

Call-In of Cabinet's Decision on Brokenbury Solar Farm

Reasons for Call-In:

1. to request fully detailed business cases for both options, including detailed analysis of the risks referred to in the report;
2. to provide the detailed risk analysis and subsequent details of any mitigations that may have been recommended, including resilience/contingency planning, service level agreements with equipment suppliers and any other mitigations;
3. to ask the Cabinet to reconsider their decision to not have a community dividend for this solar farm project in contrast to the proposed solar farm in Torquay;
4. to provide details of the income/expenditure for each of the 30 years for both the Council built scheme and the Cabinet's preferred lease option;
5. to ask the Cabinet to provide in more detail why they feel the Council should not be involved in building a solar farm and to evidence the comments by Cabinet members that the council lacks the skills for major projects; and
6. to ask the Cabinet why both options for the solar farm were not included in the report to Cabinet.

Process and Options Available for Call-In:

7. The call-in promoter will present their reasons for call-in as set out in the submitted paper.
8. The Cabinet Member(s) will provide a verbal response to the issues raised.
9. The Overview and Scrutiny Board will discuss the issues raised and then has the following options available:
 - A. **Take no further action.** The original decision will take effect from the date of the meeting of the committee.
 - B. **Refer the decision back to the decision maker for reconsideration, setting out in writing the nature of the committee's concerns.** Within a further ten working days, the decision maker will resolve to either:
 - (i) confirm the decision without modification; or
 - (ii) confirm the decision with modification; or
 - (iii) rescind the decision.

If the decision maker does none of the above within ten working days, the decision shall be deemed to have been rescinded.

C. **In exceptional circumstances, refer the matter to the Council for scrutiny, giving reasons for why the matter is being referred to Council.** Upon such request, the proper officer shall arrange a meeting of the Council within 20 working days (excluding the day of receipt or the day of the meeting) or as soon thereafter, as is reasonably practicable, unless:

- (i) a normal Council meeting is scheduled within 30 working days (excluding the day of receipt or the day of the meeting) in which case the matter shall be referred to that meeting; or
- (ii) if a normal Council meeting is not scheduled within 30 working days and the decision-maker confirms to the proper officer that he/she is content for the matter to be referred to the next normal Council meeting.

At the Council meeting, if the Council does not object to the decision, no further action is necessary and the decision will be effective from the date of the Council meeting.

Provided the decision has been made in accordance with the Policy Framework and the Budget, the Council has no power to amend the decision but may refer any decision to which it objects back to the decision maker together with the Council's views on that decision and the Subsequent Action referred to in Option B shall apply.

Proposer: Councillor Long
Seconder: Councillor Cowell

The notice was also signed by Councillors Steve Darling, Law and Penny

Appendices:

Appendix 1 – Report to Cabinet
Appendix 2 – Cabinet Record of Decision