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**SHORT TASK & FINISH EXERCISE – TIDAL LAGOON**

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**Reason for the Report**

1. Since their meeting on the 4<sup>th</sup> October 2016 the Environmental Scrutiny Committee has been asked to undertake a short task & finish exercise titled ‘Tidal Lagoon’. This report provides background information about the inquiry and is supported by a series of comments and observations which have been captured in letters to the Leader and Cabinet Member for Transport, Planning & Sustainability. Copies of the letters have been attached to this report as **Appendices 1 & 2**.

**Background**

2. The agreed terms of reference for the inquiry were:

The aim of the short inquiry is to provide Members with the opportunity to consider potential proposals for the development of a tidal lagoon in an area of the Severn estuary between Cardiff and Newport. This will include receiving:

- An outline summary of the potential project proposals for the development of a tidal lagoon;
- An update on the potential proposals for the development of a tidal lagoon;
- A briefing on the current status of the Hendry Review and the impact that this may have on the development of tidal power locally and across the United Kingdom;
- An explanation of the planning process that would be required for the development of a tidal lagoon;
- The potential opportunities and issues facing the development of a tidal lagoon;
- The next steps facing the potential development of a tidal lagoon.

3. Members of the Task & Finish group were:

- Councillor Gavin Hill – John (Acting Chair);
- Councillor Susan White;
- Councillor Paul Mitchell;
- Councillor Darren Williams.

4. The Task & Finish Group received heard evidence from:

- Councillor Phil Bale, Leader of Cardiff Council;
- Councillor Ramesh Patel, Cabinet Member for Transport, Planning & Sustainability;
- James Clemence, Head of Planning, Cardiff Council;
- Neil Hanratty, Director for Economic Development, Cardiff Council;
- Gareth Harcombe, Commercial Manager, Energy & Sustainability;
- Andrew Gregory, Director for City Operations, Cardiff Council.

### **Way Forward**

5. The letters to the Leader and Cabinet Member for Transport, Planning & Sustainability written after the meeting on the 8 November are attached to this report as **Appendices 1 & 2**. The Environmental Scrutiny Committee will be asked to note the content of this letter.

### **Legal Implications**

6. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural

requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

### **Financial Implications**

7. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

### **RECOMMENDATIONS**

The Committee is recommended to:

- i. Note the contents of the attached report and letters;
- ii. Consider whether they wish to pass on any further comments to the Cabinet.

**DAVINA FIORE**

**Director for Governance & Legal Services**

**9 November 2016**