

Notice to all Members of the Joint Transport Committee Overview and Scrutiny Committee of a general exception to the publication of the intention to make a key decision

DATE: 23 November

TO: All members of the Joint Transport Committee Overview and Scrutiny Committee, in the absence of the appointment of a Chair

COPIES TO: Cllr Martin Gannon, Chair of the North East Joint Transport Committee
Cllr Nick Forbes, Deputy Chair of the North East Joint Transport Committee

SUBJECT: The following matters of General Exception are noted:

- i. Appointment of the Chair and Vice Chair for the Joint Transport Committee, Tyne and Wear Sub Committee and appointment process of the Independent Chair(s) and Vice Chair(s) for the Audit Committee and the Overview and Scrutiny Committee.
- ii. Appointment to Transport for the North's Rail North Committee

NOTICE BY: Peter Judge, Monitoring Officer

Executive Summary:

This notice informs the NE JTC Overview and Scrutiny Committee (in the absence of the appointment of a Chair) 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 and North East Joint Transport Committee webpage.

In accordance with section 31 of the Leadership Board Rules of Procedure set out in Part 4.1 of the NECA Constitution (which currently applies to arrangements for the North East Joint Transport Committee and its Tyne and Wear Sub-Committee), 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 North East JTC Overview and Scrutiny Committee (in the absence of the appointment of a Chair) 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:

18 December 2018

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

- i. **Appointment of the Chair and Vice Chair for the Joint Transport Committee, Tyne and Wear Sub Committee and appointment process of the Independent Chair(s) and Vice Chair(s) for the Audit Committee and the Overview and Scrutiny Committee:**

This report will invite the Joint Transport Committee in the appointment of the Chair and Vice Chair for the Joint Transport Committee, Tyne and Wear Sub Committee for the Municipal Year 2018/2019.

At the meeting of the Joint Transport Committee on the 21 November, the Committee delegated the appointment of the Chair and Vice Chair of the Tyne and Wear Sub Committee to that Committee who were meeting on the 22 November.

Unfortunately, the meeting on the 22 November was not quorate and the Chair and Vice Chair were not appointed. This report recommends therefore invites

the Joint Transport Committee to appoint the Chair and Vice Chair of the Tyne and Wear Sub Committee.

ii. Appointment to Transport for the North's Rail North Committee:

In accordance with the Sub-National Transport Body (Transport for the North) Regulations 2018 the North East Joint Transport Committee is entitled to one member on the Rail North Committee and one Substitute Member.

A procedure was agreed at the Leadership Board which could have led to an appointment of which we have only recently been notified.

2.3 Description

i. Appointment of the Chair and Vice Chair for the Joint Transport Committee, Tyne and Wear Sub Committee and appointment process of the Independent Chair(s) and Vice Chair(s) for the Audit Committee and the Overview and Scrutiny Committee:

This report invites the Joint Transport Committee to appoint of the Chair and Vice Chair for the Tyne and Wear Sub Committee for the Municipal Year 2018/19.

ii. Appointment to Transport for the North's Rail North Committee:

This reports invites the Joint Transport Committee to appoint one member on the Rail North Committee and one Substitute Member.

2.4 Decision Maker

Joint Transport Committee

2.5 Thematic Area

Transport

2.6 Consultation Process

Members of the Committees and Statutory Officers have been consulted with in regards to both items.

2.7 Background Documents

None.

2.8 Reasons why impracticable to give 28 days clear notice

The decision must be taken as soon as possible to ensure that the appointment of the Chair and Vice Chair of the Joint Transport Committee, Tyne and Wear Sub Committee is made prior to its next meeting.

The decision regarding the appointment of Members on the Rail North Committee is to be undertaken as soon as possible to ensure that the appropriate representation is made available.

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: