

**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: 21st June 2023

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

SUBJECT: Transfer of North East Energy Accelerator from North East LEP to NTCA

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

As soon as possible to allow the grant monies to be allocated in the timescales set out in the report.

2.2 Matter in respect to which decision is to be made

The transfer of North East Energy Accelerator from North East LEP to NTCA

2.3 Description

NTCA and the North East LEP have agreed that the energy and net zero programmes will be integrated in advance of regional devolution to make most efficient use of resource and capacity. The integrated programme will be

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managed by NTCA on behalf of the region. For 2023/24 and 2024/25 there is budget of £234,669 remaining for salaries, this is comprised of £117,334.5 from the North East Investment Fund and £117,334.5 from the North of Tyne Combined Authority, Durham County Council, Gateshead Council, South Tyneside Council and Sunderland City Council. In addition, £841,237 budget is available for the development of projects which will be 50% match funded by other public funding. All of the financial contributions are approved with an MOU in place.

2.4 Decision Maker

Dr Henry Kippin, Chief Executive, North of Tyne Combined Authority

2.5 Consultation Process

The Chief Executive, Monitoring Officer and Chief Finance Officer 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

Confidential Delegated Decision Report on the transfer of North East Energy Accelerator from North East LEP to NTCA

2.7 Reasons why impracticable to give 28 days clear notice

A decision is required urgently on the administrative transfer of the North East Energy Accelerator programme, which is in currently in delivery. For 2023/24 and 2024/25 there is budget of £234,669 remaining for salaries, this is comprised of £117,334.5 from the North East Investment Fund and £117,334.5 from the North of Tyne Combined Authority, Durham County Council, Gateshead Council, South Tyneside Council and Sunderland City Council. In addition, £841,237 budget is available for the development of projects which will be 50% match funded by other public funding. All of the financial contributions are approved with an MOU in place. Funding for projects needs to be spent by February 2025 with the remaining spent by March 2025.

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.

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John Softly
Monitoring Officer

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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: 12th June 2023