

Record of Officer Decision

Decision title:	Phosphate Mitigation Strategy
Date of decision:	11 th March 2024
Decision maker:	Service Director Environment and Highways
Authority for delegated decision:	<p>A cabinet member decision was taken on the 29th February 2024 to authorise the acceptance of capital and revenue grants, and authorise Phases 2 and 3 of the Council's Nutrient Trading Phosphate Mitigation Scheme:</p> <p>The Corporate Director of Economy and Environment be authorized to take all operational decisions necessary to implement the scheme. In accordance with the cabinet member decision dated 29th February 2024.</p> <p>Issue details - Phosphate Mitigation Strategy - Herefordshire Council</p>
Ward:	All
Consultation:	Head of Service for Environment, Service Manager for Built & Natural Environment, Governance Services, Commercial Services Team, Finance Team, Legal Team, Communications team.
Decision made:	<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>
Reasons for decision:	<p>As set out in the cabinet member decision, the creation of a Phosphate Mitigation Scheme, in addition to improving the water quality of the River Lugg, positively contribute toward the delivery of the environmental and economic priorities within the County Plan 2020-2024; enhancing local biodiversity, enabling sustainable housing growth in the north of the county and reducing carbon emissions through carbon sequestration.</p> <p>At present, the Local Plan identifies a housing need of circa 4,000 new homes in the Lugg sub-catchment and now proposes a three Phase Nutrient Mitigation Scheme to deliver nearly all of that need. Phasing of the scheme will ensure supply is released to match demand and the council's capacity to bring the new assets on stream is focused and not over stretched.</p> <p>A Financial Model has been developed which sets out the funding and expenditure flow through the Council's Nutrient Trading Phosphate Mitigation Scheme. The Council is unwilling and unable to make a profit or loss on the cost of phosphate mitigation credits, and the cost will be assessed periodically. The Council's Nutrient Trading Phosphate Mitigation Scheme will deliver a minimum of 3,471 homes.</p>
Highlight any associated risks/finance/legal/	<p>Risk: Achieving the required phosphate reduction</p> <p>Mitigation: A robust and externally verified assessment of nutrient certainty has</p>

<p>equality considerations:</p>	<p>been undertaken and peer reviewed as set out in the May 2022 Cabinet report – Nutrient Certainty.</p> <p>Risk: Maintaining the wetlands sites in perpetuity Mitigation: An 80yr management plan has been developed</p> <p>Risk: Securing effective project management and control Mitigation: The project will be managed by a team service representatives and the PMO. This is overseen by a Monthly Project Board who review, progress, cost and risk through a structured set of processes.</p>
<p>Details of any alternative options considered and rejected:</p>	<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>
<p>Details of any declarations of interest made:</p>	<p>N/A</p>

Signed



Date: 11th March 2024