

Record of operational decision

Decision title:	Decision to enter into a Licence agreement to lease Land adjacent to Luston Wetland for a period of 12 months
Date of decision:	18 June 2024
Decision maker:	Service Director Highways, Environment and Waste
Authority for delegated decision:	A cabinet member decision was taken on 10 August 2020 authorising land purchasing and lease negotiations with landowners to progress acquisition, design, construction and management of up to 8 suitable sites: That the approved £2m allocation in the Council's 2020/21 capital programme from the New Homes Bonus is authorised for the land purchase, design, construction and management of the integrated wetlands The Assistant Director for Regulation, Environment & Waste be authorised to take all operational decisions necessary to implement the scheme including the required land acquisitions and leases. https://councillors.herefordshire.gov.uk/ieDecisionDetails.aspx?ID=7049
Ward:	Bircher
Consultation:	The proposal has been discussed by Specialist officers at Project Board
Decision made:	Enter into a licence agreement for the use of a piece of land adjacent to Luston Wetland with Messrs Morgans for a period of twelve months at a cost of seven hundred pounds.
Reasons for decision:	<ul style="list-style-type: none"> • To enable access to the field with plant, equipment, vehicles, machines, tools and goods in connection with surveying and undertaking ground works to investigate the field drainage
Equality Considerations	<p>Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:</p> <p>A public authority must, in the exercise of its functions, have due regard to the need to –</p> <ol style="list-style-type: none"> a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services. Our providers will be made aware of their contractual requirements in regards to equality legislation.</p>

Highlight any associated risks/finance/legal/equality considerations:	<p>There is a low financial risk that the licence may need to be extended</p> <p>There is a low financial risk of further investigation or drainage works becoming necessary if surface water issues are not resolved.</p>
Details of any alternative options considered and rejected:	<p>Not to proceed with the licence agreement. This is not recommended as the drainage to the land adjacent to the Luston's wetland site needs to be investigated due to surface water issues</p>
Details of any declarations of interest made:	<p>None</p>

Signed.......... Date: 18 June 2024