


Commissioner Decision Report 17 th June 2015	 TOWER HAMLETS
Report of: Head of Arts, Parks and Events Officer	Classification: Unrestricted
Event Fund Applications	

Originating Officer(s)	Stephen Murray/Alison Denning
Wards affected	All
Key Decision?	Yes
Community Plan Theme	One Tower Hamlets

Reasons for Urgency

On 3rd June 2015 officers were advised that the Commissioners wish to take this decision in their public meeting rather than through the individual decision-making process. Some of the events this decision relates to take place prior to the subsequent Commissioners' Decision Making Meeting and as a result this report is being presented urgently on 17th June 2015.

Executive Summary

The Event Fund is a small grant fund for community arts events which has been operating successfully for a number of years. It works on a rolling programme with monthly deadlines to support small scale local events.

In line with the Directions made by the Secretary of State for Communities and Local Government, this report seeks decisions from the Commissioners for grant awards in the current application round.

Recommendations:

The Commissioners are recommended to:

- 1) Approve funding for new Event Fund applications as set out in Appendix B
- 2) Reject funding for new Event Fund applications as set out in Appendix C
- 3)

1. REASONS FOR THE DECISION

- 1.1. To award or reject Event Fund grant application award proposals in line with the rolling Event Fund Programme.

2. ALTERNATIVE OPTIONS

- 2.1. Commissioners can reject officer recommendations
- 2.2. Commissioners can accept officer recommendations
- 2.3. Commissioners can amend award amounts

3. DETAILS OF REPORT

- 3.1. The Event Fund is a small grant fund for community arts events. It works on a rolling programme with monthly deadlines.
- 3.2. The events the fund supports must take place in Tower Hamlets and benefit Tower Hamlets residents but the organisers applying for funding do not have to be Tower Hamlets based.
- 3.3. The Event Fund is administered and managed through the Arts, Parks and Events service, and assessment of the applications is carried out by three officers following a scoring system against a list of criteria as set out in the Event Fund application form. Details of the criteria and assessment framework are attached to this report in Appendices D and E.
- 3.4. Appendix B to this report sets out the details of new Event Fund applications recommended for approval.
- 3.5. Appendix C to this report sets out the details of new Event Fund applications recommended for rejection.

4. COMMENTS OF THE CHIEF FINANCE OFFICER

- 4.1. The report seeks the approval of the Commissioners to make the grant payments awarded from the Events Fund. There is a total of £52,500 available to fund community arts events. The process is managed through Arts, Parks and Events team who consider the grant applications and assess them for the purposes of grant award.
- 4.2. The approval is sought for the decisions made on the 20 Event Fund applications. Officers have recommended that 13 are approved and the remaining 7 be declined on the basis that they have not met the necessary criteria for approval. The size of the awards recommended is dependent on the overall demand for grants, the level of priority attached to the event, the

proposed use of the grant, and to what extent the stated criteria can be met and in each case this has been applied.

- 4.3. Awards of £500 or more, will receive an initial payment of 80% of the grant. The balance of the 20% of the award will be retained until receipt of the completed evaluation form & final budget statement and all supporting documents as specified in the guidelines and criteria.

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 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 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 under section 4 of the Local Government Act 2000. 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).

5.5 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 matters are relevant to discharge of the duty –

- The scheme is advertised and, to this extent, the grants are exposed to a degree of competition.
- Applications are assessed against pre-defined criteria designed to ensure benefits are delivered in Tower Hamlets, including by reference to the Tower Hamlets Community Plan. Based on this, the Council should be able to demonstrate a direct benefit accrued from the money spent under each grant.

5.6 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. Robust monitoring requirements need to be in place and appropriate performance related payment mechanisms introduced into the terms of any grant award.

5.7 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.

5.8 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 may indicate 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.

5.10 All the proposed grants appear to fall under the *de minimis* threshold for the purposes of European restrictions on State aid.

6. ONE TOWER HAMLETS CONSIDERATIONS

6.1 The events fund is designed to support small local events that bring people together and help promote a sense of community. Tower Hamlet has a very rich and diverse community. The events fund helps to support the local community to celebrate this richness of cultures creating an environment where there is a sense of wellbeing, community and local pride. Many of the events promote diversity, equality and intergenerational work which support the Council's One Tower Hamlets theme, making a significant contribution to creating a cohesive community.

- 6.2 The evaluation criteria for applications under the scheme set out the types of events which will be given priority for funding. These are focused on promoting equality of opportunity, including for people who share protected characteristics under the Equality Act 2010.
- 6.3 All applicants under the scheme must demonstrate that they will comply with the Equality Act 2010 and will not discriminate on the grounds of any of the protected characteristics specified in the Act. All groups funded must fill in the attached monitoring forms which include a template for the recording the nine protected characteristics. This information may be used by the Council to assess the degree to which funded events are successfully serving people with protected characteristics.
- 6.4 An equality analysis assurance checklist has been completed which indicates that it is not necessary to carry out a more detailed equality analysis.

6. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 6.1. There are no issues connecting to action for a greener environment other than some events taking place in parks and helping to bring more people into them. Terms and conditions of using parks for events include protection for the environment including clearing of all litter.

7. RISK MANAGEMENT IMPLICATIONS

- 7.1. These are relatively small amounts of funding and with anything over £500 we will retain a proportion of grant offered on receipt of monitoring information. Any group not providing information may be asked to pay back funds and will not be eligible for any future funding.

8. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 8.1. Free community events help to promote community cohesion which in turn helps to reduce crime and disorder, particularly where young people are engaged in volunteering and supporting local events.

9. EFFICIENCY STATEMENT

- 9.1. The conditions of the Event Fund state that it cannot be the sole source of funding so in all cases it helps to lever in other funding and assistance in kind for community activity

10. SAFEGUARDING IMPLICATIONS

- 10.1. There are no specific safeguarding implications.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE.

Appendices

- Appendix A: Equality Analysis Assurance Checklist
- Appendix B: New applications recommended for approval
- Appendix C: New applications recommended for rejection
- Appendix D: Event Fund Application, including criteria and guidelines
- Appendix E: Assessment Questions

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

- NONE

Officer contact details for documents:

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