

## Record of Officer Decision

<b>Decision title:</b>	The creation of a new Environmental Advice Service (EAS)
<b>Date of decision:</b>	11 <sup>th</sup> March 2024
<b>Decision maker:</b>	Service Director Environment and Highways
<b>Authority for delegated decision:</b>	Operational decision under the scheme of delegation, section 71 <i>"To act on behalf of the council in respect of all land use planning matters administered by the Local Planning Authority under the Town and Country Planning Acts, secondary legislation and any related statutory instruments..."</i>  <a href="#">Economy and Environment Scheme of Delegation.pdf (herefordshire.gov.uk)</a>
<b>Ward:</b>	All
<b>Consultation:</b>	Head of Service for Environment, Service Manager for Built & Natural Environment, Governance Services, Commercial Services Team, Finance Team, Legal Team, Communications team.
<b>Decision made:</b>	The creation of a new Environmental Advice Service run by the Built and Natural Environment Team.
<b>Reasons for decision:</b>	<p>Since the European Court of Justice 'Dutch Case' ruling, planning consents in the River Wye are limited based on their phosphate loading to the river.</p> <p>The Local Plan identifies a housing need of circa 4,000 new homes in the Lugg sub-catchment. To sign off on a Habitat Regulations Assessment for development within the Clun and the Lugg catchment developers must demonstrate nutrient neutrality; that is phosphates in the Lugg and nitrates and phosphates for the Clun. A development can show that it is nutrient neutral through long term mitigation schemes that remove nutrients from the watercourse.</p> <p>At present, the only mitigation scheme in Herefordshire is the council's wetland scheme, which has released some credits. However, to enable continued growth throughout the county, the council are keen for developers to pursue their own mitigation.</p> <p>Herefordshire Council is now able to offer an Environmental Advice Service (EAS) as part of a paid service offered by the Built and Natural Environment Service.</p> <p>The Environmental Advice Service can assist developers with bringing forward private mitigation schemes to offset the nutrient budget of development proposals.</p> <p>The service is separate to the planning process and it is available for a variety of services, focusing around the environmental impacts of the project. It will co-ordinate services with other statutory bodies as required (Natural England, Environment Agency, Natural Resource Wales, etc) consolidating advice for the applicant in a report.</p> <p>This will be a fee based service as follows (<a href="#">Herefordshire Council Environmental Advice Service (EAS)</a>):</p> <ul style="list-style-type: none"> <li>• Simple projects £500</li> <li>• Complex projects: £1500</li> </ul> <p>With any additional hours charged at £110 per hour.</p>
<b>Highlight any associated risks/finance/legal/</b>	<b>Risk: Potential reimbursement of fees sought by applicants and agents due to the delays in processing of applications.</b>

<b>equality considerations:</b>	<b>Mitigation:</b> A process map with timelines is available on the website, the applicant is kept apprised of any delays.
<b>Details of any alternative options considered and rejected:</b>	1. To do nothing: Bringing about mitigation schemes is a complex and expensive issue that puts off private businesses and developers from bringing forward their own schemes. The council has the knowledge from being the first council to generate credits through a wetlands scheme and is able to utilise this to support and offer advice to ease the pressures for the private sector. Private mitigation schemes can support the delivery of new Housing in the Lugg Sub-Catchment, rather than a full reliance on council mitigation schemes.
<b>Details of any declarations of interest made:</b>	N/A

Signed



Date: 11<sup>th</sup> March 2024