

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

DATE: 16 March 2021

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

SUBJECT: North East LEP - Funding swaps between Local Growth Fund (LGF) and Getting Building Fund (GBF)

NOTICE BY: John Softly, Monitoring Officer

Executive Summary:

This notice informs Chair/Vice-Chair of the Overview and Scrutiny Committee under Paragraph 13 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 and that the matter is urgent and cannot reasonably be deferred.

In accordance with Paragraph 13 2 (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.

Notice to Chair/Vice-Chair of the Overview and Scrutiny Committee of a special urgency 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:
 - a) the 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 and has agreed that the decision is urgent and cannot reasonably be delayed; and
 - b) notice of the decision to be made and the Chair/Vice-Chair's agreement that it is urgent and cannot reasonably be delayed has been made available for public inspection at the Combined Authority's Office and published on the Combined Authority's website.
- 1.3 This notice is to confirm that i) the Chair of the Overview and Scrutiny Committee has been informed 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; and ii) that the Chair has agreed that the decision is urgent and cannot reasonably be delayed.
- 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

19 March 2021

2.2 Matter in respect to which decision is to be made

Funding swaps between Local Growth Fund (LGF) and Getting Building Fund (GBF) programme budgets to take place.

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

2.3 Description

At the North East LEP Board on the 18 March 2021 an updated report will be taken to approve temporary project funding swaps that will maximise the Local Growth Fund and Getting Building Funding for the 2020/21 budget year.

Agreements are currently being prepared for these funding swaps that require a release of funding to be arranged before the end of March 2021. It was intended that this decision would form part of the March Funding Decisions Report already placed on the Forward Plan for the 30 March 2021, however, due to the release of funding required within this month, this key decision is required to be made in advance in order to meet the financial timescales required.

2.4 Decision Maker

Head of Paid Service

2.5 Consultation Process

The Head of Paid Service, Interim Monitoring Officer and Interim Section 73 Officer (Chief Finance Officer) and the Head of Economic Growth and the Head of Policy and Performance have all been consulted and agreed that the decision is urgent and cannot reasonably be delayed.

The Chair of Overview and Scrutiny Committee has been consulted and agreed that the decision is urgent and cannot reasonably be delayed.

2.6 Background Documents

Delegated Decision Report

2.7 Reasons why impracticable to give 28 days clear notice

It is impracticable to place this item on the Forward Plan due the timescale required to implement the funding swaps.

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 March 2021

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

Agreement to the decision being made on grounds of special urgency has been received from the Chair of the NTCA Overview and Scrutiny Committee on the following date:
17 March 2021