

LONDON BOROUGH OF TOWER HAMLETS

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

HELD AT 6.30 P.M. ON WEDNESDAY, 29 JULY 2015

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

Members Present:

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

Councillors Present:

Councillor Khaled Uddin Ahmed	
Councillor Rachael Saunders	(Deputy Mayor and Cabinet Member for Education & Children's Services)
Councillor Peter Golds	(Leader of the Conservative Group)
Councillor Clare Harrison	
Councillor Danny Hassell	
Councillor Denise Jones	

Officers Present:

Everett Haughton	(Third Sector Programmes Manager, Third Sector Team, Development and Renewal)
Chris Holme	(Acting Corporate Director - Resources)
Ali Ahmed	(Third Sector Strategy Officer, Third Sector Team, Development & Renewal)
Kate Bingham	(Service Head, Children's and Adults Resources)
Barbara Disney	(Service Manager, Strategic Commissioning, Adults Health & Wellbeing)
Maura Farrelly	(Community Resources Officer - Advice & Anti- Poverty, Third Sector Team, Development & Renewal)
Monica Forty	Interim Service Head - Learning & Achievement
Judith St John	(Head of Ideas Stores, Communities Localities & Culture)
Stephen Murray	(Head of Arts and Events, Communities Localities & Culture)
Gareth Platt	Business and Finance Officer Early Years Service
Louise Russell	(Service Head Corporate Strategy and Equality, Law Probity & Governance)
Karen Badgerly	(External Funding & Commissioning Manager, Strategy Partnership & Performance, Children, Schools & Families)

Andy Bamber	(Service Head Safer Communities, Crime Reduction Services, Communities, Localities and Culture)
Hasan Faruq	Service Development Manager (Interim) CSF
Stephanie Ford	(Interim Performance Manager, Strategy & Performance, Chief Executive's)
Dorne Kanareck	(Interim Service Head, Commissioning and Health)
Lisa Pottinger	(Head of Sport & Physical Activity)
Stefan Swift	Communications Advisor
Owen Whalley	(Service Head Planning and Building Control, Development & Renewal)
Antonella Burgio	(Democratic Services)

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Commissioner Alan Wood

2. DECLARATIONS OF INTEREST

No declarations of discloseable pecuniary interests were made

3. DECISIONS OF THE PREVIOUS MEETING

Commissioner Max Caller asked that a previous Commissioner instruction that (for reasons of transparency in decision making), individual commissioner decisions be reported at the next nearest Commissioner Decision Making Meeting be implemented.

Commissioners also asked for an update on when the reports on Greenwich and Docklands Festival and East End Film Festival, deferred from the last meeting would be reported

4. CONSIDERATION OF PUBLIC SUBMISSIONS

No Public submissions were received in respect of agenda items 5.1 - 5.3.

The Chair advised that over 100 written representations had been made in respect of agenda item 5.4 (Main Stream Grants 2015/18 Programme); each had been logged and read prior to the meeting. The representations would be considered as part of the discussion of the agenda item.

5. REPORTS FOR CONSIDERATION

5.1 Early Years Non-statutory Grant Funding

Monica Forty, Interim Service Head, Learning and Achievement, introduced the report which asked Commissioners to approve an approach regarding a number of non-statutory grants in the Early Years Services which originated in

former MSG and DSG structures and had been transferred to Schools Forum. These awards, whilst non-statutory, contributed towards supporting national targets and/or statutory obligations. Early Years Sector Support grant was formerly contained in the MSG programme and approval was also being sought for an extension to the MSG roll-over due to a delay in the decision on services Schools Forum wished to commission.

The Commissioners then asked attending Members to respond to the proposals and they indicated that they had no observations to make.

Commissioners considered the proposal and requested clarification of:

- The element reassigned from MSG and what services would be delivered through this route. Noting many of the projects were linked to those in agenda item 5.4 (MSG 2015/18), they requested clarification of how the funding would be used.
- How DSG had been calculated (as this could affect the early years MSG projects that will be funded).

They supported the proposals in principle on the basis that the early years organisations that would no longer receive funding through MSG should be able to seek support through this alternative funding scheme. Noting that reasons for grant refusals could be based on a wide range of factors, Commissioners asked officers to explore how the effects of the removal of EYS Support from the MSG programme can be mitigated for the organisations that would be affected by the change.

RESOLVED

1. That the operation of the following grant schemes outlined in the report be approved. Namely:
 - I. Inclusion Funding;
 - II. Child-minder Grants;
 - III. Training Grants;
 - IV. Special Project Funding
1. That the Service Head Learning and Achievement be authorised to award grants under the schemes in accordance with the processes set out in this report.
2. That the authority may enter into agreements to give effect to that the scheme and any grants awarded.
3. That a report be provided to the Commissioners on a quarterly basis with details of the awards made
4. That approval of the following grant schemes be deferred pending clarification of issues raised and represented to a future meeting after
 - I. EYS Development Grant;
 - II. Early Years Sector Support

5.2 St. Paul's Church Pocket Park, Shadwell

Owen Whalley, Head of Planning and Building Control, introduced the report which asked Commissioners to approve the release of match funding of £8,646 to St. Paul's Church for the delivery of a publicly accessible pocket park within the premises of the church. The remainder of the funding for the £20,000 project comprised GLA funding of £9,000 and a balance of £2,354 made up by the Church's own resources.

The Commissioners then asked attending Members to respond to the proposals and they indicated that they had no observations to make.

Commissioners agreed the recommendations as set out in the report.

RESOLVED

1. That the delivery of the pocket park at St. Paul's Church, Shadwell (an enhancement to the Green Grid) be noted.
2. That the monies secured by alternative funding (GLA Pocket Park Initiative) be noted.
3. That a grant of £8,646 to St. Paul's Church from Section 106 monies to fund a publicly accessible pocket park within the Church premises be approved.

5.3 Children's and Adult Services - General Grants

The Commissioners noted the reasons for urgency set out in the report and invited Kate Bingham, Service Head, Children's and Adults Resources, to introduce the report which concerned the following types of payments, and whether they could be considered grants:

- Carers Allowances - foster carers, adopters and special guardians
- Direct Payments to clients of Adults Social Care and children with disabilities
- Free School Meals provided through a payment to schools for years 3 to 6, 9 (except payments to Independent Schools)
- Department for Education's (DFE) Pupil Premium Plus scheme.

It was reported that the above categories of payments were not grants and that they should proceed in accordance with the Council's established practice

Payments to independent schools for free school meals were considered to be grants and Commissioners were asked to delegate authority for these payments to the Corporate Director of Children's Services to enable payment to be made efficiently.

The Commissioners then asked attending Members to respond to the proposals and they indicated that they had no observations to make.

RESOLVED

1. That the following payments noted as not being grants –
 - a. Carers' allowances and payments;
 - b. Direct payments to service users of Adult Social Care and their carers;
 - c. Payments to maintained schools for Free School Meals for years 3 to 6; and
 - d. Pupil Premium Plus for looked after children.
2. That the Council's intent to continue these payments as outlined in the report be noted.
3. That the Corporate Director of Children's Services be authorised to make the awards in respect of payments to independent schools for Free School Meals for years 3 to 6, until the end of 2015/16, in accordance with the current arrangements outlined in the report.

5.4 Main Stream Grants 2015/18 Programme

Chris Holme, Acting Corporate Director, Resources, introduced the report which concerned proposals for the Main Stream Grants Programme 2015/18. The funding recommendations had been derived following a rigorous 5 month process which involved significant consultation throughout the Third Sector. The grants programme valued at £3.2M per annum would be delivered over 3 years beginning September 2015. Awards would be made annually subject to monitoring by means of a process approved by the Council's internal Audit and Risk Management Team. The total amount of grant awards proposed substantially committed the available resources.

Applications were appraised and closely scored according to agreed criteria to deliver an appropriate balance and spread of projects/services. 131 projects have been recommended for approval and Council resources protected through a payment by results process to ensure that projects which do not deliver outcomes will not continue to receive support.

Transcription errors were noted in respect of two named applications under Theme 2 (Jobs Skills and Prosperity); these would be accommodated out of the overall budget. Commissioners were therefore advised that the recommended award for project 7460 should be amended from £46,048 to £50,000; and the recommended award for project 7461 amended from £41,633 to £46,000.

The Chair informed all present that the proposals in the report would be discussed by Theme and asked attending Members to respond to these in accordance with the Theme under discussion.

Theme 1

Labour Councillors attending expressed a range of concerns regarding several projects which, in their view, did not fulfil some or many of their stated objectives. Officers responded to the concerns raised.

Councillor Golds also expressed a range of concerns regarding a number of projects which, in his view, did not fulfil some or many of their stated objectives. Officers responded to the concerns raised.

The Chair recommended that where appropriate, individual matters of concern should be taken up by Members with relevant budget holders

Commissioners enquired

- whether the decision not to award Bethnal Green Sharks would prejudice their Olympic legacy funding
- whether all applications relating to the community languages strand ensured that children would progress along the same EEL pathway.
- Whether the 62 organisations which had received a significant reduction in funding had been advised of the rationale for the reduction

Officers responded to the enquiries.

Responding to the concerns raised regarding unsuccessful applications, Commissioners clarified that MSG budget was set by the Council and was subject to financial constraints. Failure to achieve an award was not an indication of unworthiness.

Commissioners approved the recommendations in the report relating to this Theme and also recommended that:

- Concerns regarding the geographical range of projects should not be addressed using a post-award method but as part of negotiations of the principle contract. If the required range of provision cannot be demonstrated, then the decision must be returned to Commissioners to be reconsidered.
- The payment by results scheme be pursued according to service level agreements to avoid claw back situations.
- Toyhouse Library's application be re-examined
- Officers investigate how Bethnal Green Sharks Olympic legacy funding may be protected

Theme 2

Labour Councillors attending expressed a some concerns regarding a number of projects which, in their view, did not fulfil some or many of their stated objectives. Officers responded to the concerns raised.

Councillor Golds also expressed concern regarding two projects which, in his view, did not fulfil some of their stated objectives. Officers responded to the concerns raised.

Commissioners noted:

- The options offered by officers relating to an issue regarding the application from Account 3 and suggested that officers look for opportunities to lever in the external funds from the Lottery
- The impacts for Step Up project and recommended that funding for this project be investigated further

Commissioners approved the recommendations as set out in the report relating to this Theme, subject to pursuing appropriate options in respect of Account 3 in terms of leveraging the external funds.

Theme 3

Labour Councillors attending expressed a range of concerns regarding this group of projects which, in their view, did not fulfil some or many of their stated objectives. Additionally some projects addressing underrepresented equalities strands had not been awarded funding. Officers responded to the concerns raised.

Councillor Golds noted that projects in this category on the whole delivered a useful service. However he had some concerns regarding certain projects which, in his view, did not fulfil their stated objectives. He supported Labour Councillors concern regarding a project that addressed an underrepresented equality strand in the community which had not been awarded funding. Officers responded to the concerns raised.

Commissioners noted that that many awards in this Theme were smaller than in the previous MSG programme and were informed that this was because of the 'heat-map' assessment used to determine the most appropriate location for funded projects. Other factors which determined the levels of funding were also explained.

Commissioners approved the recommendations as set out in the report relating to this Theme.

Theme 4

Councillor Saunders raised an issue regarding a project in this Theme and Officers responded to the concerns raised. Other Labour Members attending indicated that they had no observations to make.

Councillor Golds indicated that he had no observations to make.

Commissioners noted their decision not to top-slice the award as they wished to encourage bids from organisations that were able to represent all sectors.

Commissioners approved the recommendations as set out in the report relating to this Theme and also recommended that officers work with unsuccessful bidders to help them improve their application skills. Additionally, Commissioners noted that in relation to the Representation Letter received from the Tower Hamlets CVS regarding transitional funding; organisations could consider applying to the Council's emergency funding scheme.

Theme 5

Councillor Saunders raised a number of issues regarding some projects in this Theme and Officers responded to the concerns raised. She also requested a Commissioner/ Councillor work session be arranged to enable a better understanding of the SLA process. Other Labour Members attending indicated that they had no observations to make.

Councillor Golds also expressed concern regarding two projects which, in his view, did not fulfil some or many of their stated objectives. Officers responded to the concerns raised.

Commissioners noted the concerns expressed several times regarding certain organisations.

Commissioners approved the recommendations as set out in the report relating to this Theme and also

- **Instructed** Officers to make a report to them at meeting to be held before the end of August 2015, illustrating how organisations will deliver their targets so that Commissioners may approve the allocation of funding.
- **Recommended** that Commissioner/ Councillor work session be arranged to enable a better understanding of the SLA process

RESOLVED

1. That maximum funding awards over 3 years within each of the following Themes as set out in **Appendix A** and summarised in **Appendix C** be approved.
 - i. Children Young People & Families - £2,245,092
 - ii. Jobs Skills & Prosperity - £3,650,615
 - iii. Prevention Health & Wellbeing - £2,290,980
 - iv. Third Sector Organisational Development - £780,000
 - v. Community Engagement Cohesion & Resilience - £165,522
2. That the Consultation & Support provided in partnership with the Tower Hamlets Council for Voluntary Services (THCVS) as set out in paragraphs 4.2 to 4.5 be noted.
3. That funding on the basis of 3 year Grant Agreements be approved from 1st September 2015 through to 31st August 2018, subject to the Council's annual agreement on budget settlements and the satisfactory delivery of agreed outputs and outcomes.
4. That it be noted, as with the previous programme, the annual budget will be top-sliced to fund required corporate support; continued development and maintenance of the Councils grants management system and an annual evaluation. The total annual cost is an amount up to £100k, as set out in paragraph 4.29.

5. That the grounds under which an organisation can make a representation to the Commissioners be approved as set out in paragraphs 4.21 to 4.25.
6. That the "Payments by Results" Process as set out in paragraphs 4.43 be approved.
7. That it be noted that the Community Engagement, Cohesion & Resilience programme will run initially for a period of 19 months (September 2015 to March 2017). The uncommitted budget will be commissioned to be effective from 1st April 2017 to 31st August 2018. Details are provided in paragraph 4.30.
8. That the Corporate Director Resources, after consultation with the Director Law, Probity & Governance, be authorised to agree the final terms of agreements in respect of grants made in accordance with resolutions 1 and 3 above.
9. That the Council would seek assurances and take appropriate steps to ensure that the applicants will deliver the relevant projects against their applications not only within the agreement itself and monitoring process but also as part of the agreement formation process.
10. That Commissioners recommendations arising from the consideration of each theme in the report be addressed.
11. That the following organisations based in Council awarded properties be advised that they need to have entered into an appropriate property agreement for their use and occupation of land and buildings, which covered the entire period of grant award, within three months of the meeting as a specific condition of payment of any grant monies:
 - a. Wapping Bangladeshi Association
 - b. Bangladeshi Youth Movement
 - c. Somali Senior Citizens Club
 - d. Dorsett Community Association
 - e. Limehouse Project
 - f. Deaf Plus

and that future applicants for grants occupying Council facilities be advised that this is a standard condition for the future.

The meeting ended at 9.10 p.m.

Chair: Sir Ken Knight
COMMISSIONER