

Notice of Meeting

Leader Decisions



Date & time	Place	Contact	Acting Chief Executive
Tuesday, 17 October 2017 at 12.00 pm	Room 107 - County Hall, Penrhyn Road, Kingston upon Thames, Surrey, KT1 2DN	Angela Guest Room 122, County Hall Tel 020 8541 9075 angela.guest@surreycc.gov.uk	Julie Fisher



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This meeting will be held in public. If you would like to attend and you have any special requirements, please contact Angela Guest on 020 8541 9075.

Leader

Mr David Hodge CBE (Leader of the Council)

AGENDA

1 DECLARATIONS OF INTEREST

All Members present are required to declare, at this point in the meeting or as soon as possible thereafter

- i. Any disclosable pecuniary interests and / or
- ii. Other interests arising under the Code of Conduct in respect of any item(s) of business being considered at this meeting

NOTES:

- Members are reminded that they must not participate in any item where they have a disclosable pecuniary interest
- As well as an interest of the Member, this includes any interest, of which the Member is aware, that relates to the Member's spouse or civil partner (or any person with whom the Member is living as a spouse or civil partner)
- Members with a significant personal interest may participate in the discussion and vote on that matter unless that interest could be reasonably regarded as prejudicial.

2 PROCEDURAL MATTERS

MEMBERS' QUESTIONS

The deadline for Members' questions is 12pm four working days before the meeting (Wednesday 11 October 2017).

PUBLIC QUESTIONS

The deadline for public questions is seven days before the meeting (Tuesday 10 October 2017).

PETITIONS

The deadline for petitions was 14 days before the meeting, and no petitions have been received.

3 COMMENCEMENT OF CONSULTATION FOR DRAFT OF THE SURREY WASTE LOCAL PLAN

(Pages 1
- 14)

Surrey County Council is the Waste Planning Authority (WPA) for Surrey. The role of the WPA includes a statutory requirement to prepare a plan for the provision of waste management infrastructure which will support Surrey's growth over the next 15 years.

The current Surrey Waste Plan (SWP) was adopted in 2008 and to replace this a new Surrey Waste Local Plan (SWLP) is being prepared. The new SWLP will go through several stages of public consultation. The first stage of public consultation was 'Issues and Options' held in September 2016.

Based on the responses received from the Issues and Options Consultation and evidence collected by the WPA a draft version of the new SWLP has been prepared. The WPA now seeks views on the Draft SWLP

through a further round of public consultation.

It is proposed that the Draft Plan Consultation runs from 1 November 2017 to 5 February 2018. This is based on a 12 week consultation window with an additional two weeks to account for the Christmas period.

The Draft Plan Consultation will give statutory, non-statutory and public stakeholders a chance to have their say on the draft version before Cabinet takes a decision on the contents of the SWLP. The consultation will be supported by a non-technical summary and will be available online and in hardcopy at District and Borough offices.

Julie Fusher
Acting Chief Executive
Published: Monday, 9 October 2017

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SURREY COUNTY COUNCIL**LEADER DECISIONS****DATE: 17 OCTOBER 2017****LEAD OFFICER: TREVOR PUGH STRATEGIC DIRECTOR ENVIRONMENT & INFRASTRUCTURE****SUBJECT: COMMENCEMENT OF CONSULTATION FOR DRAFT OF THE SURREY WASTE LOCAL PLAN****SUMMARY OF ISSUE:**

Surrey County Council is the Waste Planning Authority (WPA) for Surrey. The role of the WPA includes a statutory requirement¹ to prepare a plan for the provision of waste management infrastructure which will support Surrey's growth over the next 15 years.

The current Surrey Waste Plan (SWP) was adopted in 2008 and to replace this a new Surrey Waste Local Plan (SWLP) is being prepared. The new SWLP will go through several stages of public consultation. The first stage of public consultation was 'Issues and Options' held in September 2016.

Based on the responses received from the Issues and Options Consultation and evidence collected by the WPA a draft version of the new SWLP has been prepared. The WPA now seeks views on the Draft SWLP through a further round of public consultation.

It is proposed that the Draft Plan Consultation runs from 1 November 2017 to 5 February 2018. This is based on a 12 week consultation window with an additional two weeks to account for the Christmas period.

The Draft Plan Consultation will give statutory, non-statutory and public stakeholders a chance to have their say on the draft version before Cabinet takes a decision on the contents of the SWLP. The consultation will be supported by a non-technical summary and will be available online and in hardcopy at District and Borough offices.

¹ Under the Planning and Compulsory Purchase Act 2004

RECOMMENDATION:

It is recommended that:

The Leader of the Council agrees that the Council commences a Draft Plan Consultation on a new Surrey Waste Local Plan (SWLP) from 1 November 2017 for a period of 14 weeks.

REASON FOR RECOMMENDATIONS:

It is important that when preparing its local plan Surrey County Council engages effectively with stakeholders in accordance with the adopted Statement of Community Involvement (SCI) and the Duty to Cooperate².

DETAILS:**Why does Surrey need a Waste Local Plan?**

1. As the Waste Planning Authority (WPA), Surrey County Council is required, under the Planning and Compulsory Purchase Act 2004, to produce a local plan which sets out how much and where waste management infrastructure could be provided within the county.
2. The current plan, the Surrey Waste Plan 2008, was intended to plan for the period up to 2018. The National Planning Policy Framework (NPPF) presumption in favour of sustainable development expects that any proposed development which accords with an up-to-date local plan is approved.
3. An up-to-date Waste Local Plan is needed to both allow for adequate future provision, taking into account changing circumstances but also, importantly, to protect the county from inappropriate speculative development that could take place either without a Plan or with an out of date Plan.

What is a Waste Local Plan?

4. The SWLP will include policies and site allocations which enable waste operators (public and private) to deliver the waste management infrastructure needed to sustain Surrey's dynamic economy. The amount of waste management infrastructure needed is based on how much waste is produced in Surrey.
5. The SWLP seeks to provide land for waste management infrastructure and covers all key waste streams³ including; waste from households, commercial waste, construction and demolition waste.

² Section 33A of the Localism Act 2011

³ National Planning Practice Guidance for Waste Paragraph: 013 Reference ID: 28-013-20141016

How will Surrey County Council prepare a new Waste Local Plan?

6. The preparation of the new SWLP will include several stages of public consultation. The first stage was a consultation on Issues and Options undertaken in September 2016.
7. The results of the Issues and Options Consultation have been used in developing a Draft Plan. The Draft Plan Consultation seeks to obtain views from stakeholders on more detailed aspects of policy and potential sites being considered for allocation.
8. Following the Draft Plan Consultation a report will be taken to Cabinet on 26 June 2018 to agree the content of the SWLP based on the outcome of the consultation.
9. A further stage of public consultation (Pre-Submission Consultation) will be carried out in 2018 before the SWLP is submitted to the Secretary of State for examination. The stages of consultation and their duration are in accordance with the County Council's adopted SCI.
10. The timetable for reviewing the SWLP is set out in the local development scheme known as the Minerals and Waste Development Scheme (MWDS). A draft MWDS has been published alongside the consultation. Following the consultation Cabinet will also need to agree the revised MWDS.

CONSULTATION:

11. This report sets out the proposed approach that the WPA intends to follow when consulting on the revised Surrey Waste Local Plan. The consultation will be addressed to a range of stakeholders including:
 - General public
 - Surrey District and Borough Councils
 - Other Waste Planning Authorities
 - Adjoining Authorities outside Surrey
 - Duty to Cooperate Bodies⁴
 - Local Enterprise Partnerships
 - Statutory Environmental Bodies
 - Parish Councils
12. The consultation will run for 14 weeks between 1 November 2017 to 5 February 2018. The consultation will be held in accordance with the County Council's adopted SCI.

⁴ As identified in Regulation 4 of The Town and Country Planning (Local Planning) (England) Regulations 2012

RISK MANAGEMENT AND IMPLICATIONS:

13. It is important that Surrey County Council's local plan for waste remains effective and compliant with national legislation and policy. Failure to do so could lead to successful challenges to decisions on relevant planning applications, whereby they are overturned and costs are potentially awarded against Surrey County Council.
14. The WPA is managing this risk by being proactive about reviewing the SWLP to ensure that the local plan for waste remains up-to-date and compliant with national legislation and policy and takes account of the local context affecting the delivery of waste management infrastructure.

Financial and Value for Money Implications

15. The cost of reviewing the SWP was agreed by Cabinet in December 2014. The review is expected to cost £0.3m and this estimate is budgeted although costs could be higher depending on external factors, and will be funded from the New Homes Bonus grant.
16. The largest proportion of the cost will arise at the later stages of preparing the SWLP including the independent public examination. By planning positively and engaging early on with stakeholders through a number of stages of consultation we are seeking to minimise the time and cost of the independent examination.

Section 151 Officer Commentary

17. The Section 151 officer confirms that all material financial issues and risks have been addressed in this paper. The anticipated costs of reviewing the Surrey Waste Plan will be met from within the wider Medium Term Financial Plan as set out in Paragraph 14.

Legal Implications – Monitoring Officer

18. Surrey County Council is the WPA for Surrey. As the WPA the County Council is required by the Planning and Compulsory Purchase Act 2004 (as amended) to prepare development plan documents and other documents that provide the framework for waste planning policy in Surrey and to keep such documents up to date.
19. Consultation on the draft version of the local plan is a legal requirement pursuant to Regulation 18 of the Planning and Compulsory Purchase Act 2004 (as amended).

Equalities and Diversity

20. In order to develop the SWLP the County Council are required to carry out several stages of public consultation. An Equalities and Diversity Assessment (EqIA) has been carried out and is attached as **Annexe 1**. The EqIA will be reviewed and updated at each stage of consultation to ensure that we capture and address any equalities issues that arise.

Other Implications:

21. The potential implications for the following council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	No significant implications arising from this report.
Safeguarding responsibilities for vulnerable children and adults	No significant implications arising from this report.
Environmental sustainability	Set out below.
Public Health	No significant implications arising from this report.
Climate change	No significant implications arising from this report.
Carbon emissions	No significant implications arising from this report.

Environmental sustainability implications

- 22. The requirement for strategic environmental assessment (SEA) derives from a European Union (EU) Directive (2001/42/EC), which requires public authorities to undertake a systematic assessment and evaluation of the likely effects of certain plans and programmes on the environment, and their reasonable alternatives, as part of the plan preparation and decision making process. The purpose of SEA is to afford a high level of protection to the environment.
- 23. The SEA must be carried out in accordance with the requirements set out in Regulation 12(3) and Schedule 2 of the Environmental Assessment of Plans & Programmes Regulations 2004 (SI 2004 No.1633), and Annex I of the SEA Directive. The SEA will be carried out alongside the preparation of the plan, and the conclusions and recommendations of the assessment, including in respect of the consideration of alternatives, will be fed into that process prior to the finalisation of the proposals set out in the plan. The content and purpose of a SEA is defined by law.
- 24. Separate to the requirement for SEA is a domestic requirement for Local Plans to be subject to sustainability appraisal (SA), which derives from the section 19 of the Planning & Compulsory Purchase Act 2004. The SA process has a broader focus than SEA, and encompasses effects on the economy and communities, in addition to those on the environment. The content and purpose of a SA is not defined by law.
- 25. A further requirement relevant to the preparation of Local Plans are those of the EU Habitats Directive (92/43/EC), in respect of the 'appropriate assessment' of plans with regard to their likely effects on sites that have been designated as of European importance for nature conservation. Prior to adoption all Local Plans must have been subject to a suitable level of 'appropriate assessment', and the planning authority needs to be able to reach a conclusion that the ecological integrity of any European site would not be adversely impacted by the implementation of the plan.

WHAT HAPPENS NEXT:

26. The next steps are:

- Subject to Leader approval, the Draft Plan Consultation will run for a period of 14 weeks between 1 November 2017 and 5 February 2018.
- Once the consultation has concluded, the County Council will analyse the responses and provide an assessment of how these responses will inform the Pre-Submission version of the Surrey Waste Local Plan.
- Cabinet will be asked to take a decision on the content of the Pre-submission version of the Surrey Waste Local Plan following the outcomes of the Draft Plan Consultation at the Cabinet meeting on 26 June 2018.
- Cabinet will be asked to agree a revised Minerals and Waste Development Scheme (MWDS) which sets the timetable for the preparation of the Surrey Waste Local Plan.

Contact Officer:

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Paul Sanderson, Minerals & Waste Policy Manager
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Consulted:

Mike Goodman, Cabinet Member for Environment and Transport
Lesley Harding, Head of Place Development
Trevor Pugh, Strategic Director Environment & Infrastructure
Nancy El-Shatoury, Principal Lawyer
Tony Orzieri, Finance Manager

Annexes:

Annexe 1: Equalities Impact Assessment for the Surrey Waste Local Plan

Sources/background papers:

- Surrey County Council Statement of Community Involvement (2015) available at: <https://www.surreycc.gov.uk/environment-housing-and-planning/minerals-and-waste-policies-and-plans/surrey-statement-of-community-involvement>
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Equality Impact Assessment Surrey Waste Local Plan



1. Topic of assessment

EIA title:	Surrey Waste Local Plan 2018 - 2033
EIA author:	Maureen Prescott

2. Approval

	Name	Date approved
Approved by¹	Paul Sanderson	28 September 2017
	Lesley Harding	29 September 2017

3. Quality control

Version number	V2.0	EIA completed	
Date saved	28 September 2017	EIA published	

4. EIA team

Name	Job title (if applicable)	Organisation	Role
Kate Symington	Principal Planning Policy Officer	Surrey County Council	
Maureen Prescott	Planning Technician	Surrey County Council	

¹ Refer to earlier guidance for details on getting approval for your EIA.

Equality Impact Assessment Template

5. Explaining the matter being assessed

<p>What policy, function or service is being introduced or revised by the county council?</p>	<p>Surrey Waste Local Plan 2018 – 2033</p> <ol style="list-style-type: none"> 1. Surrey County Council as the Waste Planning Authority (WPA) has identified a need to review and where necessary, update the current Surrey Waste Plan which was adopted in 2008. 2. Waste Planning is a statutory function of Surrey County Council that aims to ensure that Surrey has sufficient land supply and facilities to manage its waste in a sustainable way preventing any significant adverse impacts on the environment and communities. 3. The new Surrey Waste Local Plan (SWLP) will: <ul style="list-style-type: none"> • Quantify the amount of land required to provide waste management infrastructure to support growth up to 2033. • Identify and allocate where appropriate sites and areas that are considered suitable for waste management facilities. • Set out detailed policies against which planning applications for waste development will be determined. 4. One of the County Council’s objectives is to provide opportunities for all SWLP stakeholders to be able to comment on how and where waste management infrastructure is located. 5. To inform the development of the SWLP, the County Council will consult residents, businesses, industry operators, district and borough planning authorities, and other statutory and non-statutory stakeholders. 6. In 2015 Surrey County Council as the Waste Planning Authority adopted a Statement of Community Involvement which sets out how and when the county council will consult residents. The SCI takes forward the County Council’s Commitment to Public Involvement and conforms to statutory requirements and plan making guidance. 7. In order to develop the SWLP the County Council is required to carry out several stages of plan preparation and public consultation. The County Council will review our EqlA at each stage to ensure that the county council capture and address any equalities issues that arise.
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Equality Impact Assessment Template

<p>What proposals are you assessing?</p>	<ol style="list-style-type: none"> 1. The adopted SWLP will include a vision, objectives, spatial strategy and detailed policies for waste development and a site allocation/proposals map document. 2. The preparation of the new SWLP will include updating information on commercial and industrial (C&I) waste, construction, demolition and excavation waste (CD&E), as well as waste produced by households. The preparation of the new SWLP will also consider specialist types of waste such as hazardous waste, wastewater, and low level radioactive waste. 3. The County Council will also review broader changes in terms of national policy and guidance, technology, socioeconomic factors and market drivers.
<p>Who is affected by the proposals outlined above?</p>	<ol style="list-style-type: none"> 1. The new SWLP will affect all residents, businesses and other individuals and organisations who produce waste. 2. The County Council expect the SWLP to benefit communities including people with protected characteristics. The SWLP will: <ul style="list-style-type: none"> ▪ Provide information for residents as to where future waste development is likely to be located. ▪ Provide waste operators with criteria to help them judge where planning permission is likely to be granted. ▪ Benefit communities and future generations by making provision for the facilities needed to manage the waste produced in Surrey in a sustainable way. 3. The SWLP will aim to enable the facilities delivered to ensure Surrey is able to manage the equivalent of waste arising in the county in a way that prevents significant adverse impacts on communities including people with protected characteristics. 4. To facilitate this the County Council will use plan making and consultation processes that comply with legislation and national guidance. These will include: <ul style="list-style-type: none"> ▪ A series of extensive public consultations carried out in accordance with the Statement of Community Involvement [see Section 6 below]. ▪ Taking account of sensitive land uses such as housing when the county council are considering which sites may be suitable for waste-related development. ▪ Identifying in the SWLP only those sites where it is considered that potential adverse impacts, such as noise or health impacts, can be mitigated to an acceptable level. ▪ Including key development criteria for all sites that the county council allocate in the SWLP. These will specify

Equality Impact Assessment Template

particular aspects of the site that are required to be addressed by planning applications.

5. Following adoption of the SWLP, any planning applications for waste development will be subject to the development management process. This will involve further consultation. It may also include specifying conditions for development and where applicable, the submission of design and access statements.
6. The County Council expect the new SWLP to prevent significant adverse impacts related to waste development. The County Council will test this assumption through the public consultations on the SWLP.
7. The County Council will take account of consultation responses to help shape the new SWLP. This process will include identifying and addressing any significant potential equality issues that arise.

6. Sources of information

Engagement carried out

1. Between the 2 September and 25 November 2016 the County Council consulted on an Issues and Options Paper and a number of supporting evidence documents as part of the preparation of the SWLP.
 - A wide range of media (newsletters, the website, twitter), correspondence and meetings was used to inform individuals and organisations about the new SWLP and seek their comments.
 - The Council's the website supported the consultation through a dedicated webpage, including links to PDF copies of documents and a link to the online survey.
 - A wide range of individuals and organisations were notified at the start of the consultation by either email or letter. Printed copies of the documents, along with flyers, were provided in the district and borough council offices and libraries.
 - A summary and question forms were also available at district and borough council offices and local libraries. Articles were published in Surrey Matters (print and e-newsletter) and Surrey Economic Prospects in September and October 2016.
 - Six hundred and thirteen representations were received from the public. Three parish councils and/or residents associations responded and one action group. The responses were received as a mix of on-line responses, paper questionnaires, letters and emails.
 - None of the responses raised any equalities issues.

Equality Impact Assessment Template

2. Respondents from the consultation have been added to the Stakeholder Database. A further round of consultation will be undertaken in November 2017 on the content of a draft plan.

Data used

Results of the Issues and Options Consultation.

The Issues & Options Summary of Responses Report December 2016 details the responses and how information gained would be used to shape the draft version of the new SWLP. This report was taken to the Economic Prosperity, Environment and Highways Board (now the Environment and Infrastructure Select Committee) at their meeting on 12 January 2017. The final report was made available on the county council's webpages following the meeting.

7a. Impact of the proposals on residents and service users with protected characteristics

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Protected characteristic ²	Potential positive impacts	Potential negative impacts	Evidence
All.	The County Council expect the SWLP to benefit communities and future generations by making land available for the facilities needed to manage the equivalent of waste produced in Surrey in a sustainable way.	<p>The County Council do not expect the SWLP to:</p> <ul style="list-style-type: none"> • Have significant adverse impacts on residents or service users including those with protected characteristics. • Negatively impact residents and service users with protected characteristics differently to other members of the 	<p>The County Council will:</p> <ul style="list-style-type: none"> • Test these assumptions through the public consultations on the SWLP. • Use plan making and consultation processes that comply with legal requirements and national guidance. • Take account of consultation responses to help us shape the SWLP. This process will include identifying and addressing any significant potential equality issues that arise.

² More information on the definitions of these groups can be found [here](#).

Equality Impact Assessment Template

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7b. Impact of the proposals on staff with protected characteristics

Protected characteristic	Potential positive impacts	Potential negative impacts	Evidence
All.	As above	As above	As above

Equality Impact Assessment Template

8. Amendments to the proposals

Change	Reason for change
None proposed at this stage - will review after the Draft Plan consultation.	

9. Action plan

Potential impact (positive or negative)	Action needed to maximise positive impact or mitigate negative impact	By when	Owner
	None proposed at this stage - will review after the Draft Plan consultation.		

10. Potential negative impacts that cannot be mitigated

Potential negative impact	Protected characteristic(s) that could be affected
None identified - will review after the Draft Plan consultation.	

Equality Impact Assessment Template

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11. Summary of key impacts and actions

Information and engagement underpinning equalities analysis	This section to be completed at a later stage.
Key impacts (positive and/or negative) on people with protected characteristics	This section to be completed at a later stage.
Changes you have made to the proposal as a result of the EIA	This section to be completed at a later stage.
Key mitigating actions planned to address any outstanding negative impacts	This section to be completed at a later stage.
Potential negative impacts that cannot be mitigated	This section to be completed at a later stage.