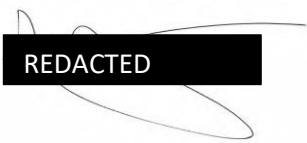


Record of Operational Decision

Decision title:	To extend the Hereford (Rotherwas) Enterprise Zone Local Development Order for until July 2030
Date of decision:	17 July 2025
Decision maker:	Director for Growth
Authority for delegated decision:	Section 73, Table A, Directorate: Economy and Environment - scheme of delegation: updated 18/07/2024
Ward:	Countywide
Consultation:	Statutory planning consultees in accordance with the legislation
Decision made:	That the Hereford (Rotherwas) Enterprise Zone Local Development Order 2025 is extended until 31 st July 2030
Reasons for decision:	<p>A Local Development Order (LDO) has been in place for the Hereford (Rotherwas) Enterprise Zone (HEZ) since 2013 acting as a highly effective mechanism through which to incentivise and de-risk investment by making the area highly attractive to businesses, whereby they have certainty of outcome around being able to develop premises that meet the criteria of the LDO.</p> <p>The LDO was first reviewed in 2014, and then again in 2019 which led to it being readopted with modifications, notably to also accommodate educational facilities such as The New Model Institute for Technology and Engineering (NMITE), and to add a small extra parcel of land.</p> <p>The 2019 LDO set a 5 year milestone to review progress. In review, the Council considered the LDO was instrumental to the success of the HEZ with over 66,000 sqm of new commercial development committed through the LDO halfway through the HEZ's lifetime.</p> <p>A short extension was approved in order to conduct a consultation on a continuation of the LDO unchanged.</p> <p>A consultation was undertaken in accordance with the Town and Country Planning Act 1990, Schedule 4A and Section 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 which includes regulatory requirements for consulting upon LDOs</p> <p>The statutory consultees involved at the inception of the LDO are content for it to continue and had no material comments to make. A number of responses in support of continuation were received from businesses or their agents. A small number of comments were received on more specific components of the LDO and its conditions. These have been properly considered by the LPA but no changes to the LDO are proposed.</p>
Legal	<p>Herefordshire Council Constitution dated 20 May 2022 allows functions relating to Town and Country Planning as listed in Schedule 1 Section A to be delegated to officers. Details of the powers that can be delegated to officers are contained in Part 3 Section Appendix titled Planning Functions.</p> <p>The making or amendment of a Local Development Order (LDO) does not fall</p>

	<p>within any of these functions listed in Schedule 1 Section A of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000/2853 (“the Regulations”)</p> <p>A LDO is not a planning application made pursuant to s.70 of the Town and Country Planning Act 1990 nor are they ‘development plan documents’ under Part II of that Act. The power to amend an LDO is not mentioned in the Regulations as a Council function or Local Choice function.</p> <p>As a result this is an executive function which is non key, which is expressly delegated to the Service Director Economy and Growth in accordance with section 73, Development Management, of the Chief Executives Scheme of Delegation</p> <p>The authority to amend an LDO at any time is given under Part 2, Schedule 4A of The Town and Country Planning Act 1990 (as amended).</p> <p>Regulations stipulate that approval from the Secretary of State need no longer be obtained prior to adoption or modification and they simply need to be advised in writing after any decision has taken place. This is not a compulsory requirement on the Council as the Local Planning Authority</p> <p>As confirmed above, the LDO is not a planning policy document but a grant of planning permission subject to conditions, which allows a developer to gain approval to construct new build as long as it sits within the confines of those conditions. It would not prejudice any other application required for existing buildings on the LDO area which require the benefit of listed building consent or planning permission for other uses within one or more parts of the LDO area</p> <p>There are no other legal considerations</p>
Resource implications	<p>Continuing with a LDO does not result in a fresh requirement for capital expenditure.</p> <p>The benefits of the LDO clearly outweigh the loss of any planning fee income and the simplified and speedy process has helped to deliver strong investor confidence as evidenced by £61m having been invested and the Council seeing receipts to date from land sales totalling over £7m. Additionally those developments built or underway are generating £37m of business rates which are retained in full by the Council.</p> <p>Extending the life of the LDO will give businesses strong confidence to continue to see the HEZ as a compelling location for investment, and will see both capital receipts from land sales continue as well as a growing business rates income which is fully retained the Council until the end of 2037/8 financial year</p> <p>In terms of internal resource, because the LDO provides for executive decision making, it negates the need for consideration by, and preparation of, Committee reports and so results in significant savings in officers time</p>
Risk	<p>Extending the life of the LDO does not present any new and/or enhanced risks. This adoption will simply extend the duration of the LDO which is a major contributing element of the success and to the purposes of Hereford (Rotherwas) Enterprise Zone.</p> <p>All the existing provisions and controls included in the LDO will remain thereby ensuring continuing appropriate levels of management and regulation of new development and its impact are applied and achieved at a service level via the Development Management team.</p>
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</p>

	<p>need to:</p> <ul 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>Herefordshire Council are not aware of any negative or disproportionate impact to those who share a relevant protected characteristic and the support for the enterprise zone is seen by the council as proactively supporting the council in discharging its equality duty in particular by advancing equality of opportunity between persons who share a protected characteristic by providing high quality employment opportunities</p>
<p>Details of any alternative options considered and rejected:</p>	<p>The alternative would be not to adopt the LDO in which case businesses will be required to apply for planning permission, removing certainty for investors and involving increased costs and longer timescales. This would unnecessarily limit the speed, flexibility and extent to which development might take place within the HEZ, as well as hampering the economic growth of the County</p>
<p>Details of any declarations of interest made:</p>	<p>None known or declared.</p>

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Signed...

Date: 17 July 2025