

Commissioner Decision Report 9th September 2015	
Report of: Head of Arts, Parks and Events / Festivals and Events Officer	Classification: Unrestricted
Event Fund Applications for Events taking place in October 2015	

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

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 for events taking place in October 2015.

The report also presents the Commissioners with options to resolve operational issues resulting from the recently agreed formal dates for Commissioners' Decision Making Meetings.

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) Having considered both options set out in more detail below, either:
 - Option A: Agree to modify the Event Fund programme from a monthly review and approval programme to one that coincides with the Planned Public meetings for Commissioner grant decisions OR
 - Option B: Agree to retain the existing monthly cycle of applications but delegate decision making to award grants to the Service Head – Culture, Learning & Leisure in light of the low value of individual grants and the annual budget overall.

1. REASONS FOR THE DECISIONS

- 1.1. To award or reject Event Fund grant application award proposals in line with the rolling Event Fund Programme.
- 1.2. To address operational issues resulting from the recently published Decision Making Meeting calendar which does not align with the current process and deadlines for Event Fund applications and assessments.

2. ALTERNATIVE OPTIONS

- 2.1 Commissioners can reject officer recommendations in which case the relevant events will not receive grant funding support from the Council.
- 2.2 Commissioners can amend award amounts. In this instance, where the amount is smaller than recommended work would be needed to determine if the event was still viable as planned.
- 2.3 Commissioners can decide not to change the administration period of the Event Fund or not to delegate decision making to officers. If both options are rejected decisions impacting on events will often not be made in a timely fashion, resulting in those events being cancelled due to lack of preparation time.

3. DETAILS OF REPORT

Event Fund Process and Administration

- 3.1 The Event Fund is a small grant fund for community arts events. The events the Event 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. The purpose of the Event Fund is to provide small grants for high quality public events and festivals, which are accessible to, and of benefit to the community.
- 3.2 The annual budget for the Event Fund is £52,500. The maximum grant award is £2,500. However, most awards are in the region of £500 - £1,500. The Event Fund works on a rolling programme with monthly deadlines. The available budget is projected forward over the year and an estimated budget allocation is identified for each quarter. Initial projections are based on historical performance and knowledge of the annual cycle of peaks and troughs in the number of events throughout the year. Projections are updated on a monthly basis depending on demand and supply. This is done in order to ensure funding is available to applicants and for events throughout the year.

- 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. The assessments are carried out monthly and the amounts recommended for award are dependent on the amount of funding remaining available for the quarter, the assessment score and the number of applications. The amounts awarded can therefore vary. Each monthly round of applications is assessed separately and applications received in any round are assessed in comparison to other applications received in this round. While all applications must meet minimum thresholds and criteria, the threshold for being successful can vary depending on how competitive a particular round is. Details of the criteria and assessment framework are attached to this report in Appendix D.
- 3.4 Applications are assessed by three officers independently of each other. Applications are scored across a number of areas: track record of delivery of the organisation; need / benefit (how it meets the objectives of One Tower Hamlets); innovative approach (content of the event); partnerships and community involvement; outcomes; value for money. Each area attracts a maximum score of 5, with the overall application receiving a maximum score of 30 by each assessor. The three assessors' scores are then added together to give a maximum score of 90.

Recommendations for events due to take place in October

- 3.5 Following the assessment of applications received for events due to take place in October, officers are requesting approval of these grant awards by the Commissioners.
- 3.6 Appendix B to this report sets out the details of new Event Fund applications recommended for approval. These applications received an assessment score of 51 – 90.
- 3.7 Appendix C to this report sets out the details of new Event Fund applications recommended for rejection. These applications received an assessment score of 0 - 50

Options for addressing operational timetabling issues

- 3.8 The Commissioners agreed the original timetable for the Event Fund prior to subsequently setting a formal timetable for their Decision Making Meetings. Decision Making Meetings have been scheduled to take place approximately every six weeks and as a consequence the opportunities for the Commissioners to make grant award decisions no longer align with the previously agreed monthly timetable for the Event Fund.
- 3.9 In order to address this issue officers have developed two options for consideration by the Commissioners. The Commissioners are asked to consider the options and advise officers of the preferred way forward.

Option A: Amend the Event Fund application process

- 3.10 This option proposes to align the application deadlines associated with the Event Fund from a monthly cycle to one that aligns with the approximately six weekly cycle of Commissioners' Decision Making Meetings.
- 3.11 Officers expect that if the application lead time is increased, the profile of applicants is likely to change from community-led events which are often more short notice in nature to more professionally led events with associated longer planning cycles.
- 3.12 A six weekly cycle would reduce the administrative impact associated with the assessment process due to the reduction in application rounds. It is not currently possible to predict, however, that overall volumes of applications would change.
- 3.13 The current timetable as agreed by the Commissioners has been published on the Council's website and has been in circulation since approval. Changing this timetable part way through the year may lead to confusion. This could result in applications being submitted in line with the existing timetable and being deemed ineligible as a consequence.
- 3.14 Cancellations or changes to the timetable of Decision Making Meetings would result in the timetables again being misaligned. This could lead to events of merit not being awarded funding within a timely fashion leading to organisers having to abort their plans as lead in times could be insufficient to achieve the quality and safety standards required.

Option B: Delegate decision making to an officer

- 3.15 This option proposed to delegate decision making to the Service Head – Culture, Learning & Leisure in line with other small grants programmes for which the Commissioners have delegated decision-making to officers.
- 3.16 The annual budget for the Event Fund is comparatively small at £52,500 per annum and individual grant awards do not exceed £2,500 with the majority of awards being between £500 and £1,500.
- 3.17 Robust processes and criteria for the Event Fund have previously been agreed by the Commissioners and are attached again in full for review. In order to strengthen existing processes and provide further re-assurance it is proposed that the Service Head – Culture, Learning & Leisure will consider and decide the officer recommendations following assessment. Due diligence systems will be put in place to ensure that the process is adhered to.
- 3.18 The existing published Event Fund timetable would be retained under this option as officer assessment and recommendation with Service Head decision making can be scheduled more flexibly.

- 3.19 Delegation of this low value, low risk funding stream to Service Head – Culture, Learning & Leisure is in line with achieving efficient service delivery in accordance with the Best Value duty, putting in place systems and processes commensurate with risks.

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 9 Event Fund applications. Officers have recommended that 4 are approved and the remaining 5 be declined on the basis that they have not met the necessary assessment threshold 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 reflecting the spend profile of events that typically require necessary infrastructure to be purchased in advance of the event. 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 It is open to the Commissioners in the exercise of their decision making functions to decide to delegate matters to an officer. It is also open to the Commissioners to make minor amendments to the timetable of the grants arrangements without involving a full review of that particular grant process. Both options posed in relation to the timetable and decision making process are therefore available to the Commissioners.

- 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 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.
- 5.4 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
- 5.5 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 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.
- 5.7 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. 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 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 Hamlets has a very rich and diverse community. The Event 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 [Appendix A] and an equality analysis [Appendix F] have been completed.

7. BEST VALUE (BV) IMPLICATIONS

- 7.1 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

- 7.2 The level of funding offered takes into consideration the cost, subsidy per head, other cash funding agreed or pending, the amount of in-kind support, the audience or participants benefiting from the project and / or the overarching artistic value of the project and its benefits.
- 7.3 Applicants applying for higher level awards will need to demonstrate a high quality offer and good value for money, with sufficient cash funding from other sources
- 7.4 Awards will depend 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.

8. SUSTAINABLE ACTION FOR A GREENER ENVIRONMENT

- 8.1 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.

9. RISK MANAGEMENT IMPLICATIONS

- 9.1 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 may not be eligible for any future funding.

10. CRIME AND DISORDER REDUCTION IMPLICATIONS

- 10.1 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.

11. SAFEGUARDING IMPLICATIONS

- 11.1 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: Event Fund Evaluation Form

- Appendix F: Equality Analysis
- Appendix G: Event Fund Scoring Form

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

- NONE

Officer contact details for documents:

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