

Duty To Co-operate

Statement of compliance update

March 2025

Epsom and Ewell
Local Plan 2022-2040



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1 Introduction

- 1.1 To address strategic issues relevant to their area, the Localism Act 2011 places a statutory duty, the 'duty to cooperate' (DtC), on all local planning authorities and requires them to work constructively with neighbouring authorities and other prescribed bodies in preparing their development plan documents.
- 1.2 A local planning authority must demonstrate how it has complied with the duty at the independent examination of its local plan and will need to satisfy the Independent Planning Inspector that cooperation has been on-going and produced effective and deliverable policies on strategic cross boundary matters.
- 1.3 To demonstrate compliance with the DtC, Epsom and Ewell Borough Council (EEBC) has published a number of documents, which include:
- [The Duty to Cooperate Framework](#) (January 2023)
 - The [Statement of Compliance](#) (November 2024)
 - The Statement of Compliance update (March 2025) *this document*
 - A number of Statements of Common Ground (SoCG)
- 1.4 The DtC Framework identifies the strategic matters/issues relevant to the borough, who the Council's DtC partners are, and the methods for engagement with these partners. The Statement of Compliance provides an overview of the strategic matters/issues, the engagement which has taken place with the DtC partners and the outcomes.
- 1.5 This Statement of Compliance Update documents the DtC activities undertaken since the publication of the November 2024 Statement of Compliance up until submission of the Proposed Submission Local Plan (12 March 2025) for the Examination in Public (EiP) stage. During this period, a Regulation 19 consultation was undertaken on the Proposed Submission Local Plan (2022-2040) and seven Statements of Common Ground (SoCG) have been entered into with various DtC partners to date.
- 1.6 A list of the SoCG and their status at the point of submission of the Proposed Submission Local Plan is set out in the table below. The SoCG are available on the Council's website.

Strategic DtC Partner	Status of SoCG	Date of last signature
Surrey County Council	Final	27/2/25
Reigate & Banstead Borough Council	Final	11/2/25
Mole Valley District Council	Final	11/2/25
Royal Borough of Kingston upon Thames	Final	5/3/25
London Borough of Sutton	Final	7/3/25
Elmbridge Borough Council	Final	7/3/25
Natural England	Final	27/2/25
National Highways	Draft	

1.7 To summarise, this Statement of Compliance Update includes:

- A summary of representations from the Council's strategic DtC partners in relation to the strategic matters/issues
- A record of any other DtC activities undertaken during this period
- The outcomes of such activities

2 Regulation 19: Proposed Submission Local Plan

- 2.1 EEBC sought representations on the Proposed Submission Local Plan (Regulation 19) between 20 December and 5 February 2025. Full details as to how representations were sought, the numbers received and, the main issues raised are set out in the Council's Regulation 22: Statement of Consultation. Each representation received has been submitted to the Planning Inspector as part of the examination stage.
- 2.2 Representations were received from the following DtC partners:
- Surrey County Council (upper tier authority)
 - Reigate & Banstead Borough Council (adjoining authority)
 - Mole Valley District Council (adjoining authority)
 - Royal Borough of Kingston Upon Thames (adjoining authority)
 - London Borough of Sutton (adjoining authority)
 - Elmbridge Borough Council (authority within the same Housing Market Area as EEBC)
 - Environment Agency
 - Historic England
 - Natural England
 - The Jockey Club
 - Thames Water
 - Transport for London (TfL)
 - Gatwick Airport Limited (GAL)
 - Surrey Heartlands Integrated Care Board (ICB)
 - NHS Property Services
 - National Highways
- 2.3 None of the representations received from the DtC partners raised objections under the Duty to Cooperate.

3 Regulation 19 representations and activity on the strategic matters/issues

3.1 The following tables provide an update on the strategic cross boundary matters/issues, a summary of the responses received from the Council's DtC partners and any additional engagement undertaken along with the outcomes.

STRATEGIC CROSS BOUNDARY MATTER

3.2 Meeting identified housing needs within the borough and wider unmet housing needs.

Overview of issue

The spatial strategy within the Regulation 19 Proposed Submission Local Plan sets a housing requirement of 4,700 dwellings to be delivered over the plan period (2022 to 2040). When considered against the standard method which was in effect prior to the 12 December 2024 National Planning Practice Guidance update, this results in an unmet need of approximately 5,500 dwellings over the plan period.

Responses to Regulation 19 consultation and additional engagement

Adjacent Local Authorities

Mole Valley District Council (MVDC)

EEBC met with MVDC on 27/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

MVDC's Regulation 19 consultation response stated that their Local Plan was adopted in October 2024 with a housing requirement that meets 75% of the standard method need, which included the release of some Green Belt land. It will therefore be subject to an early review, before the third anniversary to ascertain whether more housing is deliverable or developable. Given the borough is constrained, with 77% being Green Belt or a National Landscape designation and the two principal towns (Dorking and Leatherhead) being subject to significant heritage constraints, MVDC consider it unlikely that housing needs arising from EEBC could be met.

Reigate & Banstead Borough Council (RBBC)

EEBC met with RBBC on 31/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

RBBC's Regulation 19 consultation response acknowledged that EEBC are proposing to release some Green Belt sites to help deliver additional housing and stated that it is important that separation is maintained between existing settlements including those in the northwest of Reigate & Banstead at Tattenham Corner, Tadworth, Nork and Burgh Heath.

The response also highlighted that the constraints within RBBC, including Green Belt, flood risk, and the Surrey Hills National Landscape, mean that RBBC will find it particularly challenging to meet its own 2024 Standard Methodology housing need of 1,306 units per annum in its emerging local plan let alone other unmet need.

Royal Borough of Kingston upon Thames (RBK)

EEBC met with RBK on 30/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

RBK's Regulation 19 response did not comment on this issue but stated that they "remain committed to ongoing collaboration and engagement on matters related to the Duty to Cooperate and other relevant issues."

London Borough of Sutton (LBS)

EEBC met with LBS on 20/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

LBS's Regulation 19 consultation response acknowledged the approach being taken by EEBC and stated that "given the difference between Sutton's current housing requirement figure and the new standard method figure, and as discussed through Duty to Cooperate meetings, Sutton is unable to take any of EEBC's unmet housing need."

Authorities which are not adjacent to EEBC but within the HMA

Elmbridge Borough Council (EBC)

EEBC met with EBC on 30/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

EBC's Regulation 19 consultation response acknowledged EEBC's approach and that all authorities must assess their housing land supply according to their own individual context. It was also confirmed that it is highly unlikely that either authority would be able to assist in meeting unmet needs from elsewhere. EBC also noted that EEBC has taken into account their comments in relation to the Green Belt Study Update 2024 and consider this matter resolved.

Summary of outcomes:

No further opportunities have been identified to help meet EEBC's unmet housing need. EEBC will continue to co-operate with neighbouring boroughs and districts on this issue.

STRATEGIC CROSS BOUNDARY MATTER

3.3 Meeting the identified need for Gypsy and Traveller accommodation within the borough and wider unmet needs

Overview of issue

The Regulation 19 Proposed Submission Local Plan makes provision for an additional 10 Gypsy and Traveller pitches, which leaves a shortfall of 8 pitches over the plan period against the identified need.

Responses to Regulation 19 consultation and additional engagement

Adjacent Local Authorities

Mole Valley District Council (MVDC)

EEBC met with MVDC on 27/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

MVDC's Regulation 19 consultation response stated that the strategy for delivering the unmet need for eight additional pitches over the plan period was unclear. It was recognised that Policy S8 proposes Gypsy and Traveller accommodation to be provided on development sites of 200 C3 homes or more, although it was noted that only one site outside of the town centre was allocated for more than 200 units. Part of MVDC's strategy for meeting its need in addition to intensifying the use of existing sites, provides

for 3 new pitches on allocated sites exceeding 100 dwellings, with the exception of certain locations such as town centres or near railway stations. It is therefore suggested that EEBC could lower the dwelling threshold, which would assist in meeting need. MVDC also reconfirmed it was unable to assist with meeting additional need arising from EEBC.

EEBC consider the threshold included within policy S8 to be an appropriate one. The possibility of intensifying the existing sites has been considered through the Meeting Gypsy & Traveller Needs Topic Paper (2024).

Reigate & Banstead Borough Council (RBBC)

EEBC met with RBBC on 31/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

RBBC's Regulation 19 consultation response identified that the Council currently maintains a five year's supply of traveller pitches based on a 2017/8 study. A new assessment has recently commenced to inform the emerging RBBC Local Plan. The response stated that it is likely to be challenging for RBBC to meet its own future need let alone need from outside the borough.

Royal Borough of Kingston upon Thames (RBK)

EEBC met with RBK on 30/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. RBK's Regulation 19 response did not comment on this issue but stated that they "remain committed to ongoing collaboration and engagement on matters related to the Duty to Cooperate and other relevant issues."

London Borough of Sutton (LBS)

EEBC met with LBS on 20/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

LBS's Regulation 19 consultation response confirmed they are seeking to meet their identified additional need for 15 pitches within the Borough and are unlikely to have surplus capacity to meet any unmet need from neighbouring boroughs.

Authorities within the HMA

Elmbridge Borough Council (EBC)

EEBC met with EBC on 30/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. EBC's Regulation 19 response did not specifically comment on this issue.

Other Authorities

Surrey County Council (SCC)

EEBC sought confirmation from SCC as to the status of the existing two Gypsy and Traveller sites within the borough in terms of their capacity. SCC confirmed via email (November 2024) that both sites are overcrowded and cannot be intensified.

SCC's Regulation 19 response did not specifically comment on the issue of meeting Gypsy and Traveller needs.

Summary of outcomes:

No further opportunities have been identified to help meet EEBC's unmet Gypsy and Traveller accommodation needs. EEBC will continue to co-operate with SCC and neighbouring boroughs and districts on this issue.

STRATEGIC CROSS BOUNDARY MATTER

3.4 Supporting the local economy: the horse racing industry

Overview of issue

To support the local racehorse training industry, including the racecourse and racehorse training, through the local plan. The Regulation 19 Proposed Submission Local Plan contains Policy DM8: Racehorse Training Zone, which seeks to achieve this.

Responses to Regulation 19 consultation and additional engagement

Adjoining authority

Mole Valley District Council (MVDC)

EEBC met with MVDC on 27/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

MVDC's Regulation 19 consultation response welcomed the creation of racehorse training zone policy within EEBC to complement MVDC's adoption of such an area within its boundaries.

Organisation with linkages to strategic issue

The Jockey Club (JC) and Jockey Club Estates

JC responded to the Regulation 19 consultation stating that, in general, they are supportive of the Council's objective in promoting economic growth and recognition of the benefits of the equestrian sector, namely the horse racing industry in the borough, throughout the draft Local Plan. The alterations that have been made to policy DM8: Racehorse Training Zone, prior to the publication of the Regulation 19 are welcomed but they consider that further amendments are required to ensure the policy is sound.

These include:

- Broadening the policy in that it should apply to both existing facilities and new development.
- Including additional wording to support the delivery of key infrastructure on site to support the industry such as staff accommodation.
- Recognising that, while the Epsom Downs Racecourse is situated within the Green Belt, the development of existing and new facilities may be required to diversify revenue streams for the JC, which will support the future of the horse racing industry.

Summary of outcomes:

EEBC consider policy DM8: Racehorse Training Zone to be sound as written in the Proposed Submission Local Plan and are not proposing any modifications.

STRATEGIC CROSS BOUNDARY MATTER

3.5 Flood risk (principally from surface water)

Overview of issue

A significant cause of flood risk in the Borough is from surface water flooding. This mainly occurs during intense or prolonged rainfall and is a result of the inability of the sewer network to cope, surface runoff from the chalk in the south of the Borough on to the clay underlying the urbanised north of the borough and groundwater flooding from the chalk.

There are also several properties, both residential and commercial, that are predicted to be at risk of fluvial flooding from the Upper Hogsmill river and its tributaries.

The Proposed Submission Local Plan contains Policy S16: Flood Risk and Sustainable Drainage, which seeks to address this issue. The Level 1 Strategic Flood Risk Assessment (SFRA) and Level 2 (Site Specific) SFRA have informed the policy and relevant site allocations.

Responses to Regulation 19 consultation and additional engagement

Adjoining authorities

Reigate & Banstead Borough Council (RBBC)

EEBC met with RBBC on 31/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. RBBC's Regulation 19 response did not specifically comment on this issue.

Royal Borough of Kingston upon Thames (RBK)

EEBC met with RBK on 30/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. RBK's Regulation 19 response did not comment on this issue but stated that they "remain committed to ongoing collaboration and engagement on matters related to the Duty to Cooperate and other relevant issues."

London Borough of Sutton (LBS)

EEBC met with LBS on 20/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. LBS's Regulation 19 response did not specifically comment on this issue.

Mole Valley District Council (MVDC)

EEBC met with MVDC on 27/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. MVDC's Regulation 19 response did not specifically comment on this issue.

Other authorities

Surrey County Council (SCC) as the Lead Local Flood Authority (LLFA)

SCC's response to the Regulation 19 consultation made a number of comments in relation to this issue. These will be considered as part of the Local Plan examination.

Organisations with linkages to strategic issue

Environment Agency (EA)

The EA's regulation 19 response welcomed the fact the new site allocations are directed away from the high and medium risk flood zones which is in line with the sequential approach to manage flood risk by steering development to the lowest risk flood areas. Support was given for the inclusion, and subsequent strengthening of policies compared to the Regulation 18 draft Local Plan in protecting the Borough and its residents from the risk of flooding, which is likely going to increase due to climate change. The EA made one suggested amendment to Policy S16: Flood Risk and Sustainable Drainage and one suggested amendment to the supporting text at paragraph 7.66. These will be considered as part of the Local Plan examination.

Thames Water (TW)

TW's regulation 19 response recommended the addition of a further policy requirement in relation to Policy S16: Flood Risk and Sustainable Drainage. TW considered that as written in the Proposed Submission Local Plan, the policy was not as effective as it could be in managing surface water drainage. Specific text was provided which will be considered as part of the Local Plan examination.

SES Water (SESW) specifically for groundwater flooding

SESW did not provide a response to the Regulation 19 consultation.

Summary of outcomes:

EEBC has reviewed the Regulation 19 responses received from the relevant DtC partners on this issue and the suggested modifications will be considered as part of the Local Plan examination. EEBC will continue to liaise and co-operate with its partners on this issue.

STRATEGIC CROSS BOUNDARY MATTER

3.6 Improve sustainable transport choices, particularly in association with new development.

Overview of issue

To secure opportunities, through new developments and other schemes/sources of funding, to deliver sustainable transport improvements.

Responses to Regulation 19 consultation and additional engagement

Organisations with linkages to strategic issue

Surrey County Council (SCC)

SCC's Regulation 19 response did not specifically comment on this issue.

Transport for London (TfL)

TfL responded to the Regulation 19 and were generally supportive of the approach taken, particularly in relation to supporting people to move by sustainable transport modes. A couple of amendments to policy S19 and the supporting text were suggested to strengthen the policy. These will be considered as part of the Local Plan examination.

TfL welcomed that the Local Plan is interested in planning for the long term and includes reference to Crossrail 2 as a scheme which supports the long-term ambitions of the area.

National Highways

NH's response to the Regulation 19 consultation focussed on the potential impact of the plan on the Strategic Road Network (SRN). The vision in chapter 2 to provide sustainable transport development with a focus on reducing carbon emissions whilst promoting active travel and public transport use to limit car journeys and congestion locally, and on the wider network was supported. NH welcomed the demand management measures, including the promotion of car free development in appropriate locations in policy S19: Transport. They also highlighted that where a development is likely to place significant numbers of trips through the SRN, this impact should be assessed as part of a Transport Assessment. It was noted that the majority of the site allocations are located away from the SRN.

Adjoining authorities

Royal Borough of Kingston upon Thames (RBK)

EEBC shared the Strategic Highways Modelling Assessment Report (2024) with RBK in November 2024 as agreed during the May 24 DtC meeting.

EEBC met with RBK on 30/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. RBK's Regulation 19 response did not comment on this issue but stated that they "remain committed to ongoing collaboration and engagement on matters related to the Duty to Cooperate and other relevant issues."

London Borough of Sutton (LBS)

EEBC shared the Strategic Highways Modelling Assessment Report (2024) with LBS in November 2024 as agreed during the October 24 DtC meeting.

EEBC met with LBS on 20/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

LBS's Regulation 19 response indicated support for the strategic policy approach set out in policy S19 – Transport. The opportunity to continue to liaise with both EEBC and Surrey County Council was welcomed to ensure cross boundary transport matters continue to be discussed and resolved.

Mole Valley District Council (MVDC)

EEBC shared the Strategic Highways Modelling Assessment Report (2024) with MVDC in November 2024 as agreed during the May 24 DtC meeting.

EEBC met with MVDC on 27/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. MVDC's Regulation 19 response did not comment on this issue.

Reigate & Banstead Borough Council (RBBC)

EEBC shared the Strategic Highways Modelling Assessment Report (2024) with RBBC in November 2024 as agreed during the May 24 DtC meeting.

EEBC met with RBBC on 31/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. RBBC's Regulation 19 response made a general comment in relation to the site allocations and transport impacts. It was stated that most road impacts can be addressed around the proposal sites though there is some additional trips on and around the M25. None of the proposal sites adjoin RBBC or of a scale (individually or cumulatively) to negatively impact RBBC infrastructure.

Other authorities

Elmbridge Borough Council (EBC)

EEBC met with EBC on 30/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

EBC's Regulation 19 response noted that there is vehicular movement between the two boroughs via the A24, Rushett Lane and Fair Oak Lane junction that is located within RBK. EBC noted that EEBC's Strategic Transport Assessment Report (October 2024) identifies an increase in vehicle movement exiting the borough in the AM peak at the Rushett Lane junction as a result of the proposed strategy. EEBC's conclusion was acknowledged that none of these impacts would be considered 'severe' in terms of the National Planning Policy Framework (NPPF). EBC supports the need for mitigation to reduce the impact of the Local Plan through the ambitions of the Local Transport Plan 4 (LTP4) for Surrey and the Epsom and Ewell Local Cycling and Walking Infrastructure Plan (LCWIP), both of which are noted as key documents in Policy S19.

Summary of outcomes:

EEBC has reviewed the Regulation 19 responses received from the relevant DtC partners and the suggested modifications will be considered as part of the Local Plan examination. EEBC will continue to liaise and co-operate with the relevant DtC partners on this issue.

STRATEGIC CROSS BOUNDARY MATTER

3.7 Meeting education needs, including Special Educational Needs and Disabilities (SEND).

Overview of issue

New housing can generate additional demand for school places throughout the local plan period. The Council will work closely with Surrey County Council and adjoining local authorities to ensure future educational needs can be adequately met.

Responses to Regulation 19 consultation and additional engagement

Surrey County Council (SCC)

SCC's Regulation 19 response did not specifically comment on this issue.

Adjacent Local Authorities

Mole Valley District Council (MVDC)

EEBC met with MVDC on 27/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. MVDC's Regulation 19 response did not comment on this issue.

Reigate & Banstead Borough Council (RBBC)

EEBC met with RBBC on 31/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. RBBC's Regulation 19 response did not specifically comment on this issue.

Royal Borough of Kingston upon Thames (RBK)

EEBC met with RBK on 30/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. RBK's Regulation 19 response did not comment on this issue but stated that they "remain committed to ongoing collaboration and engagement on matters related to the Duty to Cooperate and other relevant issues."

London Borough of Sutton (LBS)

EEBC met with LBS on 20/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

LBS's Regulation 19 response stated one of the infrastructure topics with the most pressing cross boundary impacts is education. The information in EEBC's Infrastructure Delivery Plan was acknowledged and LBS confirms it will be meeting its own identified infrastructure needs within the borough, based on current analysis, and is unlikely to meet needs from elsewhere.

Summary of outcomes:

No suggested modifications in relation to this issue have been suggested by the DtC partners who responded to the Regulation 19 consultation. EEBC will continue to liaise and co-operate with the relevant partners on this issue to ensure educational needs continue to be met.

STRATEGIC CROSS BOUNDARY MATTER

3.8 Meeting healthcare needs.

Overview of issue

New housing can generate additional demand for healthcare provision. The Council will work closely with the Surrey Heartlands Integrated Care Board (ICB) and adjoining local authorities to ensure healthcare needs can be adequately met.

Responses to Regulation 19 consultation and additional engagement

Surrey Heartlands Integrated Care Board (ICB)

EEBC met with the ICB on 29/1/25 to discuss the Proposed Submission Local Plan. It was agreed to confirm whether there was a need for a SOCG after the receipt of the ICB's Regulation 19 representation.

The ICB's Regulation 19 response stated that they are pleased to see that the submission version of the plan retains the requirement that all new development must contribute towards the provision of infrastructure, via on or off-site contributions and that health facilities are specifically mentioned. The overall approach to infrastructure delivery in policy S17 was supported.

Given the supportive nature of the Regulation 19 response, it was considered that no SoCG was required.

Surrey County Council (SCC)

SCC's Regulation 19 response welcomed Policy DM12: Health Impact Assessment (HIA) which requires a HIA for certain developments. It was suggested that a number of supporting documents were listed under the policy.

NHS Property Services (NHSPS)

EEBC met with NHSPS on 29/1/25 to discuss the Proposed Submission Local Plan. It was agreed to confirm whether there was a need for a SOCG after the receipt of the ICB's Regulation 19 representation.

The NHSPS's Regulation 19 response was supportive of many of the policies including DM12: Health Impact Assessments, S17: Infrastructure Delivery and allocations policies SA8: Epsom Clinic and SA32: Land at West Park hospital (being allocated healthcare facilities for redevelopment).

Support was also given for the inclusion of primary healthcare provision as part of the SA35: Land at Horton Farm allocation.

A suggested amendment to policy DM20: Community and Cultural Facilities was made, to further clarify the potential situations where the loss of such facilities would be supported by the Council.

Adjacent Local Authorities

Mole Valley District Council (MVDC)

EEBC met with MVDC on 27/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. MVDC's Regulation 19 response did not comment on this issue.

Reigate & Banstead Borough Council (RBBC)

EEBC met with RBBC on 31/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. RBBC's Regulation 19 response did not specifically comment on this issue.

Royal Borough of Kingston upon Thames (RBK)

EEBC met with RBK on 30/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination. RBK's Regulation 19 response did not comment on this issue but stated that they "remain committed to ongoing collaboration and engagement on matters related to the Duty to Cooperate and other relevant issues."

London Borough of Sutton (LBS)

EEBC met with LBS on 20/1/25 to discuss the Proposed Submission Local Plan. It was agreed to enter into a SOCG prior to submission of the plan for examination.

LBS's Regulation 19 response stated one of the infrastructure topics with the most pressing cross boundary impacts is health. The information in EEBC's Infrastructure Delivery Plan was acknowledged and LBS confirms it will be meeting its own identified infrastructure needs within the borough, based on current analysis, and is unlikely to meet needs from elsewhere.

Summary of outcomes:

EEBC has reviewed the Regulation 19 responses received from the relevant DtC partners on this issue and the suggested modifications will be considered as part of the Local Plan examination. EEBC will continue to engage with the relevant partners to ensure healthcare needs continue to be met.

4 Engagement with other DtC Bodies

- 4.1 This section sets out the engagement with the prescribed DtC bodies, whom are not directly involved with the strategic matters/issues identified above or who have made comments at the Regulation 19 stage, which are not directly related to the strategic matters/issues identified above.

4.2 Surrey County Council (SCC)

SCC responded to the Regulation 19 consultation, making a variety of comments and suggested modifications to the Proposed Submission Local Plan. The policies/topic areas commented upon included:

- Specialist housing – Policy S7
- Building emission standards – Policy DM10
- Health Impact Assessments – Policy DM12
- Heritage
- Biodiversity Net Gain – Policy S15
- Flood Risk and Sustainable Drainage – Policy S16
- Infrastructure
- Transport – Policy S19

EEBC have considered SCC's response and the suggested modifications will be considered as part of the Local Plan examination.

EEBC and SCC have agreed a SoCG, which is available on the Council's website.

4.3 Environment Agency (EA)

The EA responded to the Regulation 19 consultation. It was stated that it was believed the Proposed Submission Local Plan “has been informed by a sound environmental evidence base and produced in line with the Duty to co-operate.” In addition, it was stated that the policies are not considered to be unsound.

The EA provided advice and made some recommendations regarding the proposed policies/supporting text to help strengthen them and maximise their effectiveness in achieving sustainable development. These suggestions will be considered as part of the Local Plan examination.

Given the nature of the EA's Regulation 19 response, it was considered that a SoCG was not required.

4.4 Historic England (HE)

HE responded to the Regulation 19 consultation firstly stating that the majority of their comments made at the Regulation 18 draft Local Plan consultation have largely been addressed. The inclusion of policies for the historic environment were welcomed and are considered to meet the obligation for preparing the positive strategy required by the NPPF. The significant progress in preparing a proportionate evidence base was also noted. The response concluded by stating “the key test of the soundness of the plan and the achievement of sustainable development as defined in the NPPF in respect of the elements that relate to the historic environment (paragraph 196), in our view, have been met.

Given the nature of the HE’s Regulation 19 response, it was agreed that a SoCG was not required.

4.5 Natural England (NE)

Following the engagement with NE in October 2024 on the draft Regulation 19 policies, work progressed with the Habitats Regulations Assessment (HRA). NE were again engaged when it became apparent, through the Appropriate Assessment stage of the HRA, that additional air quality modelling may be required to enable a thorough assessment of potential adverse air quality impacts on protected sites. The Council worked with NE, alongside the Council’s appointed HRA consultants, to scope and commission the air quality modelling, discuss the ecological interpretation of the results and the conclusions in relation to the protected sites. This work was ongoing throughout the Regulation 19 consultation (20 December to 5 February) and was completed shortly after the close of consultation. As such, the Council and NE have signed a SoCG, which provides further detail on this work and confirms that the air quality issues have now been resolved.

NE submitted a response to the Regulation 19 consultation, which highlighted the above issue (now resolved). NE were supportive of many of the policies and provided some suggestions to help strengthen certain policy areas. These will be considered as part of the Local Plan examination.

EEBC and NE have agreed a SoCG, which is available on the Council’s website as part of the examination library.

4.6 The Civil Aviation Authority (CAA)

The CAA has devolved the responsibility for aerodrome safeguarding to individual airports. A response to the Regulation 19 consultation was received from Gatwick Airport Limited (GAL). This suggested some amended wording to the supporting text of policy DM22: Aerodrome safeguarding, to ensure consistency with the recent extensions to the aerodrome safeguarding zone. Heathrow have confirmed that the zone has been extended, although did not submit a formal Regulation 19 response. This suggested modification will be considered as part of the Local Plan examination.

4.7 Homes England (HE)

A response to the Regulation 19 consultation was not received from Homes England.

4.8 Office of Road and Rail (ORR)

A response to the Regulation 19 consultation was not received from the ORR.

4.9 National Highways (NH)

NH responded to the Regulation 19 consultation. Their response focussed on the potential impact of the plan on the Strategic Road Network and highlighted the ongoing engagement with EEBC and SCC on the Strategic Highways Modelling Assessment Report. NH had raised some queries in relation to this, the majority of which have now been resolved. EEBC, SCC and NH will continue to work together to resolve the outstanding queries and a SoCG will be signed between EEBC and NH to clarify the position in due course.

4.10 Surrey Nature Partnership (SNP)

A response to the Regulation 19 consultation was not received from the SNP or the Surrey Wildlife Trust.

5 Further Updates to the Statement of Compliance

5.1 Within the DtC Statement of Compliance published in November 2024, existing mechanisms for engagement for duty matters are identified, which include numerous established groups. Some of the names of these groups have changed, which are set out below:

- The Surrey Planning Officers Association is now known as Surrey Heads of Planning (SHoP). This group comprises the Heads of Planning service from the eleven Surrey district and boroughs and Surrey County Council.
- The Surrey Infrastructure Steering Group is now known as the Surrey Place Leaders Group (SPLG). This group steers the county's planning and local infrastructure needs to unlock greater economic growth. Membership comprises Place Directors from all 11 of the county's District and Borough councils, along with Surrey County Council.