

<b>SUSTAINABLE GROWTH AND ENVIRONMENT CAPITAL SCRUTINY COMMITTEE</b>	<b>Agenda Item No. 3</b>
<b>12 MARCH 2014</b>	<b>Public Report</b>

## **Report of the Director of Governance**

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### **REQUEST FOR CALL-IN OF AN EXECUTIVE DECISION: UPDATE ON PROPOSED GROUND MOUNTED AND WIND DEVELOPMENTS AT NEWBOROUGH, MORRIS FEN AND AMERICA FARM – FEB14/CAB/16**

#### **1. PURPOSE**

- 1.1 To consider a request to call-in an executive decision made by the Cabinet.

#### **2. RECOMMENDATIONS**

- 2.1 That the Sustainable Growth and Environment Capital Scrutiny Committee considers a request to call-in a decision taken by the Cabinet in respect of the Proposed Ground Mounted and Wind Developments at Newborough, Morris Fen and America Farm .

#### **3. BACKGROUND**

- 3.1 On 24 February 2014, the Cabinet made an executive decision relating to the Proposed Ground Mounted and Wind Developments at Newborough, Morris Fen and America Farm. In accordance with the Constitution this decision was published on 24 February 2014.

- 3.2 On 26 February 2014, Councillor David Harrington, Councillor David Saunders and Councillor Ed Murphy submitted a request to call-in this decision on the following grounds:

(ii) The decision does not follow the principles of good decision making set out in Article 12 of the Council's Constitution, specifically that the decision maker did not:

- (a) Realistically consider all alternatives and, where reasonably possible, consider the views of the public.
- (c) Take account of all relevant matters, both in general and specific, and ignore any irrelevant matters.
- (f) Follow procedures correctly and be fair.

- 3.3 A copy of the request to call-in the decision is attached at Appendix 1 and a copy of the report considered by the Cabinet is attached at Appendix 2.

- 3.4 After considering the request to call-in and all relevant advice, the Committee may either:

- (a) not agree to the request to call-in, when the decision shall take effect immediately;
- (b) refer the decision back to the decision maker for reconsideration, setting out its concerns; or
- (c) refer the matter to full Council.

#### **4. IMPLICATIONS**

- 4.1 Any implications are contained within the Cabinet report at Appendix 2.

**5. BACKGROUND DOCUMENTS**

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

None

**6. APPENDICES**

Appendix 1 – Request to Call-In Decision

Appendix 2 – Report Considered by the Cabinet

Appendix 3 - Copy of Decision Notice – FEB14/CAB/16