

LONDON BOROUGH OF TOWER HAMLETS

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

HELD AT 6.30 P.M. ON TUESDAY, 24 MAY 2016

**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)
Alan Wood	(Commissioner)

Co-opted Members Present:

Councillor Rachael Saunders	(Deputy Mayor and Cabinet Member for Education & Children's Services)
Mayor John Biggs	(Executive Mayor)

Councillors Present:

Councillor John Pierce

Officers Present:

Kate Bingham	(Service Head, Children's and Adults Resources)
Duncan Brown	(Planning Officer, Development and Renewal)
Zena Cooke	(Corporate Director, Resources)
Everett Haughton	(Third Sector Programmes Manager, Third Sector Team)
Steve Hill	(Head of Benefits Service)
Debbie Jones	(Corporate Director, Children's Services)
Terry Parkin	Interim Service Head, Learning & Achievement
Ann Sutcliffe	(Service Head Corporate Property and Capital Delivery, Development and Renewal)
Jonathan Taylor	(Sustainable Development Team Leader)
Graham White	(Interim Service Head, Legal Services, Law, Probity and Governance)
Antonella Burgio	(Democratic Services)

INTRODUCTIONS

The Chair welcomed all to the meeting and advised that Mayor Biggs and Councillor Saunders had recently been co-opted by Commissioners to participate in Commissioners' Decision Making Meetings in a non-voting capacity; asked that they be added to future agendas. He also welcomed Councillor John Pierce, Chair of the recently established Grants Scrutiny Sub Committee, the role of which was to consider and comment on the business to be brought before Commissioners at their Decision Making Meetings.

1. APOLOGIES FOR ABSENCE

No apologies for absence were received.

An apology was noted from Councillor Golds, Leader of the Conservative Group.

2. DECLARATIONS OF INTEREST

Declarations no declarations of disclosable pecuniary interests were made.

A declaration of interest was made by Commissioner Alan Wood relating to item 5.4 in that he had worked on other education partnership boards and had spoken with many persons on the interim Tower Hamlets Education Board.

3. CONSIDERATION OF PUBLIC SUBMISSIONS

The Chair advised that a public submission from Tower Hamlets CVS had been received concerning agenda item 5.5, MSG Performance September to December 2015. He advised that Commissioners had agreed to receive an additional representation made directly by Osmani Trust; this also concerned agenda item 5.5. Both representations would be considered during the discussion of the item.

4. EXERCISE OF COMMISSIONERS DISCRETIONS

The Chair introduced the item which reported urgent decisions taken by Commissioners individually.

5. REPORTS FOR CONSIDERATION

5.1 Stepney City Farm Accessibility Improvement Works

Jonathan Taylor (Sustainable Development Team Leader introduced the report which concerned a grant request to the value of £36,000 for the delivery of works to improve accessibility at Stepney City Farm. The funding was secured through a S106 contribution associated with the Ocean Estate redevelopment. The monies would enable the Farm to access additional funding from Veolia Environmental Trust.

The Chair invited Councillor Pierce to comment on the proposals on behalf of the Grants Scrutiny Sub Committee (GSSC) and he indicated that he did not wish to make any comments on the proposals. The Chair then invited Mayor John Biggs and Councillor Rachel Saunders and Commissioners to comment on the proposals. Mayor Biggs indicated that he supported the proposal and asked that it be ensured that the works be undertaken in such a way as to conserve the appearance of the rural landscape. Councillor Saunders and Commissioners indicated that they had no comments that they wished to make.

RESOLVED

That the grant the funding of £36,000 to Stepney City Farm to improve the pathways and services around the Farm and ensure that community facility is access a portable be approved.

5.2 Capital Grant Release from the Whitechapel High Street Fund to the London Small Business Centre to deliver workspace and business support services at 206 Whitechapel Road, Whitechapel

Duncan Brown, Planning Officer, presented the report which concerned a grant request of £227,000 to the London Small Business Centre to deliver refurbishments at 206 Whitechapel Road to enable Whitechapel High Street Fund Workspace Programme (WHSFWP) to deliver new and improved facilities for jobs, new start-up businesses, support for small and medium enterprises and enable apprenticeship opportunities in accordance with agreed targets contained in an agreement between the GLA and Tower Hamlets Council.

The Chair invited Councillor John Pierce, Co-opted Members and Commissioners to comment on the proposal and the following responses were given:

Councillor John Pierce indicated that GSSC supported the proposals. Mayor Biggs indicated that he supported the proposals. Commissioner Max Caller indicated he supported the proposals and noted that no dates had been indicated around the timed lease agreements. He suggested that a date clause relating to the signature of the lease agreement should be included in the conditions of the grant (recommendation one). The details of the arrangements were discussed after which it was agreed that at a time period of six weeks from grant approval would be stipulated as part of the conditions (5th July 2016). Councillor Saunders and other Commissioners indicated that they had no comments that they wish to make.

RESOLVED

1. That a grant allocation of £227,000 to the London Small Business Centre (party one) to undertake shop-front upgrades and internal refurbishment works at the Royal Mail Group (party two) owned unit at 206 Whitechapel Road (site 2) to deliver and occupy approximately

- 280 m² (3010 ft.²) of vacant space to deliver publicly accessible workspace provision to serve the local resident community, subject to a signed lease agreement of no less than three years between party one and party two be completed by 5 July 2016, be approved
2. That Commissioners receive notification of final detail of the grant agreement relating to 206 Whitechapel Road (site 2) at a future Commissioners' Decision Making Meeting in public and
 3. That the Corporate Director of Development and Renewal and the Corporate Director of Resources be authorise to approve the details of the agreement prior to the disbursement of funds to the London Small Business Centre

5.3 Extension to Early Years MSG Funding

Terry Parkin, Interim Service Head, Learning & Achievement and Mohammed Jolil, Interim Children's Centre Locality Lead, presented the report which asked Commissioners to note the reported expenditure on Early Years' Service grant funding in the period 2015/16. The funding was dispersed over some 50 awards and originated from the Dedicated Schools Grant and was managed by the Schools' Forum

The Chair invited Councillor Pierce, Mayor Biggs, Councillor Saunders and Commissioners to comment on the data reported.

Councillor Pierce indicated that GSSC had no comments that it wished to make. Mayor Biggs indicated that he broadly supported the arrangements but there needed to be clear and rigorous structures around the management of the grants. Councillor Saunders expressed concern that some organisations would not receive funding under the present funding arrangements. Commissioner Max Caller expressed concern that, that under these arrangements some organisations appear to have failed to receive a grant but did not have access to other funding streams; he noted that during the determination of the MSG awards in July 2015 Commissioner has specifically sought to guard against this. He discussed the difficulties that would be encountered by some organisations under the current arrangements with Debbie Jones, Corporate Director for Education, Terry Parkin, Interim Service Head, Learning & Achievement and Zena Cooke, Corporate Director for Resources and noted the following information:

- there needed to be a wider consideration and discussion concerning unallocated and underspent funds in this scheme
- transitional funding needed to be available to mediate the proposed changes in grant arrangements from grant funding to commissioning
- Commissioners had not been kept up-to-date on changes in the arrangements for some funding schemes
- The process for administering these grants needed to be rigorous and
- there needed to be clear rules about how these grants were managed
- the change in approach from a grant funding basis to a commissioning basis had not been clearly communicated

- the rationale underpinning the intention to move towards a commissioning arrangement was to ensure that no group was favoured over another

In noting the information provided, Commissioner Max Caller observed that all information (concepts, intentions and data) concerning the award of grants must be clearly communicated to Commissioners; however Commissioners did not oppose the proposal to progress from grant funding based arrangements to commissioning arrangements.

RESOLVED

That the report on the Early Years Grant expenditure and the disbursement of these funds in the period 2015/16 be noted

5.4 The Tower Hamlets Education Partnership (THE Partnership)

Kate Bingham, Service Head, Children's and Adults Resources, introduced the report which sought approval in principle to grant the Tower Hamlets Education Partnership (established on 24 April 2016) a grant of up to £300,000 per annum for a period of three years to enable the Partnership to become self-sustaining. In the first year, payments would be made in two instalments subject to the fulfilment of two clauses. Since its launch almost 50% of the Borough schools had signed up to the Partnership.

The Chair invited Councillor John Pierce, Co-opted Members and Commissioners to comment on the proposal and the following responses were given:

Councillor Pierce, indicated that GSSC did not object to the proposal. Councillor Saunders indicated that she supported the proposal. Commissioner Wood indicated that he broadly supported the proposal but had some concerns around, how effective the Partnership would be, and would need to be subscribed to by the majority of the schools in the borough. He asked officers:

- To provide detailed info on the number of schools and pupils THE Partnership will provide for, to be included in the next report and an assessment of the minimum number the LA think to be viable before releasing any resources.
- to provide advice to Commissioners detailing the number and percentage of schools and pupils represented by those schools which have expressed an interest in joining the Partnership as of now.
- to indicate what the minimum number of schools and percentage of the pupil population is a minimum required for the financial viability of the Partnership and for the Council to release funds to it.

Commissioner Max Caller broadly supported the proposals but had some concerns around and how the in-kind support would be valued and how and appropriate fee would be charged. He asked that GSSC consider:

- how it will review the approach that the Partnership intends implement

- that this review include annual interviews of those with responsibility within and outside of the Council/Partnership
- how it will ensure that performance measures are viable and monitored rigorously
- how it will monitor the key issues in the business plan
- he also suggested that OSC consider holding a public hearing taking evidence from the Chair, Chief Executive and Finance Director as part of its review of the initial business plan prior to reporting to the CDDM and that the timetable for approval allow for this.

The Chair noted the importance of proper scrutiny arrangements to monitor this venture. Mayor Biggs commented that an account of the Partnership should not only be given to Commissioners but also to the Executive.

RESOLVED

1. That a grant to the Tower Hamlets Education Partnership of up to £300,000 per annum from the Council for a period of three years, be approved in principle, to enable it to become some sustaining and to remain in tight focus on improvement, as evidenced by progress in the outcomes described in paragraph 3.1.
2. That a grant to the Tower Hamlets Education Partnership of £300,000 for 2016/17 to cover the costs of the organisation's infrastructure in the first year of operation as outlined in paragraph 3.8 be approved, under the conditions that £150,000 released (up on the appointment of the finance director to the interim board) to enable the initial setup and recruitment. This would be released following approval of a delegated report to Commissioners; and a further £150,000 released once the company is established; has a critical mass of members, has produced for approval a robust business plan with defined performance outcomes for each of the three years. This would be released following a full report via OSC to a Commissioners Decision making meeting and
3. That Commissioners consider a further report in September 2016, regarding the Tower Hamlets Education Partnership's three-year business plan and the arrangements for years two and three, prior to the release of the second £150,000 grant funding for the first year.
4. That Commissioners' recommendations/requests made at the meeting be undertaken by officers.

5.5 MSG 2015/18 Performance Report - September/December 2015

The Chair introduced the item and referred to the public submissions received from Tower Hamlets CVS and Osmani Trust. He invited officers to respond to the submissions.

Zena Cooke, Corporate Director for Resources informed Commissioners that funding issues would be considered in the context of the Council's general disposition to support community organisations. Responding to CVS, she advised that timescales and proposals for underspend in theme 1 of the programme will be discussed with the Mayor and Councillor Saunders in her

capacity as Deputy Mayor with responsibility for the Third Sector. Following this a response would be provided. The feedback on the complexities encountered by organisations using the on-line monitoring scheme was noted.

The Chair then invited officers to respond to the issues raised by the Osmani Trust. Ann Sutcliffe, Service Head Corporate Property and Capital Delivery, informed Commissioners that there had been historic lease matters concerning this organisation. Officers had continued to pursue negotiations with Osmani Trust however progress was presently paused. Mayor Biggs noted that the organisation was presently at an impasse since it was unable to sign a lease and grant funding (under present arrangements) could not be released, without a signed up-to-date lease.

Everett Haughton, Third Sector Programme Manager then introduced the report which reported the performance of the current Mainstream Grants programme (MSG) in the period September to December 2015, the program having been initiated at the Commissioners' Decision Making Meeting on 29 July 2015. The report and appendices presented a range of data:

- a breakdown of the current programme and projects
- the issues affecting the period reported, these were categorised into a number of themes set out in section 3.5 of the report
- an overview of performance within the each of the five themes under which the grants were issued together with RAG ratings
- geographical analysis by Ward cluster.

Commissioners were asked to consider the report and the appendices and provide guidance on any required improvements or specific information they wish to receive in future monitoring reports. Commissioners were also requested to approve the withdrawal of grants to projects as set out in paragraph 3.12.4 which concerned projects that not submitted progress reports and had not progressed in the following period (January to March 2016) these were recommended for funding withdrawal.

The Chair invited Councillor John Pierce, Co-opted Members and Commissioners to comment on the performance report and the following comments were made:

Councillor John Pierce indicated that GSSC had not considered the public submissions (these were tabled at the meeting) however the data provided in the performance report was welcomed. GSSC intended to engage with the data and enable the community to interrogate it to give full transparency. The report would be considered as part of GSSC meetings. Additionally GSSC

- was looking for improvements in some of the reporting processes especially those concerning grants of less than £10,000.
- was interested to ensure that multiple applications from organisations presenting themselves under different identities would be prevented
- wished to be able to fully utilise the "Gift" system/application to enable interactive information to be accessed for better governance monitoring.

Mayor Biggs welcomed the performance information reported on the whole. However

- he wished to know the basis which emergency funding for third sector organisations operated. The Chair noted the request and agreed that further information would be provided outside of the meeting.
- he suggested that performance monitoring should be on the basis of users of the services provided by the organisations. He was informed that such data could be provided but confidentiality issues may arise through this method of monitoring.

Councillor Rachel Saunders provided the following feedback:

- the presentation of data according to Ward cluster is was not useful as each area had different characteristics and therefore could not serve as comparator.
- She asked that performance data should compare like with like
- She also noted that City Gateway had met with her to advise that they had decided to deliver their project from another location and therefore the grant should not be withdrawn at this stage.

Commissioners Alan Woods and Chris Allison recommended that community organisations should only be requested to submit data essential to enable proper monitoring, but avoid burdensome bureaucracy. It was important that the authority receive good quality data but it was also necessary to not to impose too much bureaucracy.

Commissioner Max Caller:

- noted that at an earlier meeting, Commissioners had agreed a variation of the RAG approach on the basis that organisations would come forward with action plans rather than wait for formal monitoring visits. Zena Cooke advised that since January 2016 all had signed up to online monitoring and officers were receiving approaches from these organisations in the current quarter.
- agreed that Ward comparisons did not provide a good method for ensuring that key community areas had been targeted and that the Council needs to ask for proper data to ensure that it can obtain meaningful information without excessive bureaucracy.
- asked that the performance of the Somali Parents and Childrens Play association project be reassessed by the officers to be consistent with other ratings and the results be reported back.
- expressed concern around inconsistencies shown towards some organisations around premises leases, in particular the payment in error to the Bangladeshi Youth Movement and the 2 payments to the Osmani Development trust in contravention of earlier CDMM decisions
- the following actions to conclude outstanding lease issues; Bangladeshi Youth Movement be requested to provide an indication of timescales; Osmani Trust be given a period of three months to develop proposals for a lease after which MSG would be withdrawn if the lease arrangement could not be complete concluded.

- requested that Co-optees Mayor Biggs and Councillor Rachel Saunders should henceforth be copied into reports which are presented to commissioners for signature.

The Chair responding to the feedback given, suggested that officers re-examine the data to look at how it could be made more meaningful. Notwithstanding the improvements suggested, all agreed the report had provided useful data on the use of grants by community organisations.

RESOLVED

1. That the contents of the report be noted
2. That the recommendations made by Commissioners and Co-optees be incorporated into future performance reports
3. That the completion of suitable property agreements with Deaf Plus, Wapping Bangladesh Association, Dorset Community Association and Stifford Centre be noted and that normal release of MSG funds be approved subject to standard arrangements for monitoring. That provided the license for the Somali Senior Citizens Club is completed MSG be released following Commissioners Decision. That the programme for completion of the works at the Limehouse Project be monitored so that on completion of the lease formalities by the end of August 2016 their MSG can be released. That once the Bangladeshi Youth Movement have formally relinquished occupation of the Berners Centre their MSG can be paid but that no interim payment be made in the meantime and that as far as the Osmani Development trust is concerned a lease which is capable of being recommended to Cabinet and approved by Commissioners be offered and provided this is completed by no later than 24th August 2016 MSG be released but that no further interim payments be made and that in the event that this deadline is missed the offer of MSG be withdrawn. As far as the Childrens Education Group is concerned officers be instructed to report an achievable timeline at the earliest opportunity
4. That the project Young People Study Support under Theme 1 at paragraph 3.12.4 have its MSG allocation withdrawn but that a decision on the Back on track Engagement project be deferred to the next monitoring report to allow them the opportunity to commence the project in a new location.

5.6 Post Commissioner Grants Decision Making and Scrutiny Arrangements

Zena Cooke, Corporate Director for Resources introduced the report which set out the approach that the Council wished to undertake following the completion of the Secretary of State's directions relating to grant making. The arrangements include cross-party scrutiny and feedback on grants proposals which would be reported to the Mayor in the Cabinet at meetings held in public.

The Chair invited Councillor John Pierce, Co-opted Members and Commissioners to comment on the proposal and the following responses were given:

Councillor John Pierce indicated that GSSC supported the proposed arrangements.

Mayor Biggs noted that the nature of grants was different to other executive decisions made in Cabinet and may require a different form of meeting to discharge them. He suggested, for transparency, that there be a meeting dedicated to making grants.

Councillor Saunders indicated that she supported Mayor Biggs' proposal since the Council's new relationship with the third sector would benefit from a new structure to discharge the decisions.

Commissioner Max Caller suggested that publication timescales are taken into consideration (in planning and delivery of the structures) to ensure that there was sufficient time for scrutiny and proper feedback to the decision-makers. Sufficient time needed to be allowed for a proper process and to enable views to be given; therefore it was essential that all reports should be provided in a timely manner. Zena Cooke advised that report deadlines would be accommodated accordingly to enable GSSC to receive and consider reports one week prior to the grants decision making meetings.

The Chair welcomed the discussion paper and noted that this concerned arrangements once Commissioners responsibilities had been fulfilled. However he noted that a transitional period would be required to achieve the outcome and requested a paper outlining proposals for this intervening period.

RESOLVED

1. That the proposed future grants decision-making arrangements, as discussed, be approved
2. That a further report setting out proposals for the transitional period be brought to a future meeting

5.7 Grants Forward Plan 2016/17

The Chair noted the forward plan of Commissioners' Decision Making Meetings for the forthcoming period. He advised that

- Commissioners would be unavailable in August and requested that this meeting be cancelled and any reports deferred to the next scheduled meeting
- should time sensitive business arise in the intervening period an extraordinary meeting would be called in early September.

RESOLVED

1. That the forward plan be noted
2. That the meeting arrangements for August and relating to any time-sensitive reports be noted

6. ANY OTHER BUSINESS THE CHAIR CONSIDERS TO BE URGENT

Nil items.

The meeting ended at 8.31 p.m.

Chair: Sir Ken Knight
COMMISSIONER