

PROPOSAL FORM FOR ITEMS FOR CONSIDERATION BY THE SCRUTINY COMMITTEE

Submitted by :

Cllr Mike Allen

Please describe the matter you would like considered:

Agricultural land - food production v energy production.

We are currently living in unprecedented times. We are facing a climate crisis. As a Council we have made a commitment to achieve carbon neutrality by 2040 and need, as a district, to help support reducing reliance on fossil fuels and increasing renewable energy production. Equally, we need to be increasing our self-sufficiency in terms of food production (food security, cost of living, food transportation issues tying in to climate change agenda). As a district we have a large number of solar farms with the resulting loss of agricultural land (whether arable or grazing) albeit on a temporary basis (although the temporary nature is quite extended – e.g. 25 years).

In the Local Plan there are policies seeking to protect the loss of the best and most versatile land (Grades 1 – 3a). Equally, there are policies supporting provision of renewable energy sources. The provision of renewable energy production, at least in solar panel terms, is often limited to certain locations where there are good grid connections. These policies can be competing against each other and there is often a judgment call – taking into account a number of other matters - where the balance lies on a case by case basis.

I would like the Committee to review how much agricultural land has been ‘lost’ to renewable energy production. Whether any such land is used for agricultural while in use for renewable energy production. Has any of the land returned to agricultural, or is it ever likely to return to agricultural or whether it should be considered as lost. What production – in agricultural terms – that land could be delivering in terms of food. In light of this and the future needs in relation to climate change and food production, the Committee to consider whether the Council has correctly balanced the competing priorities and therefore has the right policy approach. The Committee could usefully also consider whether there is anything that the Council could be requiring in terms of conditions or limitations to facilitate achieving a better or more advantageous balance.

Please identify why this item should be considered:

- a) It is a district level function over which the district has some control
- b) It is part of the Council Plan, or a policy or service area of activity which would be timely to review
- c) It is a gap in service provision within District Council's remit
- d) It is a major proposal for policy or procedural change
- e) It is an issue raised from complaints received
- f) It is an area of public concern
- g) The issue relates to an area where Council, or one of its partners, is not performing well
- h) It would be of benefit to residents of the district

i) Other (please specify):

Having regard to the role of the Scrutiny Committees (see end of form) - please describe as precisely as possible what outcomes you would like to see achieved:

I would like the Committee to consider whether the competing policy approach to protecting the loss of agricultural land and encouraging the provision of renewable energy sources is being correctly balanced in East Devon. If not, then I would like to see the Committee making recommendations to the Strategic Planning Committee to review the policy approach depending on the findings.

Any other comments that you consider relevant:

None

PLEASE RETURN THIS FORM TO DEMOCRATIC SERVICES

Monitoring Officer comments:

These are issues capable of being considered by the Scrutiny Committee.

The Council's Constitution details the role of the Scrutiny Committee in [Article 7](#) and in the Terms of Reference in [Part 3 Section 2](#). It has statutory powers through the Local Government Act 2000.

The following sets out the role of the Scrutiny Committee in general terms:

The Overview and Scrutiny Committees operate within the guiding principles of effective scrutiny promoted by the Centre for Public Scrutiny, namely:

- a) Provide a 'critical friend' challenge to the Cabinet as well as external authorities and agencies;*
- b) Its aim is to hold Council to account on behalf of the public and its communities;*
- c) Take the lead and own the scrutiny process on behalf of the public;*
- d) Make an impact on the delivery of public services*

*The **Scrutiny Committee** will principally take the lead and own **the post decision scrutiny process** (in its widest sense) on behalf of the public with a view to making an impact on the delivery of public*

More specifically the role and powers of the Scrutiny Committee are to;

- *Review and scrutinise the decisions made by and performance of the Cabinet and Council officers both in relation to individual decisions and over time.*
- *Review and scrutinise the performance of the Council in relation to its policy objectives, performance targets and/or particular service areas.*
- *Question Members of the Cabinet and Senior Officers about their decisions and performance, whether generally in comparison with service plans and targets over a period of time, or in relation to particular decisions, initiatives or projects.*
- *Make recommendations to the Cabinet and/or Council arising from the outcome of the scrutiny process.*
- *Review and scrutinise the performance of other public bodies in the area and invite reports from them by requesting them to address the Scrutiny Committee and local people about their activities and performance.*
- *Question and gather evidence from any person (with their consent).*
- *Exercise the right to call-in, for reconsideration, decisions made but not yet implemented by the Cabinet and/or a Portfolio Holder Member of the Cabinet.*

Please note the following:

- Scrutiny aims to improve the efficiency and effectiveness of Council Services
- The Scrutiny Committee can gather evidence on issues affecting local people and make recommendations based on its findings.
- It is important to demonstrate that scrutiny work adds value for local people.
- Those scrutinizing should be independent-minded but not apolitical although political point scoring should be avoided.
- Individual planning and licensing decision cannot be considered and nor can matters concerning an individual or entity where there is a right of review or appeal conferred by law being considered by the committee unless it relates to a function for which the authority is responsible not being discharged at all or that its discharge has failed or is failing on a systemic basis.
- Scrutiny will not consider matters which are vexatious, discriminatory or are not reasonable to be included in the agenda.
- You can identify and prioritise potential scrutiny topics, considering the resources they would require and the level of impact they could achieve by:
 - consulting with all members of scrutiny committees, senior officers, cabinet members
 - looking at corporate priorities, business plans and the Forward Plan
 - consider events and decisions in the council's calendar that could require an input from scrutiny
 - evaluate previous council performance and identifying any follow-up work required to previous scrutiny work
 - carry out work to engage with local people, for example through surgeries, local media, opinion surveys and online forums
 - work towards a common target in their questioning of witnesses

Members will also find useful information in the following guidance:

- Government's '[Overview and Scrutiny: statutory guidance for Councils](#)' – statutory status
- Centre for Public Scrutiny '[The Good Scrutiny Guide](#)' – non-statutory status