

COMMISSIONERS' DECISION MAKING MEETING

Wednesday, 30 September 2015 at 6.30 p.m.
C1, 1st 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:

Antonella Burgio, Democratic Services,
1st Floor, Town Hall, Mulberry Place, 5 Clove Crescent, London, E14 2BG
Tel: 020 7364 4881
E-mail: antonella.burgio@towerhamlets.gov.uk
Web: <http://www.towerhamlets.gov.uk/committee>

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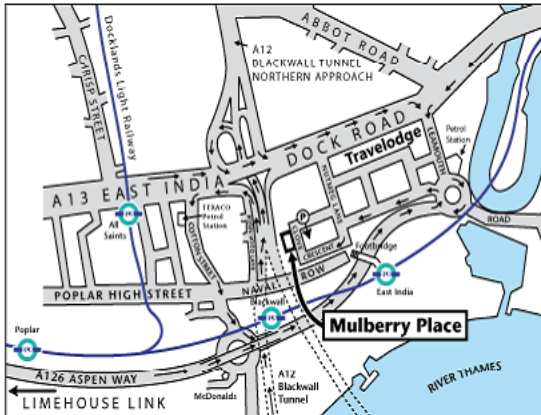
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A Guide to Commissioner Decision Making

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: **Monday, 5 October 2015**

LONDON BOROUGH OF TOWER HAMLETS
COMMISSIONERS' DECISION MAKING MEETING

WEDNESDAY, 30 SEPTEMBER 2015

6.30 p.m.

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST (Pages 1 - 4)

3. DECISIONS OF THE PREVIOUS MEETING (Pages 5 - 10)

To note the decisions of the meeting held on 9th September 2015.

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

6. REPORTS FOR CONSIDERATION

6 .1	The Greenwich and Docklands Festival	11 - 16	All Wards
6 .2	The East End Film Festival 2015	17 - 22	All Wards
6 .3	Emergency Funding Application Account 3 - Additional Information	23 - 28	All Wards

6 .4 Provision of Home Repairs Grants under the Council's Private Sector Housing Renewal Policy 2013-15, to four individual owner occupiers

29 - 58

**Blackwall &
Cubitt Town;
Bow West;
Weavers;
Whitechapel**

EXCLUSION OF PRESS AND PUBLIC

The appendices relating to this application are classified as 'exempt' under Access to Information Rules, in that they disclose information relating to individuals and the financial affairs of these individuals. Should this information need to be discussed in detail, Press and public will be asked to leave the meeting during this part of the discussion.

7. ANY OTHER BUSINESS THE CHAIR CONSIDERS TO BE URGENT

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
- John Williams, Service Head, Democratic Services, 020 7364 4204

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 6.30 P.M. ON WEDNESDAY, 9 SEPTEMBER 2015

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

Members Present:

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

Councillors Present:

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

Officers Present:

Alison Denning	(Festivals and Events Officer, Communities Localities and Culture)
Andy Bamber	(Service Head Safer Communities, Crime Reduction Services, Communities, Localities and Culture)
Keith Burns	(Programme Director Special Projects, Commissioning & Health, Education Social Care & Wellbeing)
Zena Cooke	(Corporate Director, Resources)
Hasan Faruq	Service Development Manager (Interim) CSF
Chris Holme	(Service Head, Resources & Economic Development)
Shazia Hussain	(Service Head Culture, Learning and Leisure, Communities Localities & Culture)
Pam MacMeikan	(Arts & Events Manager, Communities Localities and Culture)
Terry Parkin	Interim Service Head, Learning & Achievement
Antonella Burgio	(Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Commissioner Alan Wood.

2. DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

3. DECISIONS OF THE PREVIOUS MEETING

The published decisions of the meetings held on 29 July 2015 and 19 August 2015 were noted.

4. CONSIDERATION OF PUBLIC SUBMISSIONS

No public submission requests were received for consideration.

5. EXERCISE OF COMMISSIONERS' DISCRETIONS

The Chair introduced the report and informed all present that Commissioners' intention is that their decisions be made in an open and transparent manner. However on occasion urgent matters have arisen which have required an expedited decision. A mechanism has been implemented to record and publish these expedited decisions to ensure that transparency is maintained. The Chair advised that the report lists all such decisions made by Commissioners since inception. Additionally any future decision made under urgency would also be reported in this way.

RESOLVED

That the decisions taken under urgency listed in the report be noted.

6. REPORTS FOR CONSIDERATION

6.1 Event Fund Applications

Pam MacMeikan Arts & Events Manager, introduced the report which asked Commissioners to approve event grant applications set out in appendix B to the report and to consider an operational delegation of powers permitting the Service Head to approve small event grants since the calendar of events grants did not coincide with the programme of Commissioners' Decision Making Meetings.

Members were invited to comment. Councillor Saunders queried how the delegation would be undertaken but had no objection providing that members were able to access details of the applications made. Cllr Golds indicated that he had no comments that he wished to make.

Commissioners considered the proposals and did not object to the requested delegation on condition that it was effective until the end of the financial year only and that Arts and Events officers provide a quarterly report

of applications funded to Commissioners in the same manner required of other sections of the Council which issue grants.

RESOLVED

1. That funding for new Event Fund applications as set out in Appendix B be approved.
2. That funding for new Event Fund applications as set out in Appendix C be rejected.
3. That the existing monthly cycle of Event Fund applications be retained and decision making to award grants be delegated to the Service Head – Culture, Learning & Leisure for the remainder of the financial year, in light of the low value of individual grants and the annual budget overall.
4. That Commissioners receive a quarterly report of applications funded via this delegation.

6.2 Youth Opportunity Fund (YOF) Grant

Andy Bamber, Service Head Safer Communities, introduced the report concerning a grant for young people which enabled them to fund beneficial youth activities and projects for themselves and the local community. He noted that there was a historic funding under-representation in the north east of the borough which was being addressed in conjunction with the Cabinet Member for Children's Services

Councillor Saunders and Councillor Golds supported the mechanisms now being implemented for the distribution of grants. Councillor Golds noted that, in addition to the north east borough, Isle of Dogs was under-represented in regard to this funding and requested that this be investigated.

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

RESOLVED

That the proposal of the PAYP/YOF Grant Board to allocate grants for the YOF programme this year to the 32 'green RAG rated' organisations be approved, for the amounts shown as highlighted in green on the spreadsheet attached as Appendix 1, such grant awards totalling £66,427

6.3 Future Funding of New Belvedere House (NBH) Ex Servicemen's Hostel

Keith Burns, Programme Director Special Projects, Commissioning & Health introduced the update report which informed members of the future independent funding arrangements for Belvedere House, a facility for ex-service personnel.

The Chair asked attending Members to respond to the information presented and they indicated that they had no observations that they wished to make.

Commissioners considered the update and also did not wish to make any observations.

RESOLVED

1. That it be noted that Veteran's Aid have formally indicated to the Council that they will not require grant funding beyond 2015/16; and
2. That it be noted that following analysis of the 2015/16 operating budget for New Belvedere House officers have confirmed that the amount of grant to be paid to Veteran's Aid in respect of this service will be £150,275, and that this amount is within the limits authorised by the Commissioners in April 2015.

7. ANY OTHER BUSINESS THE CHAIR CONSIDERS TO BE URGENT

The Chair advised that he had agreed to admit the following reports as items of urgent business to enable those students who have applied for maintenance awards to be informed at the start of term.

7.1 Resolution of Grant Payments: Children's Services (Educational Maintenance Allowances)

Terry Parkin Interim Service Head, Learning & Achievement introduced the report which proposed to continue the existing bursary and to rename it. The bursary was previously presented to commissioners on 27 May 2015 and deferred to enable the award to be linked to outcome based parameters.

Councillor Saunders and Councillor Golds supported the proposals. Councillor Golds also requested that a summary of applications and uptake according to geographical area be provided.

Commissioners clarified that the present scheme would be continued pending the development of a new better targeted educational maintenance scheme via Cabinet. Commissioners also asked that an annual report be brought setting out how the scheme has been allocated and which allocations have been successful and unsuccessful.

RESOLVED

1. That the continuation of the Educational Maintenance Grant be approved but the grant be renamed the Tower Hamlets Educational Maintenance Allowance
2. That the terms and conditions be noted, under which the impact of the revised grant is to be measured.

3. That an annual report be made setting out how the scheme has been allocated and which allocations have been successful and unsuccessful
4. That a new better targeted education maintenance scheme be developed in conjunction with the Cabinet Member for Children's Services and presented to Cabinet

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

Terry Parkin Interim Service Head, Learning & Achievement introduced the report which clarified the powers for the payment of awards by Ocean Estate Bursary and TH and Canary Wharf Further Education Trust to ensure that payment did not contravene the Secretary of State's directions of 17 December 2014.

The Chair asked attending Members to respond to the information presented and they indicated that they had no observations that they wished to make.

Commissioners noted that the governance arrangements of TH and Canary Wharf Further Education Trust provided that two trustees be Members of the Council. They wished to ensure that, should the Council be required to contribute to this award in future, the Council's representation in this Trust should not be a majority and that any casting vote should not be in the gift of Mayoral nominated trustees. Mr Parkin confirmed that the Trust's articles provided that the Chair of Trustees with casting vote be an independent person. He also agreed to report on the structure and governance arrangements of the TH and Canary Wharf Further Education Trust.

RESOLVED

That it be noted that the payment of the grants from the Tower Hamlets and Canary Wharf Further Education Trust, and the Ocean Estate Bursary fall outside the remit of Commissioner decisions.

The meeting ended at 7.05 p.m.

Chair: Sir Ken Knight
COMMISSIONER

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Commissioner Decision Report 30 th September 2015	 TOWER HAMLETS
Report of: Service Head, Culture, Learning and Leisure	Classification: Unrestricted
Greenwich and Docklands International Festival	

Originating Officer	Shazia Hussain
Wards affected	All
Key Decision?	No
Community Plan Theme	One Tower Hamlets

Executive Summary

The Greenwich and Docklands International Festival (GDIF) took place during late June and early July 2015. The nature of the payment relating to the event has been the subject of discussion regarding whether it is a grant and as such whether it falls within the remit of the commissioners or whether it should be seen as a contractual payment that is dealt with through the council's procurement procedures. The view has been taken that it is a grant..

Recommendations:

The Commissioners are recommended to:

1. Approve the payment of £25,000 to the GDIF event organisers for this year's event.
2. Note that a report setting out the proposed arrangements for future events will be produced for consideration by the end of December 2015.

1. REASONS FOR THE DECISION

- 1.1 The Council has a longstanding commissioning relationship with the Greenwich and Docklands International Festival (GDIF). The festival is a high profile international festival and a major opportunity for the promotion of both South and East London as visitor destinations and cultural centres of excellence. As such it is consistently funded by the Arts Council as a cross borough festival, this year taking place in Greenwich, Tower Hamlets and Newham.
- 1.2 The funding for commissioning this festival sits in the core budgets of the Arts, Parks & Events service. The funding is made available when the programme for the year has been agreed and is subject to contract. The Borough has a rolling Service Level Agreement (SLA) covering the GDIF and a standing commitment to support it.
- 1.3 The GDIF took place during late June and early July 2015. Payment would normally be made on the basis that there is a rolling SLA. However, there has been some discussion regarding whether it is actually a grant and as such whether it falls within the remit of the commissioners. As the payment is due and outstanding, it is considered that the matter should be considered a grant so that a decision is taken now to avoid further delay. A report setting out the future arrangements will be produced by the end of December 2015.

2. ALTERNATIVE OPTIONS

- 2.1 The alternative option would be not to approve the payment, but as the event has already taken place based on previous contractual arrangements Failure to therefore make the grant leaves the Council open to a claim for breach of contract.
- 2.2 Non-payment of the funding may also affect future funding for the event, including from the Arts Council and could result in reputational damage for the council.

3. DETAILS OF REPORT

- 3.1 As part of a commitment to bring high quality, accessible arts and cultural activity to diverse audiences and first time attendees, the Council's Arts & Events team seeks to secure world-class events in the borough. The Arts & Events team have commissioned (GDIF) for a number of years and in the current year commissioned GDIF to deliver the following activity within the borough for the fee of £25,000:

1. A performance in Bethnal Green Gardens of "451" by Periplum and which took place on 27th June 2015

2. Dancing City Isle of Dogs. There were 15 outdoor presentations of dance from twelve companies and which took place between 29th June and 4th July 2015.
- 3.2 GDIF specialises in bringing international outdoor performance to London and is recognised as a leader in this field, with GDIF Director, Bradley Hemmings, being a joint programmer of the 2012 Paralympics opening ceremony. GDIF secures investment from a variety of sources, including the Arts Council, private companies and other East London boroughs, which allows events within the context of the festival to be commissioned at a lower cost to the Council.
- 3.3 The council has directly commissioned GDIF to secure benefits going beyond technical event production. These benefits are substantial as set out below:
- Securing local elements of the festival, which also takes place in Greenwich and the Queen Elizabeth Olympic Park, helps to put Tower Hamlets on the cultural map as a place to experience cutting edge international outdoor theatre.
 - Promotion of the event at a sub-regional, regional, national and international level by being part of the events guide and Visit London (London tourist board) activity.
 - The festival is supported by and forms part of the Great Britain campaign showcasing the best of what the UK has to offer to encourage people to visit, do business, invest and study in the UK. The Great Britain campaign is an ambitious international promotional campaign, uniting the efforts of the public and private sector to generate jobs and growth for Britain. This Festival therefore provides added value to the Council in its efforts to attract inward investment and create local jobs.
 - Demonstrating support for the Festival builds working relationships with neighbouring Boroughs who do the same and with organisations such as the Arts Council who also support this initiative.
- 3.4 The council's annual revenue budget includes £25,000 for the festival and this will be used to make the payment to the event organisers.
- 3.5 For future events, the intention is to review the existing arrangement to ensure compliance with the council's procurement policy and procedures and its best value duty. A report setting out the proposed arrangements for future events will be produced by the end of December 2015.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There is sufficient revenue budget to make the £25,000 payment in relation to the Greenwich and Docklands International Festival.

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 the Council has power to make the grants in question. The Commissioners will wish to be satisfied that this is the case. It appears from the information provided in the report that the grants recommended to be made in this report are capable of being supported under the Council's powers and, in this regard, the powers set out below appear particularly relevant.
- 5.3. The proposed grants may be supported under a variety of the Council's statutory powers. For example, the Council has power-
- To support the provision of entertainment in the borough under section 145 of the Local Government Act 1972
 - To secure sufficient educational and recreational leisure-time activities for young people in the borough under section 507B of the Education Act 1996
- 5.4. It should also be noted that the grant has already effectively been promised (see paragraph 1.3 of the report). Failure to therefore make the grant leaves the Council open to a claim for breach of contract.
- 5.5. 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 power may support the giving of grants to community groups, provided there is a good reason to do so. There may be a good reason for giving a grant if it is likely to further the Council's sustainable community strategy. The Council's strategy is set out in the Tower Hamlets Community Plan, which includes "One Tower Hamlets" as a cross-cutting theme. The eligibility criteria for these grants include a requirement that funded activities contribute directly to

priorities in the Tower Hamlets Community Plan or the Council's Strategic Plan (which is concerned with delivery of the Community Plan).

5.6. 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 the following matter is relevant to discharge of the duty –

- Applications are assessed against pre-defined criteria designed to ensure benefits are delivered in Tower Hamlets. Based on this the Council should be able to demonstrate a direct benefit accrued from the money spent under each grant.

5.7. There should be a grant agreement for each grant and provision made to ensure delivery of the projects in line with the application and approval and in the event of non-delivery to protect the Council's position. Such is already in place in respect of this grant. Robust monitoring requirements need to be in place and appropriate performance related payment mechanisms introduced into the terms of any grant award.

5.8. 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.

5.9. The proposed grant falls under the *de minimis* threshold for the purposes of European restrictions on State aid.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1. The Greenwich and Docklands International Festival is an annual cultural highlight in the borough that brings residents together in the open and supports the council's One Tower Hamlets priority.

7. BEST VALUE (BV) IMPLICATIONS

7.1 The council will be reviewing its current arrangements for commissioning the GDIF to ensure it meets its best value duty.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

8.1 There are no direct (SAGE) implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 There is a risk that the event organisers could pursue the council for non-payment as the event has already taken place. This will be mitigated if the recommendation to approve the payment is made.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no direct crime and disorder reduction implications arising from this report.

11. SAFEGUARDING IMPLICATIONS

- 11.1 There are no direct safeguarding implications arising from this report.

Linked Reports, Appendices and Background Documents

Linked Report

- None


Appendices

- None
-

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

- None

Officer contact details for documents: Steve Murray 020 7364 7910

<p>Commissioner Decision Report</p> <p>30th September 2015</p>	
<p>Report of: Service Head, Culture, Learning and Leisure</p>	<p>Classification: Unrestricted</p>
<p>The East End Film Festival 2015</p>	

Originating Officer	Shazia Hussain
Wards affected	All
Key Decision?	No
Community Plan Theme	One Tower Hamlets

Executive Summary

The East End Film Festival (EEFF) took place between between 1st and 12th July 2015. The nature of the payment relating to the event has been the subject of discussion regarding whether it is a grant and as such whether it falls within the remit of the commissioners or whether it should be seen as a contractual payment that is dealt with through the council’s procurement procedures. The view has been taken that it is a grant..

Recommendations:

The Commissioners are recommended to:

1. Approve the payment of £5,000 to the EEFF event organisers for this year’s event.
2. Note that a report setting out the proposed arrangements for future events will be produced for consideration by the end of December 2015.

1. REASONS FOR THE DECISION

- 1.1 The Council has a longstanding relationship with the East End Film Festival (EEFF). The EEFF was started by the Council in 2001 and it has now developed into a fully-fledged independent festival with an excellent local and international reputation.
- 1.2 The funding for commissioning this festival forms part of the core budgets of the Arts, Parks and Events service and comes from income generated from filming activity in the borough. The festival is an annual event which takes place in a variety of venues within the borough and brings a programme of independent films otherwise not readily available and offers showcase opportunities for local filmmakers with a good selection of short film programming. There is also a workshop programme and which offers insight into technique and how to break into the commercial film market.
- 1.3 The EEFF took place between 1st and 12th July 2015. Payment would normally be made on the basis that there is a rolling Service Level Agreement (SLA). However, there has been some discussion regarding whether it is actually a grant and as such whether it falls within the remit of the commissioners. As the payment is due and outstanding, it is considered that the matter should be considered a grant so that a decision is taken now to avoid further delay. A report setting out the future arrangements will be produced by the end of December 2015.

2. ALTERNATIVE OPTIONS

- 2.1 The alternative option would be not to approve the payment, but as the event has already taken place based on previous contractual arrangements. Failure to therefore make the grant leaves the Council open to a claim for breach of contract.
- 2.2 Non-payment of the funding may also affect future funding for the event, and could result in reputational damage for the council.

3. DETAILS OF REPORT

- 3.1 The Council has a longstanding relationship with the EEFF. The EEFF was started by the Council in 2001 and it has now developed into a fully-fledged independent festival with an excellent local and international reputation.
- 3.2 The EEFF was started as a vehicle for supporting and encouraging new film makers who were based in the borough. EETF still retains this as a core part of its mission with 533 films submitted for this year's festival, many from this borough.
- 3.3 Funding is made available when the programme for the year has been agreed and is subject to contract. Contract negotiations for this SLA were suspended

until the matter could be considered by the Commissioners on the basis that the funding is considered to be a grant.

- 3.4 The Festival is seen as an important event for the borough and although the festival has become independent in continuing to support it the Council helps it lever in more funds and this benefits the wider resident audience who gain insight into film making as well as access to the film industry in a way not normally available to inner urban communities.
- 3.5 For future events, the intention is to review the existing arrangement to ensure compliance with the Council's Procurement Policy and Procedures and a report setting out the proposed arrangements for future events will be produced by the end of December 2015.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 There is sufficient revenue budget with the Arts, Parks and Events service to fund the £5,000 payment in relation to the East End Film Festival.

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 the Council has power to make the grants in question. The Commissioners will wish to be satisfied that this is the case. It appears from the information provided in the report that the grants recommended to be made in this report are capable of being supported under the Council's powers and, in this regard, the powers set out below appear particularly relevant.
- 5.3. The proposed grants may be supported under a variety of the Council's statutory powers. For example, the Council has power-
 - To support the provision of entertainment in the borough under section 145 of the Local Government Act 1972
 - To secure sufficient educational and recreational leisure-time activities for young people in the borough under section 507B of the Education Act 1996

- 5.4. It should also be noted that the grant has already effectively been promised (see paragraph 1.3 of the report). Failure to therefore make the grant leaves the Council open to a claim for breach of contract.
- 5.5. 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 power may support the giving of grants to community groups, provided there is a good reason to do so. There may be a good reason for giving a grant if it is likely to further the Council's sustainable community strategy. The Council's strategy is set out in the Tower Hamlets Community Plan, which includes "One Tower Hamlets" as a cross-cutting theme. The eligibility criteria for these grants include a requirement that funded activities contribute directly to priorities in the Tower Hamlets Community Plan or the Council's Strategic Plan (which is concerned with delivery of the Community Plan).
- 5.6. 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 the following matter is relevant to discharge of the duty –
- Applications are assessed against pre-defined criteria designed to ensure benefits are delivered in Tower Hamlets. Based on this the Council should be able to demonstrate a direct benefit accrued from the money spent under each grant.
- 5.7. There should be a grant agreement for each grant and provision made to ensure delivery of the projects in line with the application and approval and in the event of non-delivery to protect the Council's position. Such is already in place in respect of this grant. Robust monitoring requirements need to be in place and appropriate performance related payment mechanisms introduced into the terms of any grant award.
- 5.8. 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.
- 5.9. The proposed grant falls under the *de minimis* threshold for the purposes of European restrictions on State aid.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. The EEFF is an annual cultural highlight in the borough that brings residents together, supports and encourages collaborations and offers opportunities for volunteering and professional development. The Festival is seen as an important event for the borough and in continuing to support it the Council helps it obtain more funds and this benefits the wider resident audience who gain insight into film making as well as access to the film industry in a way not normally available to inner urban communities.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The council will be reviewing its current arrangements for commissioning the EEFF to ensure it meets its best value duty.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 There are no direct (SAGE) implications arising from this report.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 There is a risk that the event organisers could pursue the council for non-payment as the event has already taken place. This will be mitigated if the recommendation to approve the payment is made.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no direct crime and disorder reduction implications arising from this report.

11. SAFEGUARDING IMPLICATIONS

- 11.1 There are no direct safeguarding implications arising from this report.

Linked Reports, Appendices and Background Documents

Linked Report

- None


Appendices

- None

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

- None

Officer contact details for documents: Steve Murray 020 7364 7910

<p>Commissioner Decision Report 30th September 2015</p>	
<p>Report of: Corporate Director, Resources</p>	<p>Classification: Unrestricted</p>
<p>Emergency Funding Application Account 3 – Additional Information</p>	

Originating Officer(s)	Zena Cooke
Wards affected	All
Key Decision?	No
Community Plan Theme	One Tower Hamlets

Executive Summary

An application for emergency grant funding submitted by Account3, a local voluntary sector organisation was originally considered by the Commissioners at their meetings in June and July. Further information was requested, but the information provided was considered insufficient and the application was rejected.

A review of the time taken by the council to make decisions regarding capital funding to enable the expansion of early years’ provision has been undertaken and confirms that the delay in decision making impacted on Account3’s ability to generate sufficient income from their planned expanded early years’ provision and contributed to a gap in their funding.

Recommendations:

The Commissioners are recommended to:

1. Approve the award of £19,400 for Emergency Funding for Account3 on the basis of the additional information provided regarding the delay in the funding allocation for capital funding.
2. Council officer’s work with Account3 to ensure the organisation has a sustainable business plan in place by the end of March 2016.

1. REASONS FOR THE DECISIONS

- 1.1 Account3 submitted an application for emergency funding that was originally considered by the Commissioners at their meeting on 3rd June 2015. The decision was deferred pending further information that was subsequently provided to the Commissioners at their meeting on 15th July 2015. The additional information provided was not considered sufficient to enable the emergency funding to be awarded.
- 1.2 Further review of the reasons for the emergency funding has highlighted the impact of a delay in decision making relating to the allocation of capital funding that resulted in the organisation's inability to generate additional revenue income that was intended to replace the reduction in Mainstream Grant funding.

2. ALTERNATIVE OPTIONS

- 2.1 The additional information could be rejected as insufficient to enable the decision on emergency grant funding, however, the information regarding the timing and sequence of decision making and delays has been confirmed by officers as correct.

3. DETAILS OF REPORT

- 3.1 Account3 has received Mainstream Grant funding for a number of years. The amount awarded for the 2012/15 MSG programme totalled £143k, with £50k per year awarded from the 2015/2018 MSG programme. The organisation has reviewed its operations to accommodate the reduction in funding, some of which funds its core activities, covering staffing and accommodation costs.
- 3.2 Account 3 provides a range of programmes and is funded by a number of agencies with match funding from fund raising activities. One of the core services provided by Account3 is early years' provision for 2 and 3 year olds. Early years' provision is in high demand in the borough and expanding the number of places for 2 and 3 year olds was considered a sustainable source of revenue income that would address the reduction in Mainstream Grant funding.
- 3.3 The Early Learning for Two Year Olds Capital Programme was approved by the Commissioners on 27th May 2015. Account3 were to receive £62,334 to undertake the necessary capital works to create a total of 60 sessional childcare places of which, a minimum of 36 are to be for Early Learning 2 year olds. Account3 were required to provide match capital funding of £20,000. The capital funding is being paid to Account3 in three tranches as the building works is undertaken, progressed and completed.

- 3.4 The decision regarding the capital funding was originally due to be made to enable Account3 to start operating the expanded early years' provision in September 2014. The delay in the decision to approve the capital funding has delayed Account3's ability to generate additional income from the expanded early years' provision, which has resulted in a funding gap for the organisation.
- 3.5 The funding gap primarily relates to the rent for the building Account3 occupies. The building is large and the delay in the decision regarding the capital funding has meant that the building has not been converted to provide the additional nursery provision. The rent per quarter is £14,500 which was expected to be covered by the additional income from September 2014.
- 3.6 The organisation's accounts are now overdrawn as a result of incurring costs that could not be offset and this is impacting on Account3's ability to fund raise as it needs to be able to evidence funds that can be used for match funding, both for capital and revenue purposes. £4,900 of the emergency funding will be used to clear the overdraft.
- 3.7 The original application for emergency funding is attached as Appendix 1 for information. The sum required is unchanged and will enable to organisation to cover its rent and overdraft.
- 3.8 The building works to expand the early years' provision have commenced and should be completed within the next few months. Once completed, the final tranche of capital funding will be paid and the places will be made available for 2 and 3 year olds. This will ensure Account3's financial position is secure and sustainable going forward.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 The emergency grant funding payment of £19,400 to Account 3 can be met from the existing £161, 000 budget available for emergency funding for 2015/16.

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 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. First, 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.

- 5.3 To the extent that the Commissioners are exercising powers which would otherwise have been the Council's, there is a need to ensure the Council would have had power to make the grants in question but for the directions. The proposed grant may be supported under a variety of the Council's statutory powers, depending upon the outcomes achieved and the activities supported, and the relevant powers are summarised below.
- 5.4 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. As individuals may provide financial support to community organisations, the general power may support the giving of grants to those organisations, provided there is a good reason to do so and provided there is no statutory prohibition on doing so (which generally there is not). There may be a good reason for giving a grant if it is likely to further the Council's objectives as set out in the Community Plan, or one of the Council's related strategies. Information is set out in the report as to the connection between the proposed theme specifications and the Council's relevant strategies.
- 5.5 The target outcomes of the Children and Young People and Families theme may be supportive of a number of the Council's functions. Without seeking to specify these in a comprehensive way, the following of the Council's general duties seem particularly relevant:
- to safeguard and promote the welfare of children in need in Tower Hamlets and, so far as consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs (Children Act 1989).
 - To make arrangements to ensure that Council functions are discharged having regard to the need to safeguard and promote the welfare of children (Children Act 2004).
 - To provide facilities for recreation and social and physical training and sufficient educational and recreational leisure-time activities for qualifying young people in Tower Hamlets (Education Act 1996).

- 5.6 By virtue of section 111 of the Local Government Act 1972, the Council has power to do anything which is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. This may involve expenditure, borrowing or lending of money or the acquisition or disposal of any property or rights. This incidental power may support some grants in relation to development of the third sector.
- 5.7 The Council is a best value authority within the meaning of section 1 of the Local Government Act 1999. Pursuant to section 3 of the Local Government Act 1999 the Council is required 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). When considering whether or not to make funds available for the purposes specified, the Council should consider whether or not this will be consistent with its best value arrangements.
- 5.8 Part of complying with the Council's Best Value duty is ensuring that the Council obtains value for money. The report outlines that the grants process was subject to publication and competition. The evaluation criteria were pre-defined and directed to ensuring that the Council achieves benefits for Tower Hamlets in line with its objectives. Value for money was a specific evaluation criterion. The programmes are to be actively monitored and payments made in line with results. These elements are all designed to achieve compliance with the best value duty. Grants should be supported by agreements that include the requirement for delivery of agreed objectives, monitoring and payment in line with results.
- 5.9 As set out above, the grant should not include a profit element. Grant agreements should reinforce that payments are made on an "as cost" basis and do not include profit. The terms of each grant agreement should provide for open accounting and claw-back of unspent monies.
- 5.10 When determining what support to provide to community organisations, 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 don't (the public sector equality duty). The Council must undertake an equality analysis to determine the effect on persons due to a change in the grant themes and may need to consult such that it obtains a proper understanding of the nature of the needs of those affected by the changes. The report addresses this in paragraph 6.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1. Awarding emergency funding to local voluntary sector organisations to enable the provision of early year's provision supports the council's One Tower Hamlets community plan theme.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 The award of emergency grant funding will support the council's priorities in relation to the provision of affordable early year's provision.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

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

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 There is a risk that Account3 will be unable to continue without the emergency grant funding. Awarding the funding will enable Account3 to meet their financial obligations, complete the building works and provide an expanded nursery provision that generates additional income that covers its costs.
- 9.2 In order to ensure Account3 avoids the need to secure emergency funding in the future the council will require a sustainable business plan to be in place by March 2016.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no direct crime and disorder implications arising from this report.

11. SAFEGUARDING IMPLICATIONS

- 11.1 Awarding emergency funding supports the council's safeguarding obligations by enabling the provision of early year's nursery provision.

Linked Reports, Appendices and Background Documents

Linked Report

- None

Appendices


- Appendix 1 – Account3 Funding Application

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

- Commissioners Meetings 3rd June 2015, 15th July 2015

Officer contact details for documents:

Everett Haughton ext 4639

<p>Commissioner Decision Report 30 September 2015</p>	
<p>Report of: Aman Dalvi Corporate Director, Development and Renewal</p>	<p>Classification: Unrestricted</p>
<p>Provision of Home Repairs Grants under the Council's Private Sector Housing Renewal Policy 2013-15, to four individual owner occupiers</p>	

Originating Officer(s)	Alison Thomas - Head of Housing Strategy, Partnerships and Affordable Housing
Wards affected	<ol style="list-style-type: none"> 1. Blackwall and Cubitt Town 2. Weavers 3. Whitechapel 4. Bow West
Key Decision?	No
Community Plan Theme	A Healthy and Supportive Community: Reducing health inequalities and enabling people to live independently
Reasons for Urgency	Potential adverse impact on individual residents

Executive Summary

This report relates to the provision of Home Repairs Grants under Part 4.2 of the Tower Hamlets Private Sector Housing Renewal Policy 2013-15.

Under the terms of this policy, these small grants may be made available to eligible owner-occupiers to enable them to remain in their own homes safely and avoid minor accidents.

Eligible home owners are those who are:

- over 60 years of age, or
- disabled or infirm, or the parent or carer of a disabled child and
- in receipt of an income related benefit or eligible tax credits

These grants are for the following types of works:

- minor repairs and improvements
- minor adaptations
- minor hazard removal

Reports detailing the circumstances of the individual home owners are provided in the exempt part of the agenda.

Recommendations:

The Commissioners are recommended to:

1. To consider the four related reports in the exempt section of the meeting.
2. Agree Home Repairs Grants to the four individual home owners in the total sum of £12,534.58.

1. REASONS FOR THE DECISIONS

- 1.1 The individual applicants identified in the exempt part of the agenda meet the eligibility criteria contained in Part 4.2 of the Tower Hamlets Private Sector Housing Renewal Policy 2013-15.
- 1.2 The grant aided repair works will improve the health and wellbeing of the individual home owners identified in the exempt section of the proceedings.

2. ALTERNATIVE OPTIONS

- 2.1 The criteria set out in the policy are considered by officers to be met and if the Commissioners are satisfied of this payment should be made. The amounts proposed are those that meet the costs of the items or work assessed as required.
- 2.2 The Commissioners could decide to refuse the grant applications but that would be against the policy and the applicants could appeal the decision.

3. DETAILS OF REPORT

- 3.1 Tower Hamlets Council has a duty under Part 1, Chapter 1, Section 3 of the Housing Act 2004, to review the housing conditions in its district and where conditions are found to require improvement, assistance can be provided under the terms of Article 3 of the Regulatory Reform (Housing Assistance) Order 2002.
- 3.2 The Authority has adopted a Private Sector Renewal Policy which sets out how the Council is able to assist in improving the living conditions for residents who live in private sector housing within the Borough.
- 3.3 Under Part 4.2 of the policy, Home Repairs Grants up to a maximum value of £6,000 may be available to qualifying owner-occupiers to enable them to remain living in their own homes safely and avoid minor accidents.
- 3.4 To be eligible for assistance the applicant must be either over the age of 60, or disabled, or the parent of a disabled child and in all cases, be in receipt of qualifying means tested benefit. In addition the applicant must:-

- be an owner-occupier who lives in the dwelling as their only or main residence
 - be aged 18 or over on the date of application (applications for minor adaptations for works to enable a disabled child to be cared for in their own home will be accepted from the parents or carer of that disabled child)
 - have the power or duty to carry out the works (with the appropriate consents where the property is leasehold)
- 3.5 Applications which are for either minor repairs or improvements will only be considered where the applicant has owned the dwelling for the last three years.
- 3.6 The grant will not normally be available to part fund major works costing over £6,000.
- 3.7 These grants are not repayable and details of all grant payments are recorded on a database so that any repeat applications are flagged up.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1 A capital estimate of £550,000 was approved as part of the 2015-16 budget process to fund a Private Sector Renewal Grant programme. The scheme is financed from residual ring-fenced resources received from the East London Renewal Partnership. The programme supports the aims and objectives of the Council's Private Sector Housing Renewal Policy 2013-2015, and includes Home Repairs Grants for minor aids and adaptations, energy efficiency, minor repairs, home security, hazard removal and relocation assistance; Empty Property Grants and Discretionary Disabled Facilities Grants.
- 4.2 The grants considered in this report form an element of this programme, with the specific qualifying conditions that the Council applies to these grants set out in paragraphs 3.3 to 3.7.
- 4.3 The four proposed grants (totalling £12,534.58) have all have been considered by the Officer Private Housing Grants Panel and are now recommended to the Commissioners for approval, The specific details of the individual cases are included within the separate reports that are published in the exempt section of this agenda.

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 the Council has power to make the grants in question
- 5.3 The Council has a duty under Part 1, Chapter 1, Section 3 of the Housing Act 2004, to review the housing conditions in its district and where conditions are found to require adaptation, repair or improvement, assistance may be provided by the Council under the terms of Article 3 of the Regulatory Reform (Housing Assistance) Order 2002 ('2002 Order').
- 5.4 The Council may not exercise the powers available under the 2002 Order unless it has adopted a policy for the provision of assistance, given notice of the policy and made it available to the public. The power to provide assistance must be exercised in accordance with the policy. The Council adopted the Tower Hamlets Private Sector Housing Renewal Policy 2013-15 at the Cabinet of 31st July 2013. Paragraph 4.2 of the policy provides for Home Repair Grants the details of which are set out in this report.
- 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 these grants are subject to eligibility criteria which seek to assist vulnerable persons in housing in disrepair. By doing so the need for other council services or support is likely to be reduced.
- 5.6 When exercising its functions under this legislation by making decisions about grants 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). The Home Repair Grants policy is designed to provide for those who are elderly or who have disabilities and in doing so it seeks to advance equality of opportunity for persons with those protected characteristics.

6. ONE TOWER HAMLETS CONSIDERATIONS

- 6.1 A Private Sector Housing Stock Condition Survey carried out in 2012, highlighted the fact that while property prices in the borough have continued to rise, local average earnings have stayed low and that many owner occupiers, especially amongst the elderly and disabled, are 'asset rich but cash poor'. The survey also established that some of the worst housing conditions are to be found within the private sector and that the poorest quality housing is more likely to be occupied by vulnerable households with 29% of households defined as 'vulnerable' occupying non decent housing.

- 6.2 By targeting assistance to these vulnerable owner occupiers, the Private Sector Housing Renewal Policy 2013-15, seeks to mitigate this problem by having a positive impact on the lives of these residents by reducing health and housing inequalities and thereby contributing to the One Tower Hamlets vision.
- 6.3 A full Equalities Assessment on the Policy has been carried out and there has been no evidence identified to suggest any adverse or negative impact.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 Individual grant costs are scrutinised and challenged at a number of stages of the grant process, from initial receipt by the grant officer through to final consideration by the Housing Grant Panel.
- 7.2 The use of small cost housing grants to purchase extended warranties on equipment such as ceiling track hoists, stair, step and through-floor lifts for vulnerable disabled home owners, reduces costs in the longer term to other Council services when these products go wrong. The use of small cost housing grants to carry out urgent but minor repair works for elderly and vulnerable home owners and those with disabilities, can ensure that resident is able to live healthily and safely in their own home and can reduce longer term repair costs if nothing is done about the problem. It also reduces the risk of reliance on other council services which may be more costly.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1. There are no sustainability implications.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 There is a risk that if these small grants are not approved, the health and wellbeing of these elderly and or disabled home owners will deteriorate.
- 9.2 There is a risk that Council may be exposed to much greater costs in the longer term where it has to fund additional care for the individual home owners should their health or physical condition worsen as a result.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 There are no crime and disorder implications.

11. SAFEGUARDING IMPLICATIONS

11.1 There are no safeguarding implications.

Linked Reports, Appendices and Background Documents

Linked Report

Private Sector Housing Renewal Policy 2013 -2015

Appendices

These are exempt

Home Repair Grant - E2

Home Repair Grant - E14

Home Repair Grant - E3

Home Repair Grant –E1W

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

None

Officer contact details for documents:

Alison Thomas

Head of Housing Strategy and Partnerships

alison.thomas@towerhamlets.gov.uk

02073642527

By virtue of paragraph(s) 1, 2, 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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