

Written statement of a key decision
Cabinet

Title	Phosphate Mitigation Strategy
Decision maker	Cabinet Information about cabinet, including the names and contact details of the cabinet members, can be found here: http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251
Date of decision	29 February 2024
Report exemption class	Open
Reason for being a key decision	<p>This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.</p> <p>This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.</p>
A notice was served in accordance with Part 3 (Key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
General exception or special urgency (as defined in the constitution)	No
Purpose	To provide an update on the progress of the Cabinet Commission and set out the Council's future Phosphate Mitigation Strategy to enable housing development in the Lugg catchment and to provide a progress update on the work of the Cabinet Commission.
Decision	<p>That:</p> <p>a) To note the successful completion of Phase 1 of the Council's Nutrient Trading Phosphate mitigation scheme.</p> <p>b) To authorise the Section 151 Officer to accept the capital and revenue grants from the Department for Levelling up Homes and Communities outlined in this report.</p>

	<p>c) To authorise Phases 2 and 3 of the Council's Nutrient Trading Phosphate Mitigation scheme</p> <p>d) To delegate authorisation to proceed with Phases 2 and 3 of the Council's Nutrient Trading Phosphate Mitigation Scheme to the Corporate Director of Economy and Environment in consultation with the Cabinet members for Finance and Resources and the Cabinet member for Environment.</p> <p>e) To work with partner Council's to undertake a review of the future role of the Cabinet Commission</p>
Reason for the decision	<p>As set out in the report. Documents relating to this decision are available at</p> <p>http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IId=50047077</p>
Options considered	<p>1. Not to proceed with any further Council led mitigation schemes. This would lead to continued under delivery of new Housing in the Lugg Sub-Catchment. Proceeding to phase 2 and 3 of the scheme will see costs met by additional grant from central government or developer fees and will not cause any additional burden on local council taxpayers.</p> <p>2. To not develop any further wetlands and invite the private sector to bring forward their own mitigation schemes. Herefordshire is the first Council to bring forward a Phosphate mitigation scheme. Whilst the Council welcomes proposals for private mitigation schemes and recognises they form a vital part of the solution, the private sector does not have the delivery capabilities to provide sufficient mitigation of the scale and speed required and this would result in considerable delays before the market brought forward credits. The Ecology service has set up an advisory service to support private mitigation schemes.</p>
Declarations of interest (see below)	
Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	6 March 2024

<p>Councillor:</p> <p>Leader of the Council (Councillor Jonathan Lester)</p>	<p>Date 29 February 2024</p>
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- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

and

- in respect of any declared conflict of interest, a note of dispensation granted.