

STATEMENTS OF COMMON GROUND - THE SURREY WASTE PLAN

Head of Service/Contact:	Ruth Ormella, Head of Planning
Urgent Decision?(yes/no)	No
If yes, reason urgent decision required:	
Annexes/Appendices (attached):	Statement of Common Ground Concerning Strategic Planning Policies for Waste Management in Surrey
Other available papers (not attached):	National Planning Policy Framework (July 2018) Licensing and Planning Policy Committee 15 November 2018 – Report on the Duty to Co-operate Engagement Plan

Report summary

National planning policy and guidance require that strategic policy-making authorities demonstrate effective and on-going joint working through the preparation of statements of common ground. These statements should document the cross-boundary matters being addressed and the progress being made in addressing these matters through the Duty to Co-operate.

Surrey County Council is currently updating the planning policies on waste management. They have prepared a draft Statement of Common Ground (SoCG). This sets out areas of common ground on strategic matters relating to the planning of waste management. This report provides an overview of the SoCG process and seeks the Committee's agreement that the Surrey County Council Statement of Common Ground for Waste Planning.

Recommendation

The Committee is asked to agree the Surrey County Council Statement of Common Ground for Waste Planning and authorise the Council's Chief Executive to sign to the Statement on the Borough Council's behalf.

- 1 Implications for the Council's Key Priorities, Service Plans and Sustainable Community Strategy**

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- 1.1 The delivery and implementation of the Epsom & Ewell Local Plan contributes towards all of the Council's Key Priorities. The new Epsom & Ewell Local Plan is critical as it will set out how sustainable growth, particularly in relation to new housing, will be delivered during the plan period.

2 Statements of Common Ground

- 2.1 The Localism Act 2011, under Section 110, introduced the requirement that local planning authorities must co-operate with all relevant parties, particularly neighbouring local planning authorities, in planning for sustainable development. The requirement is specific to the preparation of local plans; especially in relation to strategic matters that have cross-administrative boundary impacts. This is known as the Duty to Co-operate.
- 2.2 The Committee received a report on the Duty on 15 November 2018. That report set out the measures introduced through the National Planning Policy Framework (July 2018) that seek to make local planning authorities work together to deliver sustainable growth – specifically in relation to meeting housing and infrastructure needs.
- 2.3 The National Planning Policy Framework places great emphasis upon local planning authorities clearly demonstrating effective and on-going joint working¹ through the Duty to Co-operate. This is a key thread throughout all four tests of soundness but is most prominent within the requirement that a local plan is positively prepared². The Framework³ and the associated planning practice guidance⁴ state that strategic policy-making authorities should prepare and maintain statements of common ground that document the cross-boundary matters being addressed through policy and the progress being made in co-operating to address these matters.
- 2.4 It is anticipated that we will, over the course of the next few years, be required to become signatories to a number of statements of common ground. These are most likely to involve our immediate neighbours – such as the Royal Borough of Kingston; the London Borough of Sutton; Mole Valley; and Reigate & Banstead. It is also likely that we will be invited to become signatories to Statements involving more distant neighbours that we have a functional relationship with, such as Elmbridge; Surrey County Council and the Greater London Authority.

¹ National Planning Policy Framework Paragraph 27.

² National Planning Policy Framework Paragraph 35.

³ National Planning Policy Framework Paragraph 27.

⁴ Planning Practice Guidance Paragraph: 001 Reference ID: 61-001-20180913

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- 2.5 On the basis of the above, we can anticipate multiple future requests to the Borough Council that it become a signatory of statements of common ground. In most cases these requests will be related to the local plan processes being pursued by our neighbours. Possible exceptions to this include the Surrey Waste and Minerals plans and possible in the future the London Plan.
- 2.6 In most cases, the request for the Borough Council to become of a signatory will be the subject of a report to the Committee. We anticipate that such reports will provide members with an overview of the areas of agreement and disagreement. Whilst there will inevitably be instances when the Borough Council disagrees on some matters (with a neighbour); a scenario where there is no commonality at all is considered unlikely.
- 2.7 In order to complete the process it is recommended the Committee agree, that following consideration of a report setting out the detail of the Statement of Common Ground, the signing of statements be delegated to a Senior Officer of the Borough Council. In most instances this will be the Chief Executive Officer.

3 The Surrey Waste Plan Statement of Common Ground

- 3.1 Surrey County Council are currently updating their planning policies on waste management. They have prepared a statement of common ground between the County Council and the eleven districts and boroughs. The document Surrey County Council have prepared sets out the areas of strategic commonality relating to waste management across the County. A copy of the Statement is enclosed under Annex 1.
- 3.2 The Draft Waste Plan sets out a spatial strategy for delivering waste management facilities to meet future growth. It does not allocate any new sites within the Borough but does seek to protect existing waste sites, including waste water sites. The Committee are advised that the statement of common ground presents no conflict for the Borough Council. The statement of common ground will secure the planning for waste infrastructure across Surrey, and the Borough will benefit from the outcome. On that basis it is recommended that the Borough Council becomes a signatory of the statement.

4 Financial and Manpower Implications

4.1 The preparation of Statements of Common Ground is a key outcome from the Duty to Co-operate process. The Borough is expecting to prepare and enter into Statements as part of preparing a new Local Plan. This generates work demand which is being managed in the Planning Policy Team. Securing statements of common ground with our neighbouring authorities and strategic partners can have mutual benefits which we will capture wherever possible.

4.2 ***Chief Finance Officer's comments: None for the purposes of this report.***

5 Legal Implications (including implications for matters relating to equality)

5.1 The Localism Act 2011 requires the Borough Council to engage with relevant partners when addressing the strategic elements of our Local Plan. Formulating Statements of Common Ground is a key outcome from the Duty to Co-operate, which is a necessary requirement within the tests of soundness.

5.2 ***Monitoring Officer's comments: none arising from the contents of this report.***

6 Sustainability Policy and Community Safety Implications

6.1 None for the purpose of this report.

7 Partnerships

7.1 The government has envisaged that the duty to co-operate provides an alternative partnership framework to replace the now historic regional planning structures. The duty to co-operate is a framework predicated on a willingness between partners to positively work together to meet shared objectives, however it is not a duty to reach agreement.

7.2 The Waste Planning Statement of Common Ground prepared by Surrey County Council secures and safeguards waste infrastructure for the Borough and to that end is agreeable.

8 Risk Assessment

8.1 Meeting the duty to co-operate is a key requirement in securing a sound local plan. We will need to demonstrate a clear narrative of how our engagement with our neighbours has shaped the development of our Local Plan. Becoming signatories to statements of common ground will provide the foundations to demonstrating that we are positively working towards discharging the Duty.

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9 Conclusion and Recommendations

- 9.1 The Committee are asked to note the purpose of statements of common ground within the Duty to Co-operate process and that further requests to the Borough Council to become a signatory will be forthcoming.
- 9.2 The Committee are asked to agree to the signing of the Statement of Common Ground concerning Strategic Planning Policies for Waste Management in Surrey and to delegate to the Chief Executive to sign off the Statement of Common Ground.

Ward(s) affected: (All Wards);