

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: 2 September 2020

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

SUBJECT: Forward Plan: North East LEP Patent Protection Scheme

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, which includes the matter, being made available and the day of the meeting.

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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 set out below for the reasons set out below and that it is intended that the key decision 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

9 September 2020

2.2 Matter in respect to which decision is to be made

North East LEP Patent Protection Scheme authority to sign Grant Offer Letters

2.3 Description

The Patent Protection Scheme was created in order to provide urgent grant support (up to a maximum of £25,000) to pre-commercial Health and Life Science businesses who do not have sufficient cashflow to meet the costs of maintaining their patents. Grant determinations will be made by the North East LEP Chief Executive, in line with the North East LEP Scheme of Delegation.

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In order to ensure that grants awarded through this scheme are processed in the most efficient way, authority is being sought for the Chief Executive of the North East LEP to be the signatory of Grant Offer Letters provided under this fund. The fund opened on 18 August 2020 and is already receiving applications, which are anticipated to be determined before mid-September.

2.4 Decision Maker

Head of Paid Service

2.5 Consultation Process

The Patent Protection Scheme proposals have been developed through usual North East LEP Board and Investment Board processes, including consultation with the Health and Life Sciences Steering Group.

NTCA Legal and Finance officers have been consulted on the proposed authority for the North East LEP Chief Executive to sign Grant Offer Letters relating to the scheme on behalf of the North of Tyne Combined Authority.

2.6 Background Documents

Delegated Decision report

2.7 Reasons why impracticable to give 28 days' clear notice

The fund opened on 18 August 2020 and is already receiving applications, which are anticipated to be determined before mid-September.

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: 2 September 2020

The Chair/Vice-Chair of the Overview and Scrutiny Committee has been notified of this matter on the following date: 2 September 2020.