday 4th March 2016.

4.2 Seven detailed bids were received by the deadline from the following Registered Providers :-

ARHAG, East End Homes, Family Mosaic, and Peabody Housing Association.

4.3 The Bids were examined and a précis compiled by a panel of Officers against the agreed criteria noted in the grant pack which was then copied to the Corporate Director of D&R and the Head of Strategy, Regeneration & Sustainability.

- 4.4 Following this initial invitation to submit proposals, a process of continuous market engagement (CME) will be open for delivery in the Years 2016-20 with each potential bidder having been assessed under Stage 1 of the process. The Council will issue a statement when it stops accepting bids, once it has committed the total grant available.

5 Interview Process

- 5.1 Points of clarification or any areas of concern with the recommended bids were discussed with the respective RPs at an interview with a panel of Officers on the 16th March.
- Approval for grant funding was assessed on the basis that priority be given for homes that meet the LBTH specific strategic criteria of :-
 - Deliverability – This is of paramount importance. Milestones will be set and the grant may be repayable if they are not achieved.
 - Affordability – preference was given to homes that are most affordable to local residents.
 - Tenancies – preference was given to homes with longer tenancies as the RTB receipts fund permanent social/affordable rented accommodation.
 - The grant element will represent a maximum of 30% of the scheme cost and can only be utilised for the replacement of Social/Affordable Rented Units although this can be part of a larger mixed tenure development.
 - Delivery of other strategic objectives of the Council and deliver wider community benefits.
 - Accessibility – Homes for residents with disabilities will be fully accessible and preference will be for wheelchair housing located on the ground floor. Preference will also be given to schemes that assist the housing of households with disabled members. No less than 10% of the affordable rented stock in the scheme will be wheelchair units.
 - Schemes that fit in with the Planning or Supported Borough Housing Investment Strategy.
 - Schemes that exceed the minimum planning requirements for the provision of Affordable Housing.

- 5.2 That process culminated in the Panel recommending the following RPs for grant funding of the amounts detailed in the table below.

	Registered Provider	Scheme	Num Rent	Num Int.	Num Mar.	Aff Rent	Soc Rent	Grant £
1	ARHAG	Land at Wellington Way, Bow E3	8	0	2	0	8	547,631
2	East End Homes	Purchase of ex RTB's	8	0	0	8	0	870,000
	Total		16			8	8	£1,417,631

(grant requested will contribute 30% of scheme costs associated with the rented element).

Terms of the grant to RPs will be covered by a grant agreement that will be a contract between the parties for each scheme to ensure compliance.

6. ALTERNATIVE OPTIONS

- 6.1 Doing nothing has been considered, However, whilst in the short term it would remove the pressure on the HRA, it would then result in the Council having to return RTB receipts to central government with interest (*compounded 4% above base rate*), in line with the conditions of usage set down by the DCLG. Therefore, this initiative could be considered to be an efficient use of the current available resources.
- 6.2 In considering whether to return the RTB receipts to central government, the Council has the duty to consider not only the financial impact on the HRA but also the provision of affordable housing, the acute housing need in the borough, and service enhancements made possible through the use of the RTB Receipts. Giving up the one-for-one RTB receipts would imply that the Council would not take the opportunity of exercising greater control over the provision of affordable housing. Instead funding affordable housing delivery by the housing association sector allows the Council to target its own priorities, without the restraints of the conditions of GLA grant and of the requirements of the HCA Capital Funding Guide.

7. DETAILS OF REPORT

- 7.1 The Council has accumulated significant retained receipts from the disposal of properties under Right to Buy legislation. These must be used for the provision of new social housing in accordance with the terms of the agreements that the Council has entered into with the DCLG. One-for-one RTB receipts can only be used to fund up to 30% of the cost of replacement Social Rented or Affordable Rented units.
- 7.2 The borough holds a total of £43.3m RTB receipts (one-for-one retained receipts) to be spent by Quarter three of 2018/19, requiring a total spend of £144.3 million on replacement social housing.
- 7.3 On 6th October 2015 the Mayor in Cabinet approved a strategy to address the issues around the accumulated Right To Buy Receipts and the conditions for their expenditure. This included a range of measures, one of which was the provision of £7.065m to grant fund Registered Providers towards the delivery of affordable housing units for rent for letting to housing applicants on the Council's Housing Waiting List. The Commissioners approved this on 2nd December 2015.
- 7.4 It was proposed and agreed that the Council set up a Local Affordable Housing Grant calling on RPs active in the borough to use the grant:-
- in the construction of new homes on land acquired by the RPs
 - in the acquisition of properties either on the open market or of leasehold buybacks (this would apply to previously transferred estates) whereby the RPs would buy back the dwelling and offer the nomination rights to the Council.
- 7.5 For the schemes to count towards the Council spend on 'replacement social housing', government guidance reminds authorities that one for one receipts must have been spent by the required deadline. In the event that RPs within the borough failed to spend sufficient sums, or do not spend by the required deadlines, the Authority would be liable to return the receipts plus interest due to a failure to spend in line with the RTB agreement.
- 7.6 In order to spread risk between the RPs and the Council and to make it attractive to RPs, it is proposed that the allocations are subject to review and to a clawback mechanism. Scheme allocations which do not project to meet the deadline of spend will be reallocated to other schemes to enable a full spend within the required timescale to spend RTB receipts before their maturity. Schemes that keep to their delivery outputs and time-table will not

be liable to have their funding withdrawn. This includes any retention monies due after December 2017

- 7.7 Retention money accounts for 3% of the expenditure on new build projects which is held by the RP until 12 months after scheme completion. To avoid RPs losing this money on these projects if their schemes complete near to the December cut-off date, and thereby being offered only 27% of eligible costs instead of 30%, it is proposed that the retained money is paid after December 2017 if it:
- a) Is eligible expenditure as set out in the Right to Buy Agreement with DCLG
 - b) Only relates to replacement affordable rented housing, and
 - c) The amount claimed in grant is no more than 30% of the spend and meets a) and b) above
- 7.8 The sum of £7.065 million represents a 30% one for one contribution towards RP schemes, therefore the total amount of replacement social housing that could be delivered would be of a value of £23.550 million.
- 7.9 As there is an expectation that RTB receipts will continue to be acquired for the foreseeable future, it would be prudent to consider extending the provision of grant funding beyond December 2017. This would help eliminate the time constraint built into the current bidding round which prevents RPs putting some schemes forward.

8. COMMENTS OF THE CHIEF FINANCE OFFICER

- 8.1 The Mayor in Cabinet on 6th October 2015 approved a programme to utilise the significant levels of Right to Buy receipts that the council has retained for the provision of replacement social housing. It was agreed that £7.065 million of the receipts would be allocated towards a Local Affordable Housing Grant scheme for Registered Providers of Social Housing. The sum earmarked represented the amount of 'one for one' receipts retained by the authority in Quarter 3 of 2014/15, and which need to be spent on replacement social housing within three years – i.e. by the end of December 2017.
- 8.2 Following the completion of the application process for the programme, this report requests that the Commissioners agree to endorse officers' recommendations to grant fund ARHAG and East End Homes the sums of £547,631 and £870,000 respectively, as outlined in paragraph 5.2. It is recommended that an uplift of 10% is applied to these sums to allow for a possible increase in build or acquisition costs.
- 8.3 Including the uplift provision, the total amount of grant to be agreed for ARHAG for 8 affordable new build properties is £602,394. The total amount of grant to be agreed for East End Homes to carry out 8 buybacks is £957,000. The Authority's contribution will be limited to 30% of the cost of the eligible

expenditure incurred on replacement social housing. ARHAG and East End Homes will be responsible for funding the remaining 70% of the cost of the replacement social housing being built or acquired.

- 8.4 As the authority retains responsibility for spending a sufficient amount on replacement social housing within the required timescales, in the event that Registered Providers (RPs) fail to spend enough, or do not spend by the required deadlines, there is a high risk that the resources will be payable to the Government, with the authority being liable for a significant interest penalty.
- 8.5 The authority is at this time proposing to award maximum grant funding of £1.559 million and is looking to extend the grant scheme past December 2017 in order that RPs may be able to include more new-build schemes. However, the uncommitted balance of £5.506 million from Quarter 3 of 2014/15 will still need to be spent by the deadline of December 2017; this will require total spend on replacement social housing of £18.353 million, and resources of £12.847 million will be required to finance 70% of this cost. Therefore if the grant scheme spend slips then the authority will have to reassess its one for one spend assumptions to ensure that the required spend on replacement social housing will be delivered within the necessary deadlines. This may require the authority to bring forward some of its own planned spend.
- 8.6 It will therefore be crucial for the authority to closely monitor the projected and actual progress and spend by third parties. This report proposes in paragraph 7.6, that in order to spread risk between the RPs and the council, allocations are subject to a review and clawback mechanism, and that funding awarded to schemes that are not projected to meet spending milestone deadlines will be reallocated [Financial implications to be prepared by Directorate Finance Manager and agreed with Corporate Finance]

9. LEGAL COMMENTS

- 9.1 Whilst there is no strict legal definition of grant, a grant is in the nature of a gift and is based in trust law. However, grants are often given for a purpose so it is sometimes unclear whether a grant has been made or the arrangement is a contract for services. A contract for services is not a grant and therefore, an arrangement which is classified as a contract for services would be outside the remit of the power conferred upon the commissioners to approve.
- 9.2 There will be many grants which are made by the Council for the purpose of discharging one of its statutory duties. However, as a grant is in the nature of a gift, it is considered there must be some element of discretion on the part of the Council as grantor as to whom a grant is made to and whether this is made. If the Council is under a legal duty to provide a payment to a specific individual or organisation, and cannot lawfully elect not to make such a payment, then that should not amount to a grant.
- 9.3 In this case, the Council is not under a legal duty to provide these payments. The payments are discretionary and therefore considered to be a grant.

- 9.4 The power of the commissioners to make decisions in relation to grants arises from directions made by the Secretary of State on 17 December 2014 pursuant to powers under sections 15(5) and 15(6) of the Local Government Act 1999 (the Directions). Paragraph 4(ii) and Annex B of the Directions together provide that, until 31st March 2017, the Council's functions in relation to grants will be exercised by appointed Commissioners, acting jointly or severally. This is subject to an exception in relation to grants made under section 24 of the Housing Grants, Construction and Regeneration Act 1996, for the purposes of section 23 of that Act (disabled facilities grant).
- 9.5 To the extent that the Commissioners are exercising powers which would otherwise have been the Council's, there is a need to ensure that the Council has the power to make the grant in question.
- 9.6 Affordable Housing Grants are supported by the Council's general power of competence. Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything that individuals generally may do, subject to specified restrictions and limitations imposed by other statutes. There are no such restrictions and limitations and therefore the general power of competence applies.
- 9.7 The Council has a duty under the Local Government Act 1999 to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness. This is referred to as the Council's best value duty. Best Value considerations have also been addressed in paragraph 11 of the report.
- 9.8 The Council must operate a fair and open application procedure to process a request to obtain funding. Requests for grant funding should ordinarily be measured against a predetermined set of criteria and the criteria themselves must be fair and transparent.
- 9.9 The grant agreement should include a clear monitoring process against defined parameters in order for the Council to demonstrate either: that delivery is in line with the application and, therefore, the grant achieved its purpose; or provide clear delineation where outcomes were not achieved and the reasons for such failure are apparent. Monitoring should therefore include measuring performance against the expected outcomes.
- 9.10 When implementing the scheme, the Council must ensure that no part of the funds issued represents a profit element to any of the recipients. The inclusion of profit or the opportunity of making a profit from the grant or third parties indicates that the grant is really procurement activity and would otherwise be subject to the Council's Procurement Procedures and other appropriate domestic and European law. This would mean therefore, that the Council would have failed to abide by the appropriate internal procedures and external law applicable to such purchases.
- 9.11 The Treaty on the Functioning of the European Union (TFEU) provides that certain government activities may be prohibited because they give an

advantage in a selective way to certain entities, which might affect competition within the internal market. Those advantages may amount to prohibited state aid, or may be state aid which is either expressly allowed by the Treaty, or which may be allowed, dependent on the circumstances. Certain activities are considered to be compatible with EU law however and which includes “aid having a social character” (see Article 107(2)(a) of TFEU. In this case, the grants would be to provide affordable housing and which would be “aid having a social character” and are therefore not prohibited.

- 9.12 When making decisions, the Council must have due regard to the need to eliminate unlawful conduct under the Equality Act 2010, the need to advance equality of opportunity and the need to foster good relations between persons who share a protected characteristic and those who do not (the public sector equality duty). A proportionate level of equality analysis is required to discharge the duty and information relevant to this is contained in the One Tower Hamlets section of the report.

10. ONE TOWER HAMLETS CONSIDERATIONS

- 10.1 The delivery of more affordable homes will help give households, particularly those from black, Asian, or other minority ethnic backgrounds on low incomes (many of whom are benefit dependent) a secure home. This has the potential to create an environment for household members – particularly children – to improve their educational attainment which will in turn help them access sustainable employment in the future. The delivery of more housing that is wheelchair accessible and meets lifetime homes standards is a proven method to help reduce inequalities.
- 10.1 The provision of additional rented schemes can potentially impact on community cohesion. The amount of private housing developed for sale and private rent has been particularly high in Tower Hamlets. However, the large majority of this housing is inaccessible to residents due to high house prices. Therefore, maximising the amount of affordable housing for rent wherever possible can contribute to community cohesion. This can be achieved by reducing the number of households on the Common Housing Register waiting for a home, whilst also giving an opportunity for local applicants to access low cost home ownership opportunities.
- 10.3. The Local Affordable Housing Grant scheme directly makes a significant contribution to the core Local Plan target of new affordable homes delivery. The programme also makes a wider contribution to Community Plan objectives, such as on increasing household recycling; reducing crime (through Secure By Design standards); and increasing skills and training opportunities. The proposal is a good ‘strategic fit’ with the Community Plan and will help Tower Hamlets deliver both the housing and sustainable communities priorities identified.

11. BEST VALUE (BV) IMPLICATIONS

- 11.1 This is a capital programme which proposes to make use of the Council resources in order to fund partners in the delivery of affordable homes rather than be required to pay interest to the government on unspent receipts. It places the responsibility for 70% of the costs of building replacement one for one homes on RPs, thereby protecting the borrowing margin of the Council and making possible the delivery of larger programme.

12. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 12.1 The schemes will comply with the Council's requirements on the reduction of carbon emissions, energy consumption along with green and sustainable construction delivery.

13. RISK MANAGEMENT IMPLICATIONS

- 13.1 A Grant Agreement has been will be drawn up by Solicitors and issued with the bidding documents.
- 13.2. Bidders have provided proof of their ability to finance the scheme in the form of a funder's letter.
- 13.3. All bidders are Members of the Common Housing Register and to sign up to the Standard Nominations Agreement so the Council will benefit fully from the programme.
- 13.4. An audit of the programme is planned and provided for in the Legal Agreement.
- 13.5. The scheme adopted an open book approach so the Council has been able to scrutinise the project finance.
- 13.6. The qualifying criteria has provided safeguards against organisations that would not have the capacity, expertise or financial stability to deliver the programme.

14. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 14.1 The schemes proposed will be designed to Secure By Design Standards. The conditions of the housing grant programme will include the need to meet the London Housing Design Guide and other standards of building including Secure by Design.

14.2 The impact on the local community and the local environment will be factors in assessing the quality of a scheme proposal. RPs will be encouraged to identify sites which if developed, would improve the safety and security of the local communities.

14.3 The role of design in “designing out crime “ will be part of the solution for addressing community safety hot spots in the borough. In addition, the natural surveillance offered by the new developments is likely to improve safety in the respective areas.

15. SAFEGUARDING IMPLICATIONS

15.1 N/A

Linked Reports, Appendices and Background Documents

Linked Report

- Cabinet Report 28th July 2015 – Strategy & Options for the Use of Right To Buy Receipts
- Cabinet Report October 2015 – Housing Resources and Capital Delivery
- Commissioners Decision Report 2nd December 2015 - A Local Affordable Housing Grant

Appendices

none

Background Documents – Local Authorities (Executive Arrangements)(Access to Information)(England) Regulations 2012


- None

Officer contact details for documents:

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APPENDIX

Non-Executive Report of the: Overview and Scrutiny Committee 4 th April 2016	 TOWER HAMLETS
Report of: Zena Cooke, Corporate Director of Resources	Classification: Unrestricted
Establishment of an Overview and Scrutiny Grants Sub-Committee	

Originating Officer(s)	Steve Hill, Head of Benefits
Wards affected	All

Summary

Following a Best Value Inspection undertaken by Price Waterhouse Coopers during 2014, the Secretary of State for Communities and Local Government issued the Council with Directions on 17th December 2014. The Directions focused on particular areas which had been the subject of the Best Value inspection and which included grants.

As part of the Directions, a Grants Action Plan was developed and agreed. As part of that Plan, a recommendation was to review arrangements post Commissioners for future executive decision-making and the action arising was to establish a cross party working group to develop proposals for future arrangements. A proposal was put to the Commissioners at their Decision Making Meeting on 1st March 2016 that a Sub-Committee of the Overview and Scrutiny Committee should act as the “cross-party forum” to be established to review Officer recommendations prior to their consideration at a Commissioners’ Decision Making Meeting and this proposal was agreed. The Commissioners agreed to receive a further report setting out the details of the Committee arrangements.

Recommendations:

The Overview and Scrutiny Committee is recommended to:

1. Agree to add to the Overview and Scrutiny work programme, the review of Officer recommendations regarding grants and award of grants prior to their consideration at a Commissioners’ Decision Making Meeting;
2. Agree to the establishment of an Overview and Scrutiny Grants Sub-Committee which will act as a scrutiny panel to undertake the reviews in recommendation 1 above;
3. Consider and agree the terms of reference; forward plan; composition; chairing arrangements; and training programme for such Sub-Committee; and

4. Agree that a report be presented to Overview and Scrutiny Committee in 3 months to review the work of the Overview and Scrutiny Grants Sub-Committee and whether changes need to be made to its Terms of Reference or composition.

1. REASONS FOR THE DECISIONS

- 1.1 It is recognised that the third sector is an important part of the fabric of life in Tower Hamlets and plays a unique and crucial role in the delivery of services to residents of the borough. The broad range of voluntary and community sector organisations in the borough also contribute towards building social capital and fostering community cohesion.
- 1.2 The impact of the Directions on the Council has inevitably resulted in a number of significant changes to the way the Council makes decisions in relation to Grant Making, which has had consequences for the third sector. This has also created the need to ensure Members of the Council have the ability to have timely, transparent and informed input to the grant making process.
- 1.3 Member input is vital at the development and delivery stage i.e. ensuring that the overall objectives of the grant scheme are being met, that a fair geographical distribution of funding is being proposed and that the full range of community needs are being met. Further at the scrutiny stage, the Council's Overview and Scrutiny Committee contributes to the Council's approach to continuous improvement. The recommendations set out in this report will enable the Mayor, the Executive Members and Commissioners to have a mechanism for transferring grant decisions back to the Council post March 2017.

2. ALTERNATIVE OPTIONS

- 2.1 The council is required to comply with Secretary of State Directions and to deliver the actions set out in the Best Value Action Plan. These proposals extend transparency and propriety of decision-making, an integral part of the best value action plan. No alternatives are therefore proposed.

3. DETAILS OF REPORT

3.1 Commissioners Background

- 3.2 The Council is a best value authority within the meaning of Part 1 of the Local Government Act 1999. As a best value authority, the Council has an obligation under section 3 of the Local Government Act 1999 to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness" (the best value duty).

- 3.3 Where the Secretary of State is satisfied that an authority is not meeting its best value duty, the Secretary of State may: (1) direct the authority to take action to bring itself into compliance with that duty; (2) direct that specified functions be carried out by the Secretary of State or a nominee and that the authority follow the Secretary of State's instructions and provide such assistance as may be required (Local Government Act 1999).
- 3.4 In accordance with this power the Secretary of State gave directions to the Council on 17th December 2014, 29th April 2015 and 6th May 2015. By letter dated 23rd October 2015 from the Secretary of State confirmed that the Directions of 6th May 2015 lapsed on 31st October 2015. The directions are enforceable by the Secretary of State, who may seek an order in the High Court requiring the Council to remedy any breach. In the circumstances, it is appropriate for the Council to take steps to comply with the directions and to monitor its compliance with the directions.
- 3.5 The Directions issued to the London Borough of Tower Hamlets on 17th December 2014 required: 'Within 3 months from the date of these Directions i.e. 17th March 2015 to draw up and agree with the Commissioners a strategy and action plan for securing the Authority's compliance with its best value duty (to include as appropriate complying with the specific directions set out below and putting in place robust and transparent arrangements for grant decisions)'.
- 3.6 The Best Value Strategy and Action Plan was agreed by Cabinet on 4th March 2015, the requirement for the cross party forum was originally set out in December 2014
- 3.7 The council has implemented a number of actions set out in the Best Value Action Plan, with the actions either fully implemented or on track to be delivered as planned. The Best Value Action Plan on Grants contains a recommendation to review arrangements post Commissioners for future executive decision-making and the action arising was to establish a cross party working group to develop proposals for future arrangements.
- 3.8 At their Decision Making Meeting on 1st March 2016, the Commissioners considered a report on the establishment of governance arrangements that included a "cross-party forum" to review and input to the grants decision making process. This report stressed the critical nature of the development and agreement to appropriate governance arrangements, needed to ensure the priorities, knowledge and views of Executive and non-Executive Members, inform the grants decision making process.
- 3.9 The proposal put to the Commissioners at that meeting was that a Sub-Committee of the Overview and Scrutiny Committee should act as the "cross-party forum" be established to review Officer recommendations prior to their consideration at a Commissioners' Decision Making Meeting and this proposal was agreed, with a further more detailed report to be presented to the Commissioners at the April Commissioners Decision Making Meeting.

- 3.10 In compliance with the recommendations set out in the report of 1st March 2016, this report sets out the background to the role of Overview and Scrutiny as well as the detailed proposals on the governance arrangements for managing the grant making process through an Overview and Scrutiny Sub Committee. The report also considers the Sub-Committee's composition; its Terms of Reference; training requirements (e.g. predisposition, predetermination, bias and interests) and the process by which both Executive and Non-Executive members' views will be reflected and reported both, prior to and after the Decision Making meeting.
- 3.11 Quarterly performance reports on grants will continue to be published in line with the Overview and Scrutiny Committee, Cabinet and Commissioners' Decision-Making Meeting timetables.
- 3.12 **Overview and Scrutiny Background**
- 3.13 The Council is required by section 9F of the Local Government Act 2000 to have an Overview and Scrutiny Committee and to have executive arrangements that ensure the committee has specified powers. Consistent with this obligation, Article 6 of the Council's Constitution provides that the Overview and Scrutiny Committee may consider any matter affecting the area or its inhabitants. The Committee may also make reports and recommendations to the Full Council or the Executive in connection with the discharge of any functions.
- 3.14 Under the Terms of Reference for the Overview and Scrutiny Committee, it can appoint such Sub-Committees or Scrutiny Panels as the Committee considers appropriate from time to time to carry out individual reviews under the Overview and Scrutiny work programme.
- 3.15 The Mayor, mindful of the Directions (Annexe A9) and the Council's Best Value Action Plan in relation to Grant Making, has in consultation with the Chair of Overview and Scrutiny asked the Chair of the Overview and Scrutiny to appoint a Grants 'Sub-Committee' as a scrutiny panel. The formulation of this Sub-Committee will enable the Council to ensure a transparent, executive and cross party process.
- 3.16 **Proposed Governance Arrangements – Terms of Reference**
- 3.17 The proposed Terms of Reference of the Overview and Scrutiny Grants Sub-Committee are attached as **Appendix A**. The Terms of Reference assume that Options 1 in respect of both Composition and Chairing arrangements are adopted in the first instance, but that this will be reviewed in early 2016/17. If alternative options are adopted then appropriate revisions to the Terms of Reference will need to be made.
- 3.18 **Proposed Governance Arrangements – Forward Plan**
- 3.19 The Forward Plan that provides the scheduling of the Commissioners Decision Making Meetings is attached at Appendix B. The Overview and

Scrutiny Grants Sub Committee meetings will be agreed subject to the Committee's agreement to establish the Sub Committee and its schedule of meetings will be incorporated into the Forward Plan in line with the Overview and Scrutiny Committee Terms of Reference.

3.20 Proposed Governance Arrangements – Composition

3.21 Option 1 – The membership is proposed to consist of five (5) members, namely the Chair of Overview and Scrutiny (or his/ her nominated Deputy) and two other Members of Overview and Scrutiny Committee from the administration and one each from the opposition parties.

3.22 Option 2 - The membership is proposed to consist of seven (7) members, namely the Chair of Overview and Scrutiny (or his/ her nominated Deputy) and four other Members of Overview and Scrutiny Committee from the administration and one each from the opposition parties

3.23 Option 3 - The membership is proposed to consist of five (5) members, namely the Chair of Overview and Scrutiny (or his / her nominated Deputy) and two other Members from the administration and one each from the opposition parties.

6 Option 4 – The Membership is proposed to consist of five (5) members drawn from Overview and Scrutiny Committee, based on the proportionality above; the Chair of Overview and Scrutiny Committee need not be a Member of the Sub-Committee

3.1 Option 5 –The Membership be as Option 1 but with the addition of co-opted non-voting members, the exact number to be agreed.

3.2 Whatever Option is chosen, the Sub-Committee is required to reflect the political make-up of the Council and therefore the proportionality principles apply.

3.3 Proposed Governance Arrangements – Chairing

3.4 Option 1 - The Chair of Overview and Scrutiny (or his/ her nominated Deputy) is chair of the Grants Sub-Committee.

3.5 Option 2 – The Chair be one of the Overview and Scrutiny Members, serving on the sub-committee; this may be an opposition Member.

3.6 Proposed Governance Arrangements – Training

3.7 As part of these arrangements and in acknowledgement of Commissioners requests for the same, training for all Members of Overview and Scrutiny will be delivered. The training will be provided to CfPS (Centre for Public Scrutiny) standards and will have a particular emphasis on pre-disposition,

pre-determination, bias and interests and appropriate action in the event that such should arise.

- 3.8 Subject to the Committee's agreement to establish a Sub Committee, it is proposed that the training will be provided in advance of the Commissioners Decision Making Meeting on 12th April 2016 to enable the Sub Committee.

3.9 Other Governance Arrangements

- 3.10 It is proposed that the composition of the Grants Sub-Committee is initially piloted and reviewed after the first three months by the Overview and Scrutiny Committee.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The financial implications of establishing the Sub Committee will be met from existing resources.

5. LEGAL COMMENTS

- 5.1 Legal Services have been involved in the preparation of this report and any legal implications are addressed in the body of the report.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 The council's support of the voluntary and community sector through grants, contributes to the delivery of the One Tower Hamlets priorities and objectives

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 Compliance with this duty has been a feature, to the extent relevant, of the Council's action in response to the directions

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no immediate sustainability or environmental issues to consider.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 The recommendations made in this report will minimise the risk of failing to implement the actions agreed in the Best Value Action Plan on grants and the requirements of the Directions made by the Secretary of State.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

10.1 There are no immediate Crime and Disorder reduction implications.

Linked Reports, Appendices and Background Documents

Linked Report

- Commissioners Decision Report 1st March 2016 - Initial proposals for a Cross Party Forum on Grants.

Appendices

- 1. Proposed Terms of Reference
- 2. Forward Plan.

Local Government Act, 1972 Section 100D (As amended)

List of “Background Papers” used in the preparation of this report

List any background documents not already in the public domain including officer contact information.

- Best Value Strategy and Action Plan

Officer contact details for documents:

- Steve Hill
Telephone 020 7364 7252
steve.hill@towerhamlets.gov.uk

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Terms of Reference

1. Introduction and Aims

- 1.1 Member input is vital at the development and delivery stage of the grants process by ensuring that the overall objectives of the grant scheme are being met based on identified need, that a fair geographical distribution of funding is being proposed, and that the full range of community needs are being met.
- 1.2 The Grants Sub-Committee will support an objective, fair, transparent and co-ordinated approach to grant funding across the Council including but not restricted to the following.
- (a) overseeing the process and arrangements for awarding and administering grants and related procurement processes to ensure a strategic approach;
 - (b) overseeing the processing arrangements for developing grants criteria and assessment methodology
 - (c) overseeing the monitoring, performance management and evaluation arrangements in relation to funded projects; and
 - (d) ensuring fairness and transparency in the grant awarding process.
- 1.3 The Grants Sub-Committee will be mindful of the Council's objective to create an environment for a thriving Third Sector. In this context, the following are key factors:
- (a) improve partnership working between local organisations;
 - (b) provide longer-term funding to organisations;
 - (c) ensure that funding is aligned to the Strategic Plan and Community Plan;
 - (d) ensure that the Council achieves value for money from its grants; and
 - (e) ensure that funding supports appropriate services for the benefit of local residents.

2. Responsibilities

- 2.1 The Overview & Scrutiny Grants Sub-Committee will discharge the Council's statutory functions to undertake overview and scrutiny, insofar as these pertain to grants matters. This will include:
- (a) Reviewing and/or scrutinise recommendations, decisions made or actions taken in connection with the discharge of the council's grants;
 - (b) Advising the Mayor, DCLG Commissioners or Executive of key issues/questions arising in relation to grants reports due to be considered by the Mayor, DCLG Commissioners or Executive; and
 - (c) Making reports and/or recommendations to the full Council and/or the Mayor, DCLG Commissioners or Executive in connection with the discharge of grants functions

- 2.2 The Grants Sub-Committee will have a broad range of responsibilities. This will include scrutinising adherence to grant eligibility, appraisal, and monitoring arrangements.
- 2.3 Other areas of responsibility for the Grants Sub Committee include but are not restricted to the following:
- (a) monitoring and reviewing all grant programmes across the Council;
 - (b) maintaining an overview of performance and value for money for all London Borough of Tower Hamlets grant funding;
 - (c) support an appropriate, fair and transparent commissioning and appraisal process is followed when allocating any grant funding;
 - (d) ensure that the Service agreements used in relation to the various Council grant regimes are fit for purpose and that appropriate monitoring and assurance systems are implemented and in place; and
 - (e) receive grant programme performance, monitoring reports and agreeing appropriate action to be taken in respect of projects which are under-performing.

3. Membership

- 3.1 The membership of the Grants Sub-Committee will consist of the Chair of Overview and Scrutiny (or his nominated Deputy) as Chair of the Grants Sub-Committee, with the composition consisting of three Members of the Overview and Scrutiny Committee from the administration and one each from the opposition parties (5 in total).

4. Actions and Responsibilities

- 4.1 Below are some of the specific actions and responsibilities required to ensure the effective operation of the Grants Sub-Committee.
- 4.2 **Servicing of meetings.** The servicing of meetings will be undertaken by the Council's Democratic Services Team and which work will include:
- (a) dispatch of reports;
 - (b) taking of minutes and recording of actions/decisions;
 - (c) dissemination of minutes and decisions; and
 - (d) audio recording of meetings.
- 4.3 **Meeting frequency.** The Grants Sub-Committee will meet as required in order to consider grant awards in a timely manner.
- 4.4 Officers preparing reports for consideration must liaise with Democratic Services in good time to ensure that meetings are able to be convened as required to consider reports.
- 4.5 **Preparation and presentation of Reports.** The Lead Manager/Officer of the appropriate grant/funding programme will be responsible for preparing and presenting reports to the Grants Sub-Committee. This will include:
- (a) preparing reports and recommendations;

- (b) obtaining legal and financial clearance of reports;
- (c) sending completed reports to Democratic Services for dispatch;
- (d) presenting reports ; and
- (e) implementing actions/decisions agreed.

4.6 **Record of attendance.** All members of the Sub-Committee present during the whole or part of a meeting must sign their names on the attendance sheet before the conclusion of every meeting to assist with the record of attendance.

5. **Proceedings**

5.1 The Grants Sub-Committee will generally meet in public and conduct its proceedings in accordance with the relevant rules of procedure contained in the Council's Constitution such as the:

- (a) Council Procedure Rules;
- (b) Access to Information Procedure Rules, and
- (c) The Overview and Scrutiny Procedure Rules.

5.2 For the purposes of the Grants Sub-Committee, Rule 19 of the Council Procedure Rules (Petitions) applies.

6. **Declaration of Interests**

6.1 In accordance with the Council's Code of Conduct for Members, Members are reminded that it is a requirement to declare disclosable pecuniary interests and any other interest that they may have within the published register of interests.

7. **Decision making**

7.1 Currently the Council is subject to Direction from the Secretary of State and Commissioners are responsible for decision making on Grants.

Updated: 23rd March 2016

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COMMISSIONERS DECISION MAKING MEETING FORWARD PLAN

Grants Meetings Deadlines: Commissioners' Decision Making in Public

1	2	3	4	5	6	7
FP1 Publication Deadline	Pre-Agenda Planning Meeting Report Deadline (for Commissioners Meeting)	Draft Reports Deadline	Pre-Agenda Planning Meeting (with Commissioners)	Final Reports Deadline (noon)	Agenda Publication Deadline	Commissioners Decision Making In Public
Send FP1 forms to Dem Services- David Knight for publication	Draft reports to be sent to Louise Fleming	Send DMT/CMT cleared reports to Finance and Legal for publication clearance	Date of Meeting	Send reports to Dem Services - Antonella Burgio for printing	Statutory Publication Date	Date of Meeting (Tuesday's 6.30pm)
11th December 2015	10th December 2015	18th December 2015	16th Dember 2015	23rd December 2015	4th January 2016	12th January 2016
29th January 2016	4th February 2016	16th February 2016	9th February 2016	19th February 2016	22nd February 2016	1st March 2016
11th March 2016	17th March 2016	29th March 2016	22nd March 2016	1st April 2016	4th April 2016	12th April 2016
22nd April 2016	28th April 2016	10th May 2016	3rd May 2016	13th May 2016	16th May 2016	24th May 2016
3rd June 2016	9th June 2016	20th June 2016	14th June 2016	24th June 2016	27th June 2016	5th July 2016
15th July 2016	21st July 2016	1st August 2016	26th July 2016	5th August 2016	8th August 2016	16th August 2016
25th August 2016	1st September 2016	12th September 2016	6th September 2016	16th September 2016	19th September 2016	27th September 2016
7th October 2016	13th October 2016	24th October 2016	18th October 2016	28th October 2016	31st October 2016	8th November 2016
18th November 2016	24th November 2016	5th December 2016	29th November 2016	9th December 2016	12th December 2016	20th December 2016
13th January 2017	19th January 2017	30th January 2017	24th January 2017	3rd February 2017	6th February 2017	14th February 2017

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