

### Record of operational decision

<b>Decision title:</b>	Decision to award contract and approve the expenditure of up to £200,000 to remove hazardous and non hazardous waste and land remediation at The Backyard, Leominster.
<b>Date of decision:</b>	01.04.26
<b>Decision maker:</b>	Service Director- Economy and Growth
<b>Authority for delegated decision:</b>	<p>Delegated scheme of authority- paragraph 7. Any action taken under delegated powers shall be in accordance with: i. ii. iii. iv. v. vi. the overall policies approved by full Council, the Cabinet or a committee; the provisions of the constitution, including the contract and financial procedure rules; no contracts, of any value, may be approved or authorised below the level of Service Director human resources policies and procedures; approved capital and revenue budgets; and the requirements of the relevant legislation.</p> <p>Director for Growth as per the scheme of delegation <a href="#">Economy and Environment Scheme of Delegation.pdf</a></p>
<b>Ward:</b>	Leominster
<b>Consultation:</b>	None
<b>Decision made:</b>	<p>Award a contract to SC Joseph Ltd for removal of hazardous and non-hazardous waste and land remediation at The Backyard, Leominster.</p> <p>Authority is delegated to the Capital Project Manager from the Service Director – Economy and growth as spend manager for the project.</p>
<b>Reasons for decision:</b>	<p>The land poses health and safety risks to Herefordshire Council, members of the public and the local town that could be significant and result in compensation claims and further environmental impact on the land. There may also be a reputational risk to the council due to the increased media coverage on the site.</p>
<b>Equality Considerations</b>	<p>Under section 149 of the Equality Act 2010, the ‘general duty’ on public authorities is set out as follows: A public authority must, in the exercise of its functions, have due regard to the need to –</p> <ul style="list-style-type: none"> <li>(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;</li> <li>(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul> <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</p>

	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.
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	Health and Safety risk to members of the public There is a risk that once on site, further works are identified that was not previously apparent.
<b>Details of any alternative options considered and rejected:</b>	Do nothing. This is not recommended as the risk of the works not being completed means that the health and safety risk associated with the land in its current state remains.
<b>Details of any declarations of interest made:</b>	None.

Signed

Date: 01.04.26