



To: All Members of the Licensing and Planning Policy Committee

Dear Councillor,

**LICENSING AND PLANNING POLICY COMMITTEE - WEDNESDAY, 22ND NOVEMBER, 2023 , Council Chamber - Epsom Town Hall,
<https://www.youtube.com/@epsomandewellBC/playlists>**

Please find attached the following documents for the meeting of the Licensing and Planning Policy Committee to be held on Wednesday, 22nd November, 2023.

5. LOCAL DEVELOPMENT SCHEME (Pages 3 - 18)

The Local Development Scheme (LDS) is a project plan that sets out the timetable to produce new or revised Development Plan Documents which will form the Council's Local Development Plan.

This LDS supersedes the version approved by the Committee on 21 November 2022 and sets out a planning work programme for the Council over a three-year period to 2026. The revised timetable will delay consultation on the Proposed Submission Local Plan (Regulation 19) Consultation by approximately eleven months. This is a direct result of the pause on the Local Plan that applied between 22 March and 24 October 2023.

6. LOCAL PLAN BUDGET REPORT UPDATE (Pages 19 - 26)

The report provides an updated financial position regarding progressing the Epsom and Ewell Local Plan (2022-2040) towards submission and subsequent adoption in accordance with the timescales defined in the Local Development Scheme (November 2023) that is being considered by this committee.

For further information, please contact democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

Yours sincerely

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Chief Executive

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LOCAL DEVELOPMENT SCHEME

Head of Service:	Justin Turvey, Interim Head of Place Development
Wards affected:	(All Wards);
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	Appendix 1 – Local Development Scheme (November 2023)

Summary

The Local Development Scheme (LDS) is a project plan that sets out the timetable to produce new or revised Development Plan Documents which will form the Council's Local Development Plan.

This LDS supersedes the version approved by the Committee on 21 November 2022 and sets out a planning work programme for the Council over a three-year period to 2026. The revised timetable will delay consultation on the Proposed Submission Local Plan (Regulation 19) Consultation by approximately eleven months. This is a direct result of the pause on the Local Plan that applied between 22 March and 24 October 2023.

Recommendation (s)

The Committee is asked to:

- (1) Consider and approve the revised Local Development Scheme (November 2023) at Appendix 1.**

1 Reason for Recommendation

- 1.1 Epsom and Ewell Borough Council is required to prepare and maintain a Local Development Scheme (LDS) in accordance with the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011)

2 Background

- 2.1 The purpose of the Local Development Scheme is to set the timetable for the preparation and production of the Borough Council's Local Plan.

- 2.2 Progress against the milestones identified in the LDS is monitored through the Authority Monitoring Report. The Local Plan programme may be reviewed to take account of changes to planning or external circumstances which could have an impact on the timetable.
- 2.3 The last Local Development Scheme was published in November 2022 and since this time, the council consulted on a Draft Local Plan (Regulation 18) between 1 February and 19 March 2023. Following the closure of the consultation on the draft Local Plan, an extraordinary Council meeting was held on the 22 March 2023 where the decision was made to pause the Local Plan and to allow specified tasks to be undertaken a motion to pause work on the Local Plan was carried which limited the work that could be undertaken by officers.
- 2.4 On the 24 October 2023, at an Extraordinary Full Council, the decision was made to un-pause the Local Plan and therefore a new timetable needs to be prepared for the Local Plan.

Local Plan Programme

- 2.5 The updated timetable outlines a project plan for the preparation, production and consultation on the new Plan and associated supporting evidence. The timetable identifies key milestones during document production.
- 2.6 The key milestones for the Local Plan are shown below:

Stage	Date / Status
Draft Local Plan Public Consultation (Regulation 18)	Complete (undertaken February to March 2023)
Proposed Submission Local Plan Public Consultation (Regulation 19)	January / February 2025
Submission to the Secretary of State (Regulation 22)	May 2025
Estimated date of adoption	Spring 2026

- 2.7 The timetable above is a delay of approximately 11 months compared to the previously approved Local Development Scheme. This is longer than the length of the Local Plan pause (7 months) however this is to enable officers to undertake additional briefing sessions with members concerning Local Plan content and to reflect that due to the pause we missed our initial allocated time slot for Surrey County Council to commence transport modelling work for our Regulation 19 Local Plan.
- 2.8 The timetable has factored in the capacity of external consultants supporting us with the local plan evidence base, contains some contingency and will enable us to fully consider the impacts of future changes to the National Planning Policy Framework (once published).

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 In the absence of an up-to-date Local Plan, this poses a few risk areas. These include the continued absence of a 5-year housing land supply and the additional measures introduced through the Housing Delivery Test.

3.1.2 Having an up-to-date Local Development Scheme is a key measure in mitigating the possible risk of direct government intervention. The government encourages local planning authorities to update their Local Development Schemes as often as necessary.

3.2 Crime & Disorder

3.2.1 None arising from this report.

3.3 Safeguarding

3.3.1 None arising from this report.

3.4 Dependencies

3.4.1 The Council's Local Plan timetable continues to be dependent on any future changes to the Planning legislation and National Planning Policy that impact on local authority plan making. Other dependencies include capacity of specialist consultees and timely responses/input from key stakeholders. The timetable from the point of Submitting the Local Plan is out of the Council's control and will be set by PINs.

3.5 Other

3.5.1 None arising from this report.

4 Financial Implications

- 4.1 There are financial implications as a result of the delays to the Local Plan. Local Plan funding has been secured in terms of staffing within the Planning Policy team and funding for specialist external support in the preparation of technical evidence base documents, however there is insufficient funding to reach Examination Stage. Further detail is set out in the Local Plan Budget Report that is to be considered by this committee.
- 4.2 **Section 151 Officer's comments:** Financial implications are set-out in separate agenda item 'Local Plan Budget Report'.

5 Legal Implications

- 5.1 A Local Development Scheme is required under section 15 of the Planning and Compulsory Purchase Act 2004 (as amended).
- 5.2 **Legal Officer's comments:** as stated above.

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:**
- 6.2 The new Local Plan will contribute towards delivering the Council's Visions and objectives identified in its Four-Year Plan.
- 6.3 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 6.4 **Climate & Environmental Impact of recommendations:** The Local Plan itself has a key role in implementing our Climate Change Action Plan, specifically Objective 4 which requires the development and delivery of a Local Plan and associated policies that contribute positively and demonstrate the Council's commitment to climate change.
- 6.5 **Sustainability Policy & Community Safety Implications:**
- 6.6 The Local Plan itself has a key role in delivering sustainable development.
- 6.7 There are no Community Safety Implications.
- 6.8 **Partnerships:**
- 6.9 The Council has a duty to cooperate with relevant stakeholders in the preparation of a Development Plan.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

Licensing and Planning Policy Committee Report: Local Plan – Revised
Local Development Scheme (21 November 2022):

<https://democracy.epsom-ewell.gov.uk/documents/s25299/Local%20Plan%20-%20Revised%20Local%20Development%20Scheme.pdf>

Other papers: None

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Local Development Scheme

(Timetable for preparing the Local Plan)

November 2023

Epsom & Ewell Borough Council

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1.0 Introduction

1.1 Epsom and Ewell Borough Council is required to prepare and maintain a Local Development Scheme (LDS) in accordance with the Planning and Compulsory Purchase Act 2004 (as amended by the Localism Act 2011).“(2).

The scheme must specify—

- a) The local development documents¹ which are to be development plan documents².
- b) The subject matter and geographical area to which each development plan document is to relate;
- c) Which development plan documents (if any) are to be prepared jointly with one or more other local planning authorities;
- d) Any matter or area in respect of which the authority has agreed (or propose to agree) to the constitution of a joint committee under section 29;
- e) The timetable for the preparation and revision of the development plan documents”.

*Planning and Compulsory Purchase Act 2004
(Section 15)*

1.2 The LDS is a project plan that sets out the timetable to produce new or revised Development Plan Documents which will form the Council’s statutory Development Plan³. This LDS, supersedes all previous versions, sets out a planning work programme for the Council over a three-year period to 2026. It will be reviewed annually through the Authority Monitoring Report which can found [here](#).

¹ As defined in Regulation 5 of The Town and Country Planning (Local Planning) (England) Regulations 2012. E.g., Local Plan, Supplementary Planning Document, Area Action Plan

² Development Plan Documents are for example Local Plans, Area Action Plans. They refer to the development and use of land, the allocations of sites and development management and site allocation policies.

³ The statutory Development Plan is made up of all adopted Development Plan Documents, e.g., any local plan, area action plan both at the borough level and at the county level.

2.0 The current adopted Development Plan

- 2.1 The current adopted statutory development plan for Epsom and Ewell Borough Council is made up of:
- Epsom & Ewell Core Strategy 2007
 - Plan E Epsom Town Centre Area Action Plan 2011
 - Epsom & Ewell Development Management Policies Document 2015
 - Surrey Waste Plan 2008
 - Surrey Minerals Plan Core Strategy 2011

3.0 Other relevant documents

Statement of Community Involvement

- 3.1 The current [Statement of Community Involvement](#) (SCI) was adopted in July 2022 to support the preparation of the Local Plan. The Statement of Community Involvement (SCI) describes how the public, businesses and interested groups within Epsom and Ewell Borough can get involved in the creation of local planning policy, neighbourhood planning and the planning application decision making process.

Authority Monitoring Report

- 3.2 The Council publishes up-to-date authority monitoring information on its website. This focusses on assessing progress against the LDS and current planning policies that include annual numbers for new homes (including affordable homes). It also includes information about Neighbourhood Plans, the Community Infrastructure Levy (CIL) and the Duty to Co-operate.
- 3.3 The Authority Monitoring Report webpage can be viewed [here](#).

Policies Map

- 3.4 Finally, the Council is required to produce a Policies Map which shows the location of proposals in all current, adopted local development documents on an ordnance survey-based map. The map is web based and is kept up-to-date and reflects current adopted policies within the borough.

Community Infrastructure Levy (CIL)

- 3.5 The Community Infrastructure Levy (CIL) raises funds from new development for essential infrastructure. It primarily replaces the older system of financial contributions and planning obligations ('Section 106 agreements'). Under the CIL

regulations limitations have been placed on the ability of councils to use S106 monies to provide for infrastructure beyond the mitigation of specific developments.

- 3.6 The Council adopted its CIL charging Schedule on the 29 April 2014 with an implementation date of 1 July 2014. The CIL charging rates are supported by evidence of development viability.

Supplementary Planning Documents

- 3.7 Although part of the development framework, Supplementary Planning Documents⁴ (SPDs) no longer need to be identified in the LDS. The Council currently has the following SPD's.
- Upper High Street, Depot Road and Church Street Development Brief 2012
 - Revised Developer Contributions Supplementary Planning Document 2014
 - Parking Standards for Residential Development 2015
 - Revised Sustainable Design Supplementary Planning Document 2016.

4.0 The emerging Development Plan

Local Plan 2040

- 4.1 The Local Plan 2040 will set the vision and framework for future development of the borough to 2040. This will include addressing local housing need, the economy, environmental considerations, community infrastructure as well as strategic infrastructure needs. The geographical area covered by the Local Plan 2040 is the borough of Epsom and Ewell.

Stages of Local Plan 2040 preparation

- 4.2 There are several key stages in the preparation of the Local Plan, each are subject to the Strategic Environmental Assessment (SEA) Directive⁵ which will be incorporated into the Sustainability Appraisal⁶:

Pre-publication stage (Regulation 18)

⁴ Supplementary Planning Documents are a type of Local Development Document, that build upon and provide more detailed advice or guidance on policies in an adopted local plan. As they do not form part of the development plan, they cannot introduce new planning policies into the development plan.

⁵ The SEA Directive applies to a wide range of public plans and programmes (e.g., on land use, transport, energy, waste, agriculture, etc.). An SEA is mandatory for plans/programmes which are prepared for agriculture, forestry, fisheries, energy, industry, transport, waste/ water management, telecommunications, tourism, town & country planning, or land use. An SEA can be summarized as follows: an environmental report is prepared in which the likely significant effects on the environment and the reasonable alternatives of the proposed plan or programme are identified.

⁶ A sustainability appraisal is a systematic process that must be carried out during the preparation of local plans and spatial development strategies. Its role is to promote sustainable development by assessing the extent to which the emerging plan, when judged against reasonable alternatives, will help to achieve relevant environmental, economic, and social objectives.

This initial stage involves extensive evidence gathering, engaging with the local community, businesses and stakeholders on emerging issues and options, consulting with statutory environmental consultees on the scope of the sustainability appraisal, and infrastructure providers with regards to development options.

The consultation took place from 1 February – 19 March 2023.

Note: on the 22 March 2023 at an extraordinary Council meeting a decision was made to pause the Local Plan and to allow specified tasks to be undertaken. On the 24 October 2023, at an extraordinary Council meeting, the decision was made to un-pause the Local Plan.

Publication of Submission Draft Local Plan (Regulation 19)

Following Regulation 18, the next stage is for the Council to publish a draft version of the Local Plan 2040 and invite representations in accordance with Regulation 19. These representations will be based on whether the draft plan is legally compliant and/or sound when assessed against the requirements contained in the National Planning Policy Framework (NPPF). This is scheduled for January – February 2025.

Submission and Examination of the Local Plan (Regulation 22)

Following Regulation 19 stage, the next stage is for the Council to formally submit the draft Local Plan 2040 and evidence base to the Planning Inspectorate for examination on behalf of the Secretary of State. An Independent Planning Inspector will assess the Plan against the tests of soundness contained in the NPPF, taking account of any representations (comments) received. This is scheduled for May 2025.

Adoption

If the Plan is found to be 'sound', the Council may adopt the Plan as soon as practicable following receipt of the Inspector's report unless the Secretary of State intervenes. Once adopted, the Local Plan 2040 will form the main part of the statutory development plan for the borough. This is expected by Spring 2026.

- 4.3 The complete timetable and 'key milestones' to produce the Local Plan 2040 are set out in Appendix 1.

Neighbourhood Plans

- 4.4 There is currently one Neighbourhood Plan Area Designation in the borough. Once adopted, Neighbourhood Plans form part of the Development Plan. These are not programmed by the local authority and therefore are not included within this LDS project timetable. More information can be found [here](#).

5.0 Delivery and Implementation

Joint working - The Duty to Co-operate

- 5.1 The Council has a proven track record of working with neighbouring authorities (including those outside the County) and with Surrey County Council. Where appropriate, inter-authority working groups will be established during the preparation of the Local Plan 2040. The Council will work in partnership with neighbouring authorities where necessary to prepare various evidence base documents.

Resources available for the production of the Local Plan

- 5.2 In preparing the Local Plan, the Council's Planning Policy Team will utilise 'specialist officers', and other strands of expertise from within the Council, other organisations and bodies as appropriate.
- 5.3 The Council also makes provision for the need to use certain expert consultants to assist in producing various elements of the technical background work. This may occur where either the necessary expertise is not available within the Council or insufficient resources exist to be able to bring forward the necessary work within the required timescale. Consultant facilitators may also be used to assist with focus group work and community participation exercises.

Council Procedures

- 5.4 For matters relating to the new Local Plan, the following reporting protocols will apply:
- Licensing and Planning Policy Committee will be responsible for the preparation, production, and completion of the draft local plan (Regulation 18); and
 - Full Council will be responsible for the Proposed Submission Local Plan (Regulation 19) and the formal adoption of the local plan following consultation and examination.

Risk Assessment

- 5.4 The production of a local plan requires consideration of the potential risk involved in its preparation. These vary from local matters, such as changes in staffing levels or political/administrative changes, to those of national significance including revised government guidance.
- 5.5 In preparing this LDS, it was found that the main areas of risk relate to:

Problems with joint working or compliance with the duty to co-operate: Close working with other authorities and organisations will continue to detect issues early in the process.

Capacity of the Planning Inspectorate (PINS) and other agencies to cope with demand nationwide: Advance notification of our programme will be given to assist in the development of PINS/other agencies work programmes' to

address the requirements of the LDS.

Revisions to national planning policy and guidance: Revisions are anticipated to the NPPF. Changes to national planning policy and guidance at a more advanced stage in local plan preparation can cause delay. Close monitoring of national changes will be required alongside liaison with the Department for Levelling Up, Housing and Communities (DLUHC) where required.

Full Council fails to agree Local Plan: Officers will work closely with all Councillors to raise awareness of the Local Plan and seek to achieve 'buy-in' of its proposals at an early stage.

Programme Slippage: An exceptionally high level of response during public consultation on a Development Plan Document could lead to programme slippage.

Transitional arrangement deadline: the government have proposed a "transitional period" within which Councils will need to complete work on preparing their local plans under the existing plan making system before a new system comes into force. The date for submitting a Local Plan to the planning inspectorate is expected to be confirmed as 30 June 2025 when a revised NPPF is published. There is a risk this deadline will be missed if there are delays in progressing the Local Plan.

Legal Challenge: The Council will aim to minimise this by ensuring that Development Plan Documents are 'sound' and founded on a robust evidence base and well-audited stakeholder and community engagement processes.

Monitoring and Review

- 5.6 The Council's Monitoring Report will monitor the progress of the LDS on an annual basis.
- 5.7 The Monitoring Report will monitor the delivery of policies when they have been adopted.

6.0 Appendix 1 - LDS timetable

6.1 Local Plan 2040- timetable to 2025/26

2022/23	Q3	Oct		
		Nov		
		Dec		
	Q4	Jan		
		Feb	Reg 18 - Public Consultation	
Mar				
2023/24	Q1	Apr	Pause	
		May		
		Jun		
	Q2	Jul		
		Aug		
		Sep		
	Q3	Oct		
		Nov		
		Dec		
	Q4	Jan		
		Feb		
		Mar		
2024/25	Q1	Apr		
		May		
		Jun		
	Q2	Jul		
		Aug		
		Sep		
	Q3	Oct		
		Nov		
		Dec		
	Q4	Jan	Reg 19 – Public Consultation	
		Feb		
		Mar		
2025/26	Q1	Apr	Reg 22 – Submission of Document	
		May		
		Jun		
	Q2	Jul		EIP
		Aug		
		Sep		
	Q3	Oct		
		Nov		
		Dec		
	Q4	Jan		
		Feb		
		Mar		R
2026/27	Q1	Apr	A	
		May		
		Jun		
	Q2	Jul		

Key

	Regulation 18 - Evidence base gathering, early engagement, and initial consultations
	Regulation 19 - Public Consultation – Publication of draft Local Plan
	Regulation 22 - Submission of document; EIP - Examination hearings; R - Inspector's final report
A	Adoption of Local Plan

LOCAL PLAN BUDGET REPORT UPDATE

Head of Service:	Justin Turvey, Interim Head of Place Development
Wards affected:	(All Wards);
Urgent Decision? (yes/no)	No
If yes, reason urgent decision required:	
Appendices (attached):	n/a

Summary

The report provides an updated financial position regarding progressing the Epsom and Ewell Local Plan (2022-2040) towards submission and subsequent adoption in accordance with the timescales defined in the Local Development Scheme (November 2023) that is being considered by this committee.

Recommendation (s)

The Committee is asked to:

- (1) To note the financial update position with regards to the Local Plan and Planning Policy staff funding.
- (2) To report the estimated shortfall in funding for completing the Local Plan to the Strategy and Resources Committee with a request to secure funding for the £629,000 shortfall.

1 Reason for Recommendation

- 1.1 The purpose of this report is to provide an update on the Local Plan budget following the public consultation on the draft Epsom and Ewell Local Plan (Regulation 18) that was undertaken between 1 February and 19 March 2023.

- 1.2 Following the closure of the public consultation an extraordinary Council meeting was held on the 22 March 2023 where the decision was made to pause the Local Plan and to allow specified tasks to be undertaken. On the 24 October 2023 the Local Plan was un-paused at an extraordinary meeting of full Council and a revised Local Plan timetable (the Local Development Scheme) is due to be considered by this committee as a separate agenda item.

2 Background

- 2.1 On the 21 June 2022, this Committee considered a report on the Local Plan funding, which identified a potential shortfall in funding for 2023/24 and 2024/25. The report identified:
- That the Strategy and Resources Committee would be asked to approve two fixed term contract posts, the first of which is a principal policy officer (ending early May 2024) and a planning policy officer post (ending early December 2024).
 - As of June 2022 report, a total of £517,830 approved budget remained to complete the Local Plan, and that the estimated costs of progressing the Local Plan to Regulation 19 stage (excluding staffing costs) would consume most of this budget.
- 2.2 The report concluded that the funds would not be adequate to cover the examination in public and in particular the Planning Inspectorate fees. In addition, the report noted that any deviation from the approved timeline (the Local Development Scheme) that was agreed by this committee on 26 April 2022 would have cost implications.

Position as of November 2023

- 2.3 Following the decision by Council to pause the Local Plan for a period of seven months, the timetable for preparing the Local Plan has been delayed and a revised Local Development Scheme prepared for approval by this committee which anticipates submission of the Local Plan in May 2025.

Staffing

- 2.4 The planning policy team remains fully staffed, with four permanent team members (two of which are part time) and two fulltime members on fixed term contracts. As noted in para 2.1 above the two fixed term posts end in 2024 and therefore the capacity of the team to progress the Local Plan will be impacted if the contracts are not extended.
- 2.5 To retain experience, knowledge and capacity in the team, the costs of extending both contracts up until 31 December 2026 would be approximately £252,000.

Expenditure since June 2022

- 2.6 Since the June 2022 report considered by this committee on the Local Plan budget, the Local Plan has been progressed to public consultation (Regulation 18 Stage) which was supported by a wide range of evidence base and Table 1 below summarised the costs incurred by the Council since this time.

Table 1 – Local Plan Costs incurred since June 2022.

Cost Type	Spend rounded to the nearest thousand
Evidence Base Development	£213,000
Consultation	£37,000
Total	£250,000

- 2.7 It is important to note that the figures detailed in Table 1 do not include any costs that were funded through external funding, for example grants from the Department for Levelling Up, Housing and Communities (DLUHC). Without these sources of funding, the costs to the Council would have been significantly higher.
- 2.8 The June 2022 report estimated the costs of progressing the Local Plan to Regulation 18 stage would be a minimum of £272,000. Table 1 demonstrates that costs to get to Regulation 18 came under this forecast, namely because some evidence base was instead undertaken in house or evidence deferred to be completed following the Regulation 18 consultation for cost efficiency reasons.
- 2.9 To progress the Local Plan to Regulation 19 Stage it is estimated that a further £340,000 will be required to finalise the Local Plan evidence, obtain legal advice and undertake consultation on the Pre-Submission Local Plan. The evidence base that is required includes an updated Sustainability Appraisal (SA) and Habitats Regulations Assessment (HRA) (both of which are legal requirements), a Transport Assessment and an updated Strategic Flood Risk Assessment.
- 2.10 Following the Regulation 19 Stage is the Submission Stage and Examination in Public Stage, the costs of which are difficult to determine as they are dependent on the length of the examination and the number of hearings, the number of issues and matters raised, and the level of expert input required into the examination process from our team of external specialist consultants.

- 2.11 The cost for the examination can only therefore be estimated, however legal advice, the costs of the programme officer (an impartial third party appointed to organise and administer the Examination of the Local Plan under the direction and guidance of the appointed planning Inspector), the planning inspectorates fees and fees arising from external support at the examination. The estimated costs for this stage are £305,000.
- 2.12 In the June 2022 report we set out that we would update our projected examination costs to reflect those incurred by other Local Plan Authorities. However, due to the number of authorities both locally and nationally pausing their Local Plans at Examination stage, we have been unable to determine the more accurate forecasts as pausing at examination will impact on costs.

Forecast spend and shortfall

- 2.13 Table 2 below summarises the budget available to progress the Local Plan and what has been spent so far, and, the predicted shortfalls to reach both Regulation 19 Stage and conclude the Examination.

Table 2 – Available budget Shortfall (figures rounded to the nearest £1,000)

Budget Available as of June 2022	£518,000
Costs Incurred to Reg 18	£250,000
Budget Remaining as of November 2023	£268,000
Forecast cost of progressing to Regulation 19	£340,000
Projected shortfall to Regulation 19	-£72,000
Forecast costs of Examination	£305,000
Predicted shortfall to conclude Examination of the Local Plan (excluding costs of extending 2 fixed term contracts)	-£377,000
Predicted shortfall to conclude Examination of the Local Plan (including extending two fixed term contracts)	-£629,000

- 2.14 Based on the above, the shortfall for completing the Local Plan is estimated as £629,000 including the costs of extending the fixed term contracts. It is crucial that the Council ensures that sufficient resources are available to ensure that the Local Plan can be submitted to the government and examined by the planning inspectorate.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None arising from this report.

3.2 Crime & Disorder

3.2.1 None arising from this report.

3.3 Safeguarding

3.3.1 None arising from this report.

3.4 Dependencies

3.4.1 Delivering a robust Local Plan and in line with the timeline is dependent on retaining sufficient staffing levels and funds to secure the external technical support required.

3.4.2 There is a minimum that is required in order to prepare a robust local plan. To do more for example, a wider scope, or extending the timetable, all have additional cost and human resource implications. Any deviation from the Local Development Scheme to be considered by this committee as an additional agenda item, will have cost implications.

3.5 Other

3.5.1 None arising from this report.

4 Financial Implications

4.1 This report sets out the financial implications of the Local Plan and highlights an estimated £629,000 shortfall in funds to support the Local Plan beyond the Regulation 19 stage through to the Examination in Public.

4.2 Any request for additional funding will need to be considered by the Strategy and Resources Committee.

4.3 **Section 151 Officer's comments:** In March 2021, Strategy & Resources Committee approved an additional budget envelope of £742,000 for the delivery of the Local Plan.

4.4 This report sets-out that the Council will be unable to deliver the Local Plan project within the agreed budget, and identifies an additional funding requirement of £629,000 to progress the plan to completion.

- 4.5 With the Council facing a projected revenue budget deficit of £1.1m from 2024/25 (as reported to Strategy & Resources Committee in July 2023) and reserves likely to come under substantial pressure in future years, officers should seek to progress the Local Plan using existing in-house resources wherever possible, or seek new external funding opportunities where available.
- 4.6 The Council has previously agreed that progress of the Local Plan programme will be reported twice yearly to Licensing & Planning Policy Committee, and that should additional budgetary implications arise, these should be reported to Strategy & Resources Committee for consideration.

5 Legal Implications

- 5.1 The Planning and Compulsory Purchase Act 2004 sets out that each local planning authority must identify their strategic priorities and have policies to address these in their development plan documents. The Town and Country Planning (Local Planning) (England) Regulations 2012 stipulates that a local planning authority must complete a review of a Local Plan every five years, starting from the date of adoption of the Local Plan.
- 5.2 The Levelling up and Regeneration Act came into force on 26 October 2023 and will have implications for plan making, specifically for Local Plans submitted after 30 June 2025. Secondary legislation will be required to implement the majority of the reforms relating to planning and an updated National Planning Policy Framework (NPPF) is due to be published in the near future.
- 5.3 There are no direct legal implications arising from this report however any request for additional funding to be considered by the Strategy and Resource committee will need to take into account the Council has a statutory obligation to maintain a balanced budget and to ensure that the costs of the Local Plan is funded within agreed budgets and policy framework and in accordance with the provisions set out in the Council's Constitution.
- 5.4 **Legal Officer's comments:** As above

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The new Local Plan will contribute towards delivering the Council's Visions and objectives identified in its Four-Year Plan
- 6.2 **Service Plans:** Preparation of the Local Plan is included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:** The Local Plan itself has a key role in implementing a number of key objectives that are set out in our Climate Change Action Plan.

- 6.4 **Sustainability Policy & Community Safety Implications:** The Local Plan itself has a key role in delivering sustainable development. There are no Community Safety Implications.
- 6.5 **Partnerships:** The Council has a duty to cooperate with relevant stakeholders in the preparation of a Development Plan.

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Local Plan Funding Update – LPPC 21 June 2022

<https://democracy.epsom-ewell.gov.uk/documents/s23945/Local%20Plan%20Funding%20update.pdf>

- Unpausing the Local Plan - Extraordinary Council meeting – 24 October 2023

<https://democracy.epsom-ewell.gov.uk/documents/s28945/Unpausing%20the%20Local%20Plan.pdf>

Other papers: None

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