

Record of Decisions

Project update for the creation of a solar farm on land at Nightingale Park to sell the electricity for a return on investment and help meet the Council's carbon neutral priority.

Decision Taker

Cabinet on 24 August 2021.

Decision

That the i) to iii) of the exempt decision made by the Cabinet 11 August 2020 (Minute 115h/08/20 refers) be rescinded and that the following be approved:

1. That, subject to the criteria in the Growth Fund strategy being met and a detailed business case approved by the Section 151 Officer in consultation with the Cabinet Member for Economic Regeneration, Tourism and Housing, Cabinet authorise up to £3.1m from the Growth Fund to fund the construction and delivery of the solar farm.
2. That, Delegated authority be given to the Chief Executive in consultation with the Leader of the Council to agree and finalise the detailed terms of the power purchasing agreement with an end user.
3. If necessary delegated authority be given to the Chief Executive in consultation with the Leader of the Council to agree and finalise the terms of setting up a separate special purpose vehicle with the Health Trust, if this is deemed the most appropriate route to ensuring both the sale of the energy by the Council and its purchase by the Health Trust is undertaken in accordance with the requirements of the Public Contracts Regulations.
4. In the event that the HealthTrust have not entered into a formal agreement to purchase the power generated by the solar farm by 31st October and subject to a detailed business case being approved by the Section 151 Officer then delegated authority be given to the Chief Executive in consultation with the Leader of the Council to use the power directly to create a sustainable energy source for the Council.
5. That the Cabinet reconfirms their decision in respect of iv) of the exempt decision made by the Cabinet 11 August 2020 (Minute 115h/08/20 refers):

'That a report be presented to the next Cabinet Meeting after completion of the deal, as to the potential use of up to 10% of the surplus generated, being made available for community use within 1 mile, straight line distance of Nightingale Park.'

Reason for the Decision

The Council will be working collaboratively with the HealthTrust to provide sustainable power to the new hospital. This energy will be used by the hospital/ local people and would help to reduce Torbay's Carbon footprint. The solar development would help address climate change in a positive manner.

The proposed solar development would also provide employment during the design, construction and maintenance of the project and help create quality jobs.

Implementation

This decision will come into force and may be implemented on 7 September 2021 unless the call-in procedure is triggered (as set out in the Standing Orders in relation to Overview and Scrutiny).

Information

To develop a solar scheme that will provide renewable energy via a private wire to Torbay Hospital to help meet the Council's carbon neutral priorities.

At the meeting Councillor Long proposed and Councillor Cowell seconded a motion that was agreed unanimously by the Cabinet, as set out above.

Alternative Options considered and rejected at the time of the decision

The NHS trust had indicated that it wanted to receive all the energy produced. It was advantageous to have an end user that wished to take all the energy as usually energy sold via a private wire achieves a higher figure when compared to selling directly into the grid. The NHS trust has a larger energy demand in comparison to other potential end users and these other potential end users have not been as positive about receiving the energy. Should an agreement with the NHS trust not be achieved, there is the possibility of selling the power direct to the grid.

Is this a Key Decision?

No

Does the call-in procedure apply?

Yes

Declarations of interest (including details of any relevant dispensations issued by the Standards Committee)

None.

Published

27 August 2021

Signed: _____ Date: _____
Leader of Torbay Council on behalf of the Cabinet