



Memorandum of Understanding between Elmbridge Borough Council and Surrey County Council to inform partnership working on delivering infrastructure to support development in Elmbridge

This agreement is dated XX May 2014

1. Purpose

This Memorandum of Understanding (MoU) provides a set of principles for the identification, prioritisation, funding and delivery of infrastructure improvements in Elmbridge Borough. Infrastructure delivery is a partnership process and both councils need to work together to meet existing infrastructure deficiencies, support growth and the planned development within the Borough.

This MoU is a statement of joint intent and is not a legally binding agreement.

2. Shared Principles

This MoU includes principles which Elmbridge Borough Council and Surrey County Council have agreed to apply to the identification of infrastructure needs, prioritisation, funding and delivery. These principles are as follows:

Principle 1 - Identification of short and long term infrastructure needs

A commitment to developing a comprehensive assessment and the forward planning of both short and long term infrastructure needs in the Borough through the Infrastructure Delivery Plan, Settlement Investment and Development (ID) Plans and LTP3 Elmbridge Borough Local Transport Strategy and Implementation Programme.

Elmbridge Borough Council's Infrastructure Delivery Plan (IDP) and Settlement ID Plans provide an assessment of different infrastructure needs in the Borough and both councils agree that these documents will function as the primary evidence basis to inform the identification of strategic and localised infrastructure needs in the Borough to deliver the aspirations of the Elmbridge Local Plan. The Local Transport Strategy will provide the evidence for both local and strategic transport infrastructure needs across the Borough. It is acknowledged that both the IDP and Settlement ID Plans represent a snapshot of infrastructure needs at a given point in time and therefore require regular input to keep them up to date, taking account of changes in national and local priorities for funding, changing demographics and the rate and location at which development comes forward.

Principle 2 - Prioritisation of infrastructure

A commitment from both councils to review the CIL Regulation 123 List and to receive input into the prioritisation of infrastructure needs through both Local Spending Boards, Strategic Spending Board and through the Surrey County Council Local Committee when required.

The prioritisation of infrastructure needs in the Borough will be conducted through a number of different mechanisms. Surrey County Council as the Highways and Education authority will look to prioritise what strategic transport and education infrastructure is required for the Borough and request funding for these schemes through the Strategic Spending Board. Transport infrastructure will be set out through the LTP3 Local Transport Strategy and Implementation Programme (LTSIP) which should form an evidence base for the prioritisation of transport schemes. County and Borough Members will be involved in this prioritisation through the Surrey County Council Local Committee for strategic infrastructure. The Local Committee is a Surrey County Council committee where Borough Members are co-opted on to the Committee and have voting rights. For local infrastructure, sub committees of the Borough Council will prioritise local infrastructure. These will be known as Local Spending Boards. County members will be invited to sit on these Boards but due to the legislation in which the committees have been constituted they can only have an advisory role.

The Regulation 123 list was produced in partnership between both councils and should continue to be revised jointly.

Principle 3 - Funding of infrastructure

A commitment to using both councils' best endeavours to access and release all potential funds to meet Elmbridge's infrastructure needs and to work with a wide range of stakeholders, including those in the private sector and through Government agencies to secure funding.

Both councils acknowledge that in order to maximise funding for infrastructure, all possible funding streams will need to be explored and utilised where appropriate. Both councils will work in partnership to explore these opportunities.

Principle 4 - Delivery of infrastructure

A commitment from both councils to provide clear delivery timescales for infrastructure projects, inform either council of any material changes to infrastructure projects and any risks and to return any unspent CIL receipts. The County Council will keep the Borough Council informed for the purposes of reporting on the progress of any identified project.

For the purpose of CIL receipts, the Borough Council is the designated CIL Charging Authority. As a Charging Authority the Borough Council has a number of statutory rights and statutory reporting duties which include the provision to reclaim unspent or misappropriated funds. The Borough Council is required to publish annually the total CIL receipts for the reported year, the total CIL expenditure for the reported year, summary of the items to which CIL has been applied and the amount of CIL expenditure on each item. When the Borough Council agrees to release funds to the County Council for a specified project, or projects, these funds will be used exclusively for the purpose(s) agreed. The County Council will need to inform the Borough Council's Infrastructure Delivery Coordinator of any material changes to any proposals agreed. If the County Council ceases or suspends provision of any agreed infrastructure project it will return these receipts to the Borough Council unless an alternative scheme, already on the Regulation 123 list, can be delivered and is agreed by the Borough Council.

Both councils are committed to continuous improvement and acknowledge the importance of monitoring the efficiency of the planning and delivery process and the subsequent effectiveness of new infrastructure.

Signed

Date

Cllr John O'Reilly

Leader

Elmbridge Borough Council

Signed

Date

Cllr David Hodge

Leader

Surrey County Council

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