

NECA Decision Making Protocol

Adopted by the Overview and Scrutiny Committee on:	15 March 2018
Implemented with the consent of the Leadership Board on:	19 June 2018
Review date:	June 2019

1. Introduction

- 1.1 This Protocol explores the types of decisions and its related processes within the decision making bodies of the North East Combined Authority (NECA). It also describes the Overview and Scrutiny Committee's role regarding decision making.
- 1.2 The Protocol is for both Members and Officers to ensure that a clear and accountable process is in place regarding decision making which is consistently understood and applied. This Protocol will be reviewed on an annual basis or at an appropriate point relevant to any changes to NECA's governance and decision making structure.
- 1.3 The Protocol does not change the roles and responsibilities of the Overview and Scrutiny Committee as set out in Section 3.9 of the Constitution and simply sets out how the Committee will discharge aspects of its role.

2. The role of the Overview and Scrutiny Committee

- 2.1 The Overview and Scrutiny Committee is an important part of NECA decision making and is responsible for holding the Combined Authority to account by:
 - a) Testing and challenging decisions
 - b) Being a forum for public and political scrutiny
 - c) Providing public confidence in decisions about the use of public assets and money
 - d) Pausing decisions to allow for further consideration
 - e) Engaging members of the public
- 2.2 One of the main functions of the Committee is the review and scrutiny of 'Key Decisions' made by the North East Leadership Board (NELB), the Transport North East Committee (TNEC), Transport North East (Tyne and Wear) Sub-Committee (TWSC) and Officers of NECA, (the North East LEP) and NEXUS.
- 2.3 The functions formerly falling to the Tyne and Wear Integrated Transport Authority are discharged by the Tyne and Wear Sub Committee (TWSC). The NECA Constitution defines TWSC Committee as overseeing the activities and performance of NEXUS. In accordance with section 101 of the Local Government Act 1972 and the NECA Order, Nexus is treated as an officer of NECA.
- 2.4 The role as defined by Schedule 5A of the Local Democracy, Economic Development and Construction Act 2009 is to:
 - a) To review or scrutinise decisions made, or any other action taken in connection with the discharge of functions
 - b) Make reports or recommendations to the authority with the discharge of functions
 - c) To make reports or recommendations to the authority on matters that affect the authority's area or the inhabitants of the area.

- 2.5 The Overview and Scrutiny Committee use the NECA 28 day Forward Plan as the main way that members can 'keep in view' those matters and decisions they would like to focus their attention on.

Creating a productive culture

- 2.5 The recent CLG Effectiveness of Overview and Scrutiny Report highlighted the importance of creating a culture whereby scrutiny is recognised as playing a productive part in the decision making process. This Protocol sets out the Committee's role that makes up part of the overall decision making that encompasses NECA; it is a mechanism that allows outcomes to be continuously improved in creating an overall productive culture.
- 2.6 In the support of the Committees objectives and purposes, this Protocol sets out types of decisions which can be of two main types: 'Key' or 'Non Key'. There is a standard process for making key decisions but in cases of urgency, key decisions may also be made using the urgent procedure. This Protocol explains the Committee's definition of Key Decisions within the relevant legal framework.

3. The role of the Scrutiny Officer

- 3.1 The function of the Scrutiny Officer as defined by the Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committee) Order 2017:
- a) to promote the role of the Overview and Scrutiny Committee;
 - b) to provide support and guidance to the Overview and Scrutiny Committee and its members;
 - c) to provide support and guidance to members of the Combined Authority in relation to the functions of the Overview and Scrutiny Committee
- 3.2 The Scrutiny Officer appointed at NECA is an independent full-time resource (not employed by a constituent Council) who is responsible for providing advice and guidance to Members and Officers to ensure an accountable and transparent decision making process. The dedicated resource is one that is seen to enhance the role of Overview and Scrutiny in the Combined Authority.
- 3.3 The Scrutiny Officer will ensure that items on the NECA Forward Plan and issues of importance are communicated to the Chair and Vice Chair of the Overview and Scrutiny Committee, and to Members when deciding on the work programming for the Committee.
- 3.4 This will ensure that the Committee's role in reviewing decisions that can add value can be maintained by the Scrutiny Officer taking a proactive approach in forward planning and working with the Chair and Vice Chair.

4. North East Combined Authority - Decision Making

4.1 Decision making is a central part of the North East Combined Authority. Decisions are made at a number of levels by Statutory Officers or the NECA Leadership Board, or any committee that has final decision making authority to act in place of the Leadership Board.

The Decision Making structure

4.2 The decision making structure of the North East Combined Authority and the North East Local Enterprise Partnership (NECA as the accountable body) can be described as a **bi-cameral structure**.

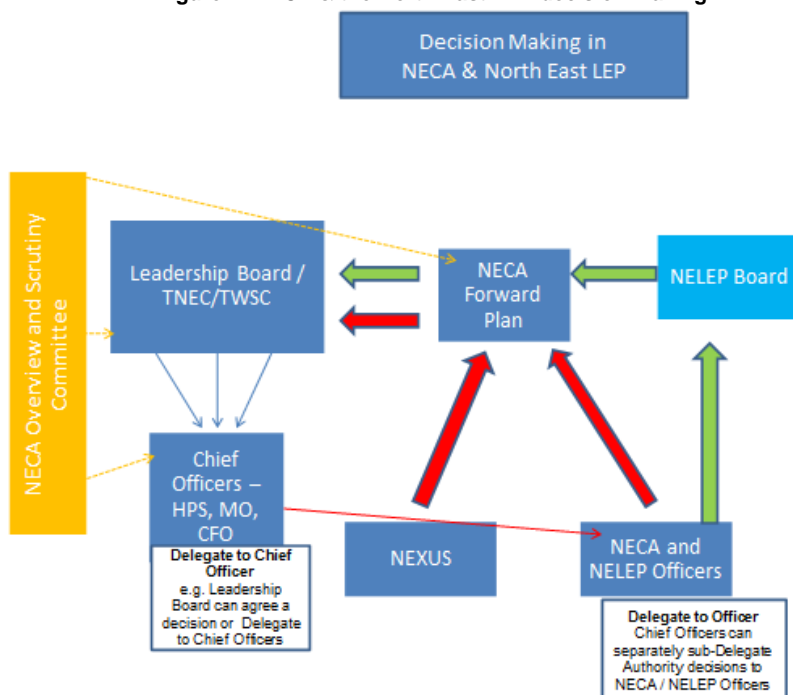
The bi-cameral structure

For example: The bi-cameral structure means that a decision in relation to funds from the North East LEP, and under its control, is first made through the LEP governance structure and, after that, it must be confirmed by the NECA governance structure.

This ensures appropriate transparency and responsibility for decision making. As the decision passes from the LEP governance 'side' into the NECA governance 'side' the decisions become subject to prior notice on the NECA Forward Plan, call in rules and other transparency requirements which ensure democratic and public accountability.

4.3 Figure 1 below, provides an overview of the decision making arrangements of NECA and reflects the bi-cameral structure of both the North East LEP and NECA. The role of the Overview and Scrutiny Committee is highlighted on the figure and is a key part of decision making for the North East Combined Authority.

Figure 1: NECA & the North East LEP decision making



Types of NECA Decisions

- 4.4 This Protocol adopts a description of the North East Combined Authority's decision making as having two different types of decisions:
- a) Key Decisions
 - b) Non Key Decisions
- 4.5 This Protocol will explain these types of decision in more detail.

5. Key Decisions

The importance of Key Decisions

- 5.1 The Overview and Scrutiny Committee - in discharging its role and purpose - wishes to focus its attention and the attention of decision makers at those decisions which are most important to the authority and the public. Accordingly, Key Decisions are those which are most significant to NECA.
- 5.2 The mechanism in the legislation and adopted throughout this Protocol ensures the public and the Overview and Scrutiny Committee have advance notice of important matters that need to be considered.
- 5.3 The Authority is required to maintain a 28 day Forward Plan and to publish it on its website. The Overview and Scrutiny Committee consider these matters by reviewing the NECA 28 day Forward Plan at each Committee, which allows members to review the key decisions being made. Accordingly, the Forward Plan is the Committee's main tool for anticipating and discharging its scrutiny role. This is supplemented by its periodic Forward Planning and Annual Work Programming approach.

Key Decisions Definition

The Overview and Scrutiny Committee adopt a definition of Key Decisions as decisions which:

- a) Are made by the NECA Leadership Board, or any committee that has final decision making authority to act in place of the Leadership Board except for the decisions listed in the schedule
- b) Could have been made by a body at (a) above but which have been delegated to an Officer(s) or another Committee
- c) Are made at any level of the organisation which set the Authority's policy or Strategy across the NECA area or a defined sub area (such as Tyne and Wear)
- d) Has a policy impact or effect on persons living or working within two or more wards e.g. Transport Policies/Plans
- e) Creates a commitment for capital expenditure with a value greater than £1m
- f) Creates a commitment for a revenue expenditure with a value greater than £250k
- g) Any matter which a Chief Officer believes might have repercussions across the NECA area or significant adverse reputational implications for the Authority (NECA)

Schedule of decisions which are made by the Leadership Board but are not key decisions:

- a) a decision to appoint a Chief Officer provided that the appointment has been openly advertised and the appointment is recommended by a selection panel, appointed by the Leadership Board, or by a process approved by the Leadership Board
- b) a decision on the selection or appointment the Chair or Vice Chair of the Overview and Scrutiny Committee, or any other Committee or Sub Committee provided any public appointment is openly advertised and managed, as set out above (a)
- c) The designation of NECA's Head of Paid Service (3.1 A14)
- d) The appointment of co-opted members to any of its joint committees, committees or sub committees (3.1 B26)
- e) Agreement to the establishment of working groups (3.1 B29)
- f) The designation of thematic leads (3.1 B30)
Please note that inclusion on this list does not prevent the Overview and Scrutiny Committee from examining any issue. This schedule only lists Leadership Board decisions which are not considered Key Decisions by the Overview and Scrutiny Committee.

Consequences of a Key Decision

- 5.4 The Overview and Scrutiny Committee adopts this definition of Key Decision on the basis that the Authority agrees that it will not seek to implement any Key Decision within 5 working day of the decision being made and a decision notice being published, and circulated to the Committee members. This will allow the Committee members opportunity to Call-In the decision should they wish to.
- 5.5 A decision which is Non Key can be implemented by the Authority immediately.
- 5.6 The Overview and Scrutiny Committee also expect that written reasons will be kept for all but the most minor decisions in order that if the Committee wishes to examine any decision made in the future, there is evidence of who made it and the reasons why.

Call in Arrangements: Key Decisions

- 5.7 Only Key Decisions are subject to call-in by the NECA Overview and Scrutiny Committee and cannot be implemented until the Call-In process (5 days) has elapsed. Examples of Key / Non Key Decisions are attached as **Appendix 1**.
- 5.8 The process for Call-In is shown in **Appendix 2 (flow chart of Call-In)**. A total of four members of the Committee can Call-In a decision; using a **Call In Decision form (Appendix 3)** that will be sent to the Monitoring Officer.
- 5.9 Democratic Services Officers will notify members of the Overview and Scrutiny Committee when decisions are made and will provide the Committee with the Decision record and report(s), the date of publication, and the deadline date and deadline time for Call-In.

The Call-In Process

If a decision is not called in:

- 5.10 On the expiry of **5 working days** after the Key Decision is published and Scrutiny Committee members notified, Democratic Services Officers will send confirmation to the decision maker and report author that the decision has come into force and may be implemented.

If a decision is called in:

- 5.11 Democratic Services officers will notify the decision maker and report author and a meeting of the Overview and Scrutiny Call-In Sub-Committee will be called within **14 calendar days** of the decision to call-in. Decisions cannot be implemented during this time.

- 5.12 If the Call-In Sub-Committee does not meet in the period set out above, or does meet but does not refer the matter back to the decision making person or body, Democratic Services officers will notify the decision maker and the decision can then be implemented.
- 5.13 If having considered the decision the Call-In Sub-Committee is still concerned, they will set out the nature of their concerns in writing and refer it back to the decision making body or person within one working day. The decision maker must then hold a meeting to reconsider the decision within **10 working days** of the referral being received. The decision making body or person will choose whether to amend the decision or not before reaching a final decision and implementing the decision.

6 'Non Key' Decisions

Understanding Non Key Decisions

- 6.1 Non Key Decisions are usually those that are operational and can be made on a day to day basis. These decisions are not subject to Call-In.

Examples of Non Key Decisions

- 6.2 These are some examples of Non Key Decisions:
- a) Operational Decisions e.g. procurement decisions, HR decisions, Recruitment, Expenditure within budget, Grant variations within approved budget
 - b) Has an Internal Policy impact across NECA staff at an operational level
 - c) Decisions that need to be implemented immediately
 - d) Having a capital expenditure less than £1m
 - e) Having a revenue expenditure less than £250k
- 6.3 Non Key Decisions tend to be those that are taken at an operational level and less than the expenditure requirements noted above.

7 General Exceptions and Cases of Special Urgency

Definition

- 7.1 There are occasions when either:
- A. An Urgent Decision may need to be taken *and 'cannot reasonably be deferred'* (Section 13, Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017.

B. Where publication of a key decision for 28 days before *'is impracticable'* (Section 12 of the same Order).

Urgent Decision Definition

7.2 The definition of this is described below:

- a) The decision to seek special consent for urgent decisions will be taken by the Head of Paid Service in consultation with the Monitoring Officer
- b) The report author will consult with the Chair
- c) and Vice Chair of NECA, and the Chair or Vice Chair of the Overview and Scrutiny Committee
- d) Urgent Decisions should be the exception, and only in genuinely urgent situation.

The Request for Special Urgency and Urgent Decision process

7.3 The Author / Officer will initially email Statutory Officers with a request for Special Urgency. Using the 'Request for Special Urgency Report' (Appendix 4) and ask if they consent to the request being emailed as below to:

The report requests the consent of:

- a) The Chair (and or Vice Chair in their absence) 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 (the 'Order'); and
- b) The Chair and Vice-Chairs of the North East Combined Authority under sections 32 and 33 of the Leadership Board Rules of Procedure set out in Part 4.1 of the NECA Constitution.

Note: The Chair (and or Vice Chair in their absence) of the Overview and Scrutiny Committee and the Chair and Vice-Chairs of NECA are each requested to consent to permit the decision to be made without it being entered onto the Combined Authorities Forward Plan as a key decision.

7.4 The request is made on the basis that it:

- a) It is impractical to include the matter on the NECA Forward Plan for a period of 28 clear days before the decision is made, and
- b) Consent or refusal should be communicated to the Monitoring Officer as soon as possible following due consideration.

- 7.5 Following the consent of Statutory Officers the Author/Officer will email the Request for Special Urgency Report as noted in 7.2 (a) and (b) above.
- 7.6 The Chair (and or Vice Chair in their absence) of the Overview and Scrutiny Committee, then the Chair and Vice Chairs of NECA may decide either (1) agreement to the request or (2) rejection of the request:

Following Agreement to the request:

Following agreement and consent given as 7.2 (a) and (b) to the request:

- a) The 'Request for Special Urgency Report' will be published on the NECA Website.
- b) The Author/Officer will then draft the Urgent Decision Report and Urgent Decision Record
- c) The Urgent Decision Report and Urgent Decision Record will be circulated to the Head of Paid Service for sign off, and circulated to the Chief Finance Officer and Monitoring Officer *(if this was stipulated in the original request e.g. a report was sent to the Leadership Board previously giving a delegated authority to the Head of Paid Service, in consultation with the Chief Finance Officer and the Monitoring Officer)*
- d) The signed Urgent Decision Report and Urgent Decision Record will be emailed to the Report Author

The Decision can now be implemented

The Report author will then:

- a) Ensure that the Decision Report and Record, along with the Request for Urgency Report is returned to the Democratic Support Officer within 2 working days (or asap) of the decision being made.
- b) Email a copy of all of approval emails of The Chair (and or Vice Chair in their absence) of the Overview and Scrutiny Committee, and the Chair and Vice Chairs of NECA consenting to the Request for Urgency to the Democratic Support Officer
- c) The Democratic Support Officer is to publish the Decision Report, Decision Record and Request for Special Urgency Report within 3 working days of the decision being made

Rejection of the Request

- The Chair (and or Vice Chair in their absence) of the Overview and Scrutiny can reject the request for Special Urgency
- They can ask for further information to be supplied

Notice of General Exception

- 7.7 The Notice of General Exception will be used to inform the Chair of the Overview and Scrutiny Committee where publication of a key decision is 'impracticable' to include on the NECA Forward Plan.
- 7.8 Once the Notice has been shared with the Chair as set out in 7.7 the Combined Authority will make available on the NECA website the notice setting out the reasons why compliance with Article 11 (Combined Authorities (Overview and Scrutiny Committees, Access to Information and Audit Committees) Order 2017) is not possible and the Key Decision is not able to be published on the NECA website for at least 28 clear days.

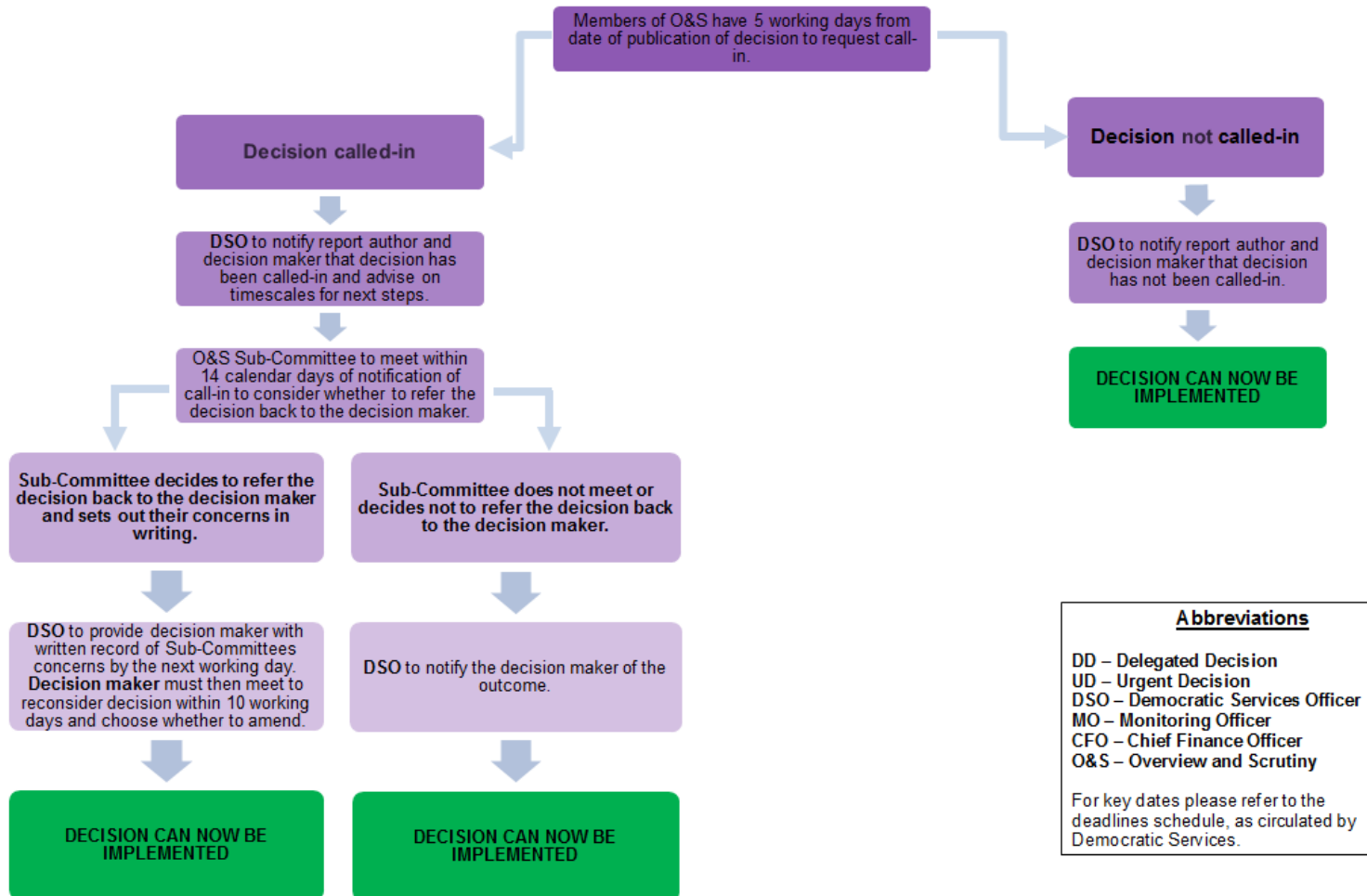
Appendices

- Appendix 1 - Key Decision Examples**
- Appendix 2 - Call In Flow Chart**
- Appendix 3 - Call in Decision Form**
- Appendix 4 - Notice of General Exception Request (it is impracticable to enter onto the Forward Plan for 28 days)**
- Appendix 5 - Request for Special Urgency (the decision is urgent and cannot reasonably be deferred or included on the Forward Plan)**

Appendix 1: Key Decision Examples

Examples of Decisions	Key Decision <i>(Decision can be called in)</i>	Non Key Decision
HR Updated Policy		✓
Update of Strategic Plans – e.g. Transport Plan or Strategic Economic Plan	✓	
Recruitment of a Chair /Vice Chair of Committee		✓
Project approval with a capital expenditure greater than £1m	✓	
A Project having a revenue expenditure less than £250k		✓

NECA Call-In Process



Appendix 2: Call In Flow Chart

NORTH EAST COMBINED AUTHORITY

Call-In Request Form

This form should be submitted to the NECA Monitoring Officer by no later than 5pm on the day of the call-in deadline, which is the fifth working day after the decision publication date. The completed form should be submitted by email (to peter.judge@northeastca.gov.uk).

The call-in process is not designed to act as a brake, but as a check and balance within the decision making process. Members will wish to make measured use of the call-in function, whilst ensuring that the day to day business and implementation of decisions can be carried out efficiently and effectively.

A call-in request can be made by any four members of the NECA Overview and Scrutiny Committee.

Call in requests cannot be made in respect of:

- Decisions already called-in
- Urgent decisions (as defined under the Overview and Scrutiny Committee Rules of Procedure at Part 4.3 of the NECA Constitution)

The call-in procedure should not be used:

- To deal with individual complaints or concerns
- As a means of requesting information
- In respect of decisions made by external bodies

Title of decision:		
Date of decision:		
Decision maker:		
On what basis is the decision challenged:	Insert ✓	Principles of Decision Making (as set out in the NECA Constitution – see appendix 1 for guidance notes)
		Proportionality (meaning that the action must be proportionate to the desired outcome).
		Absence or lack of consideration of professional advice.
		Inadequate consultation relating to the decision.
		Absence or lack of consideration of legal and/or financial implications.

		Decision making process has not been open and transparent.
		Viable alternatives have not been considered.
		Adequate consideration has not been given to: <ul style="list-style-type: none"> • Respect for human rights • Promotion of equality • Prevention of crime and disorder • Environment and sustainability • Risk management • The purpose of the Constitution
		Other, please specify:

What desired outcome/alternative course of action is sought:

Reasons for the call-in (provide supporting information under each heading outlining the grounds for the call-in, which explains why you believe the decision making process was flawed. Please limit this summary to no more than 1,000 words. Additional documents can be submitted if necessary):

SIGNATORIES: (please add additional rows as required)

1.
2.
3.
4.

Please note that in place of a signature an email from each signatory, confirming their support for the call-in request, must be submitted alongside the completed form.

OFFICE USE:

Received on behalf of Monitoring Officer by:

Name:

Date and time received:

NECA Principles of Decision Making – Part 1 paragraph 13.3 of the NECA Constitution.

All decisions of the NECA will be made in accordance with the following principles:

a) Proportionality (meaning that the action must be proportionate to the desired outcome).

For example, the level of resources which are deployed to implement a decision should be proportionate to the likely impact of that decision.

b) Consideration of professional advice from officers.

This does not mean that officer advice must always be followed. However, where advice has been offered and it is not followed the reason for not following the profession advice must be justified and recorded.

c) Due consultation.

It is expected that consultation will form part of NECA's decision making process. This does not mean that consultation must take place on every decision. The level of consultation required will be appropriate to the nature of the matter under consideration. The views of those likely to be affected by a decision should be sought wherever possible.

d) Consideration of the legal and financial implications.

This means that the legal consequences and financial implications of any decision must be considered and recorded.

e) A presumption in favour of openness.

The process through which all decisions are taken must reflect NECA's commitment to open government and the Access to Information Rules of Procedure (see the Access to Information paragraph of the Leadership Board Rules of Procedure (Part 4.1, paragraph 8).

f) Consideration of available options and outlining reasons for decisions.

Decision makers should ensure that they are able to consider all reasonable and available options in respect of any decision they are to make. In doing so they must clearly explain why they have chosen one particular option and give reasons for rejecting others and this must be included in the formal record of their decision.

g) Respect for human rights.

All decisions must demonstrate that consideration has been given to any human rights implications under the Human Rights Act 1998 and follow the principles of natural justice. Consideration must also be given to any other principles or duties in associated areas which may in future arise.

h) Promoting equality.

Decision makers must have regard to the likely effect of the decision on individuals depending on age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation in accordance with the equality duty placed in public bodies by the Equalities Act 2010.

i) Preventing crime and disorder.

Decision makers must have regard to the likely impact of the decision on crime and disorder in the area, including anti-social and other behaviour adversely affecting the local environment and the misuse of drugs, alcohol and other substances in its area in accordance with the duty placed on the NECA by the Crime and Disorder Act 1998.

j) Environment and sustainability.

Consideration must be given to whether the decision will contribute to sustainable development i.e. development that meets the needs of the present without compromising the ability of future generations to meet their own needs.

k) Risk management.

Decision makers must ensure the NECA's risk management processes have been applied to the matter and that any risks have been documented and will be appropriately managed.

l) The purpose of the Constitution.

Decision makers should have regard to the purpose of the Constitution set out in Part 1 paragraph 1 of the Constitution.

Appendix 4: Notice of General Exception Request



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

DATE: Date

TO: David Taylor Gooby, Chair of the Overview and Scrutiny Committee

COPIES TO: Add details (Chair or the Vice Chairs of the NECA Leadership Board – in the Chair’s absence)
Simon Hart, Vice Chair of the Overview and Scrutiny Committee

SUBJECT: Add subject details (brief description only)

NOTICE BY: Peter Judge, Monitoring Officer

Executive Summary:

This notice informs the 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 NECA 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 East Combined Authority website.

In accordance with section 31 of the Leadership Board Rules of Procedure set out in Part 4.1 of the NECA Constitution, 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.

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 of the Overview and Scrutiny Committee has been informed of the matter about which the decision is to be made, notice to the Chair has been made available for public inspection at the Council offices and published on the Council's website, and after 5 clear days have elapsed following the day on which notice to the Chair was made publicly available.
- 1.3 This notice is to inform the 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:

Data of decision

2.2 Matter in respect to which decision is to be made:

Name of the decision required

2.3 Description

Brief background of decision detail

2.4 Decision Maker

Name of the Board e.g. Leadership Board

2.5 Thematic Area

E.g. is this a corporate issue or Thematic issue

2.6 Consultation Process

Identify who has been involved in the consultation process

2.7 Background Documents

List all background documents

2.8 Reasons why impracticable to give 28 days clear notice

Detail the reasons why this was impracticable.

The NECA Head of Paid Service have examined the background and context of this decision and concur that it is impracticable for this decision to be placed on the Forward Plan 28 days before it is made.

Head of Paid Service:

Monitoring Officer:

Appendix 5: Request for Special Urgency



NORTH EAST COMBINED AUTHORITY

Request for Special Urgency

EXECUTIVE SUMMARY

The report requests the consent of:

1. The 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 (the 'Order'); and
2. [The Chairs and Vice-Chairs of the North East Combined Authority under sections 32 and 33 of the Leadership Board Rules of Procedure set out in Part 4.1 of the NECA Constitution].

The request is made on the basis that it is impractical to include the matter on the NECA Forward Plan for a period of 28 clear days before the decision is made and the matter is urgent and cannot be reasonably be deferred (even for a period of 5 days). **Consent or refusal should be communicated to the Monitoring Officer as soon as possible following due consideration.**

OUTLINE:

The [NECA Head of Paid Service (identify decision maker)] will be invited to [(identify decision making authority and nature of decision) exercise authority contained in Part 3.7b (HPS4) of the Constitution to take operational action which is required as a matter of urgency in the interests of NECA, in consultation with the Chair of the Leadership Board, Monitoring Officer and Chief Finance Officer as far as is practicable.]

Provide an outline of the report and process.

The decision is urgent as if it were to be delayed until [Enter date of Leadership Board meeting] that the project would [enter the reasons for the delay].

The NECA Head of Paid Service have examined the background and context of this decision and concur that it is urgent and cannot reasonably be deferred. The need to make this decision urgently outweighs the general public interest in giving greater notice and transparency to the public in this case.

Head of Paid Service:

Monitoring Officer:

RECOMMENDATIONS:

The Chair of the Overview and Scrutiny Committee and the Chairs and Vice-Chairs of NECA are each requested to consent to permit the decision to be made without it being entered onto the Combined Authorities Forward Plan as a key decision.

NEXT STEPS:

In accordance with Paragraph 12 (1(b) and (c)) of the Order, a copy of this report will be published on the North East Combined Authority website indicating whether consent has been given.

Subsequent to the consent of the Chair of the Overview and Scrutiny Committee [**and the Chair or Vice-Chairs of the North East Combined Authority**], [(**identify the decision maker**) **the North East Combined Authority Head of Paid Service**] will be invited to make the decision.

Enter next steps regarding the project etc.

-
1. **Background**
 - 1.1 Enter full background information and details of the project.
 2. **Proposals**
 - 2.1 Enter details of the proposals.
 3. **Reasons the Decision is Urgent and Cannot Reasonably be Deferred**
 - 3.1 Enter the full details the reason is urgent and cannot be deferred.
 4. **Alternative Options Available**
 - 4.1 The alternative option would be for the Chair of the Overview and Scrutiny and the Chairs and Vice-Chairs of NECA to decline to make the decision to enable the decision to be made without being put on the Forward Plan. The result would be a delay of 28 clear days, plus five days call-in period from publication of the decision notice.
 5. **Next Steps and Timetable for Implementation**
 - 5.1 The **Head of Paid Service (identify decision maker)** will be invited to make an urgent decision in accordance with constitutional delegation HPS4. A copy of this report and any decision notice will be published on the North East Combined Authority website
 - 5.2 Identify the next steps for the project
 6. **Potential Impact on Objectives**
 - 6.1 Identify if there will be any impact on NECA objectives.
 7. **Financial and Other Resources Implications**
 - 7.1 Identify any implications
 8. **Legal Implications**
 - 8.1 Identify any implications.
 9. **Key Risks**
 - 9.1 Identify any key risks.
 10. **Equality and Diversity**
 - 10.1 Identify any issues.

11. Crime and Disorder

11.1 Identify any implications.

12. Consultation/ Engagement

12.1 Identify who has been part of the consultation process

13. Other Impacts of the Proposals

13.1 Identify if there is any other impact on the proposals.

14. Appendices

14.1 Identify any appendices

15. Background Papers

15.1 Identify any background papers

16. Contact Officer(s)

16.1 Name of the contact officer, position, email address and telephone number

17. Sign Off

17.1 The Chief Officers listed below must be satisfied that the matter is urgent and cannot reasonably be deferred, and must specifically authorise that a request for special urgency is made. Recorded below are the comments and confirmation of consent of the Chief Officers.

- Head of Paid Service:
- Monitoring Officer:
- Chief Finance Officer:

18. Glossary

18.1 Identify where abbreviated text has been used

Approval record:	Approved/Rejected	Date
Chair / Vice Chair Overview and Scrutiny Committee		
Chair of NECA		
Vice Chair of NECA		
Vice Chair of NECA		