

**Notice to Chair/Vice-Chair of the Overview and Scrutiny Committee of a general exception to the publication of the intention to make a key decision**

**DATE:** 16/09/2020

**TO:** Chair/Vice-Chair of the Overview and Scrutiny Committee, North of Tyne Combined Authority (NTCA)

**SUBJECT:** Adult Education Budget Devolution

**NOTICE BY:** John Softly, Monitoring Officer

**Executive Summary:**

This notice informs Chair/Vice-Chair of the Overview and Scrutiny Committee under Paragraph 12 of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 that it is impracticable to include the above item on the NTCA Forward Plan for a period of 28 clear days before the decision is made.

In accordance with Paragraph 12 (1(b) of the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017 a copy of this notice will be published on the North of Tyne Combined Authority website.

This notice ensures that at least 5 clear days have elapsed between the agenda for the meeting/notice of decision, which includes the matter, being made available and the day of the meeting/decision-making.

## **Notice to Chair/Vice-Chair of the Overview and Scrutiny Committee of a general exception to the publication of the intention to make a key decision**

### **1. Background**

1.1 Where a decision maker intends to make a key decision, that decision must not be made until at least 28 clear days public notice has been given.

1.2 Where the publication of the intention to make a key decision is impracticable, that decision may only be made where:

the Chair/Vice-Chair of the Overview and Scrutiny Committee (or Vice-Chair in the absence of Chair) has been informed of the matter about which the decision is to be made;

notice to the Chair/Vice-Chair has been made available for public inspection at the Combined Authority's Office and published on the Combined Authority's website; and

5 clear days have elapsed from the day on which notice to the Chair/Vice-Chair was made publicly available.

1.3 This notice is to inform the Chair/Vice-Chair of the Overview and Scrutiny Committee that it has been impracticable to give 28 clear days public notice of the item(s) set out below for the reasons set out below and that it is intended that the key decision(s) will be made on the date specified below.

1.4 Notice is also given to the public that the reasons why compliance with the requirements for publicity in connection with key decisions are impracticable are set out below.

### **2. Notice Details**

#### **2.1 Date of Decision required**

29<sup>th</sup> September 2020

#### **2.2 Matter in respect to which decision is to be made**

Adult Education Budget Devolution

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### **2.3 Description**

Performance management arrangements related to the devolved Adult Education Budget and an approach to allocating AEB funding to both Contract for Services and Grant Providers needs to be agreed.

### **2.4 Decision Maker**

Cabinet

### **2.5 Consultation Process**

The Head of Paid Service, Interim Monitoring Officer and Interim Section 73 Officer (Chief Finance Officer) and the Mayor, as Chair of Cabinet, have been consulted and agree that in the interest of efficiency the decision is required at the next Cabinet meeting to be held on 29 September 2020.

The Chair of Overview and Scrutiny Committee has been notified.

### **2.6 Background Documents**

AEB Strategic Skills Plan.

AEB Delegated Decision Report March 2020

AEB Delegated Decision Report June 2020

AEB Cabinet papers 24<sup>th</sup> April 2019, 4<sup>th</sup> June 2019, 30<sup>th</sup> July 2019, 22<sup>nd</sup> October 2019 25<sup>th</sup> February 2020 and July 2020

### **2.7 Reasons why impracticable to give 28 days clear notice**

The Covid-19 crisis is a rapidly evolving situation, making it urgent that we coordinate NTCA's devolved AEB funding and focus priorities to ensure that it supports the Economic recovery.

Traditionally the highest volume of enrolments to Adult Education provision is during September. At present the impact of the COVID crisis on these volumes and providers stability is difficult to predict. Therefore, we require the flexibility to utilise performance management arrangements and redistribute funding from the beginning of the academic year to mitigate risks related to underspend and to ensure delivery is maintained through Grant and Contract for Service providers who have the resource and capacity to deliver skills support. Given the unpredictability of the current crisis and the need for NTCA to be able respond urgently, it is not practicable to delay the decision.

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The Monitoring Officer has examined the background and context of this decision and concurs that it is impracticable for this decision to be placed on the Forward Plan 28 days before it is made.

John Softly  
Interim Monitoring Officer

Date of Notice: 16/09/20

The Chair/Vice-Chair of the Overview and Scrutiny Committee has been notified of this matter on the following date: 16<sup>th</sup> September 2020