

CONSULTATION ON THE PUBLICATION DRAFT OF THE KINGSTON LOCAL PLAN (REGULATION 19)

Head of Service:	Ian Mawer, Head of Planning Policy and Economic Development
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Wards affected:	(All Wards);
Urgent Decision?	No – note this relates to call-in and not the use of the Appendix 2 urgent decision process.
Appendices (attached):	Appendix 1 – Urgent Decision DEC 161 Appendix 2 – Response to the London Borough of Kingston Council Regulation 19 Consultation (July-Sept 2026)

Summary

Epsom and Ewell Borough Council are a statutory consultee on Local Plans from neighbouring authorities. The London Borough of Kingston recently consulted on a publication draft Local Plan (Regulation 19 Stage). This is the final consultation stage before the plan is submitted for independent examination.

Recommendation (s)

The Committee is asked to:

- (1) Note the Councils response to the Kingston Local Plan Regulation 19 Consultation that was taken and submitted following Urgent Decision 161.**

1 Reason for Recommendation

- 1.1 It is important that the Council responds to neighbouring authority statutory planning policy consultations within the specified consultation period to enable our comments to be considered.
- 1.2 The consultation period closed on the 4 September 2026 and therefore the response was issued an urgent decision.

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- 1.3 This report to the committee notes the decision taken by the Chief Executive and / or Directors on the grounds of urgency, in compliance with the requirements of the Constitution.

2 Background

- 2.1 Development of the Kingston Local Plan began in 2019, and it has now reached the Regulation 19 consultation stage, which ran between 6 July and 4 September 2026. Following this final consultation stage, the Royal Borough of Kingston Upon Thames expect to submit the plan to the Planning Inspectorate for Examination by December 2026. Given the timings of the consultation, the Council has submitted a response by the deadline via an urgent decision (ref: DEC 161). The Council's submitted response is available in Appendix 1.
- 2.2 The Council's response focuses on the cross-boundary issues which have been the subject of ongoing Duty to Cooperate (DtC) discussions between the two authorities. As part of the DtC, the Council has two Statements of Common Ground signed with the Royal Borough of Kingston Upon Thames, the first in March 2025 in relation to the Epsom & Ewell Local Plan and the second in August 2026 in relation to the Kingston Local Plan. It should be noted that the legal requirement for the DtC no longer exists following changes introduced in March 2026 through the Levelling up and Regeneration Act 2023. However there is still a requirement under the new NPPF (August 2026) for cooperation between plan making authorities on cross boundary issues, demonstrated through Statements of Common Ground ([NPPF, page 13, PM10: Maintaining cooperation between plan making authorities and PM11: Demonstrating cooperation between plan making authorities](#)).
- 2.3 The Council's Regulation 19 response to the Kingston Local Plan specifically comments on housing, employment, Gypsy and Traveller accommodation and infrastructure, and is generally supportive of the approach taken in the Kingston Local Plan. It recognises the challenges faced by each authority in meeting identified needs and concludes to state that the Council does not have any soundness concerns and will continue to engage constructively as the Kingston Local Plan progresses.

3 Risk Assessment

Legal or other duties

- 3.1 Equality Impact Assessment
 - 3.1.1 None
- 3.2 Crime & Disorder
 - 3.2.1 None

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3.3 Safeguarding

3.3.1 None

3.4 Dependencies

3.4.1 None

3.5 Other

3.5.1 None

4 Financial Implications

4.1 There are no direct financial implications arising from the recommendation to note the Council's response to the Kingston Local Plan Regulation 19 consultation.

4.2 **Section 24 considerations:** None.

4.3 **Section 151 Officer's comments:** There are no immediate financial implications arising from the recommendation, however planning policies adopted by neighbouring authorities may have implications for service demand that affect Epsom and Ewell residents. Continued engagement helps ensure that cross-boundary matters are appropriately considered and managed. Legal Implications

4.4 As an adjoining authority, the Council is one of the 'specific consultation bodies' in relation to the Royal Borough of Kingston's Local Plan under the Town and Country Planning Regulations 2012.

5 Legal Implications

5.1 The scheme of delegation sets out that the Chief Executive and Directors are authorised to take decisions on grounds of urgency regarding matters which would otherwise be reserved for determination by a Committee or Council. A matter can be deemed urgent if, in the reasonable opinion of the officer concerned, a delay would seriously prejudice the interest of the Council or of the public and it is not practicable to convene a quorate meeting of the relevant decision-making body in sufficient time to take the decision.

5.2 Since the last meeting of the Committee, one urgent decision has been taken by the Director of Environment, Housing and Regeneration in consultation with the Chair, Cllr Peter O'Donovan, and published in Member News in line with the Council's Constitution, Appendix 2, Paragraph 3.1. iii.

5.3 The decision form is attached as Appendix 1 to this Report; Appendix 2 (as also attached) provides a copy of the Council's response as submitted before the deadline.

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5.4 Legal Officer's comments: None other than as set out above.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** None

6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations:** None

6.4 **Sustainability Policy & Community Safety Implications:** None

6.5 **Partnerships:** The Council is a statutory consultee with neighbouring planning authorities and has engaged constructively with Royal Borough of Kingston throughout the development of our Local Plans.

6.6 **Local Government Reorganisation Implications:** None