

Preparation of the New Surrey Waste Local Plan 2018

Proposed Terms of Reference for Member Reference Group

1. Background

1.1.1 As the Waste Planning Authority (WPA) Surrey County Council has a responsibility to produce a local plan which sets out how and where waste will be managed in Surrey in future. The current Surrey Waste Plan (SWP) was adopted in 2008 and a review of the waste plan is needed because:

- We are required to produce a local waste plan, the National Planning Policy Framework (NPPF) also emphasises the need for this to be kept up to date.
- Several significant permissions for additional waste facilities have been granted since the last plan and their implications on the requirement for any additional waste management capacity in future needs to be considered.
- A significant number of new policy updates and technical reports are available which have implications for the management of waste, including; the National Planning Policy Framework (NPPF), National Planning Policy for Waste (NPPW) (and associated guidance), the Waste Management Plan for England and the revised Waste Framework Directive (rWFD).

1.1.2 It has been agreed by Cabinet that a new updated Plan, to cover the period 2018 to 2033, be prepared and members of the County Council will be asked to comment on proposed approaches and drafts of the Plan.

2. Overview of Project

1.1.3 Preparation of a revised SWP, to be known as the Surrey Waste Local Plan (SWLP), will need to follow due process, as set out in the Planning and Compulsory Purchase Act 2004 and Town and Country Planning Regulations 2012. An outline of this process is shown in Figure 1 with detail on each stage provided below.

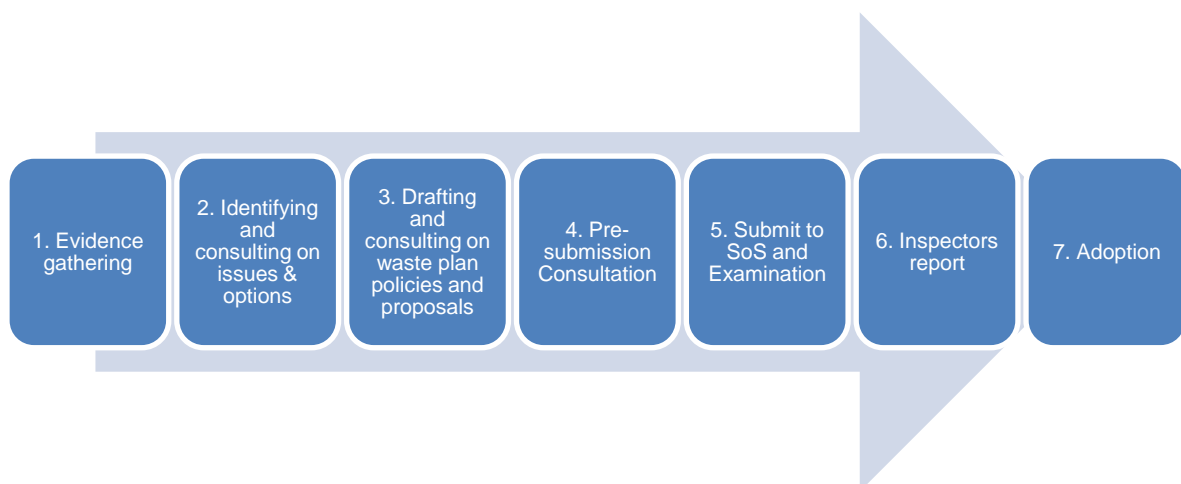


Figure 1 Diagram for development of the new Surrey Waste Local Plan

- 1.1.4 As shown above there are a number of consultation phases and the Councils approach to consultation on the SWLP is outlined in its Statement of Community Involvement (SCI).
- 1.1.5 During its preparation the Plan will be subject to 'Sustainability Appraisal' (SA). SA is an objective process that considers the social, economic and environmental impacts of the Plan and so informs decisions on approaches taken.

1.2 Stage 1 Evidence Gathering

- 1.2.1 The objective of the evidence gathering stage is to provide sufficient information to update the evidence base used for the development of the Surrey Waste Plan 2008. This includes reviewing the policy, socioeconomic and other drivers which affect future sustainable waste management in Surrey.
- 1.2.2 Background papers will be developed at this stage of the process and stakeholders will be invited to comment in order that a robust and proportionate baseline is prepared to enable an effective review of the current (2008) waste plan. These background papers cover the following topics:
- Spatial Context and Issues
 - Waste Capacity Requirements
 - Site Identification and Assessment
 - Compliance with the 'Duty to Cooperate'

1.3 Stage 2 Identifying Issues and Options

- 1.3.1 As part of Surrey's commitment to community engagement, we aim to involve our stakeholders as early as possible in the plan making process so that they may have the greatest opportunity to influence emerging policies and plans.
- 1.3.2 The Issues and Options Paper is the first formal opportunity for stakeholders to contribute to the new SWLP 2018. The Issues and Options Paper will be agreed by Cabinet and sets out the strategic (spatial and policy) context for waste management and explore the overall scale of need for additional waste management facilities in Surrey over the Plan period.
- 1.3.3 The Scoping Report for the strategic environmental assessment and sustainability appraisal of the Plan will be published for comments at around the same time as the issues and options consultation.

1.4 Stage 3 Drafting waste plan policies and proposals

- 1.4.1 We will consider the responses to the consultation on the Issues and Options and use this information to produce a draft version of the SWLP. We will publish a summary of the responses and outline how these are being taken into account in the development of the emerging local plan. The emerging draft Plan will be subject to Sustainability Appraisal and this will also be used to inform the content.
- 1.4.2 The draft SWLP 2018 will be published for consultation, together with the SA, in accordance with relevant legislation¹ and the SCI.

¹ Regulation 18 of the Town and Country Planning (Local Planning)(England) Regulations 2012

1.5 Stage 4 Pre-submission Consultation

- 1.5.1 We will assess the information from the draft plan consultation and where appropriate amend and update the draft plan to reflect this information. Any changes to the Plan will be subject to SA. As a result we will have a plan that we consider to be 'sound' and ready to submit to the Secretary of State (SoS), known as a Pre-submission Plan. Prior to submission we will publish this plan for representations on the Plan's soundness and legal compliance.
- 1.5.2 Publication of the pre-submission plan² represents an opportunity for stakeholders to say whether they think the Plan is sound and legally compliant and any representations received will be passed to the SoS.
- 1.5.3 The tests of soundness are set out in the National Planning Policy Framework and these concern the following:
- Whether the plan is positive about development
 - Whether the Plan is justified i.e. based on relevant evidence
 - The Plan's effectiveness i.e. can it be delivered
 - Consistency with national policy

1.6 Stage 5 Submit plan to SoS and Examination

- 1.6.1 Following the pre-submission consultation, the Pre-Submission Plan, together with representations, SA and evidence base will be submitted to the Planning Inspectorate³. The purpose of the examination is to consider whether the Plan complies with the legal requirements, the duty to cooperate, and is sound⁴. At this stage the council may also propose modifications which are considered necessary in light of the representations.
- 1.6.2 The hearing sessions form an important part of the examination process. The Inspector may wish to question parties who responded to the pre-submission consultation and so they may be invited to attend the hearings.
- 1.6.3 During the public examination the need for modifications to the Plan may emerge which are necessary to make the revised SWLP sound and/or legally compliant and consultation on these will likely take place.

1.7 Stage 6 Inspectors Report

- 1.7.1 The report will explain why the Inspector, based on a consideration of all the evidence and his/her professional expertise and judgement, has reached a particular view on legal compliance, including the DTC, and soundness.
- 1.7.2 The Inspector will send a draft report to the LPA for a fact check. The LPA has one week to respond to the fact check. Once the fact check has been completed and the Inspector has responded to any points raised, the final report will be submitted to the LPA.

² Regulation 19 of the Town and Country Planning (Local Planning)(England) Regulations 2012

³ Regulation 22 of the Town and Country Planning (Local Planning)(England) Regulations 2012

⁴ Planning and Compulsory Purchase Act 2004 (as amended)

1.8 Stage 7 Adoption

- 1.8.1 Once the examination process is complete, and assuming that the Plan is found to be sound, the WPA intends to formally adopt the new SWLP 2018.
- 1.8.2 On adopting the SWLP 2018 we will make publicly available a copy of the plan, an adoption statement, and a statement as required by Regulation 16 of the Environmental Assessment of Plans & Programmes Regulations 2004⁵.
- 1.8.3 Once adopted, the new SWLP will provide a strategic approach for sustainable waste management throughout the proposed plan period.

3. Proposed Role of the Member Reference Group

- 1.8.4 The project officers believe that a Member Reference Group could add value to this important project. The Group can:
- Act as champions for the new Surrey Waste Local Plan with Member colleagues and community organisations
 - Give officers the perspective of members and other stakeholders, including communities, on draft proposals developed as part of the emerging SWLP
 - Advise on proposals, reports and other documents to be taken before EP&H Board and Cabinet
 - Provide feedback on the approach taken for engagement with the public and stakeholders
- 1.8.5 We anticipate that the Group should meet as required, but estimate that meetings will take place three times per year.

4. Project Milestones/Outputs

- Issues and Options Report – September 2016
- Draft Plan – November 2017
- Pre-submission plan – May 2018
- Submission to SoS – Autumn 2018
- Examination in Public – Spring 2019
- Adoption of plan – Autumn 2019

5. Officer Support and Contacts

- 1.8.6 The project is supported by the Minerals and Waste Planning Policy Team at Surrey County Council.

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⁵ Regulations 26 and 35 of the Town and Country Planning (Local Planning) (England) Regulations 2012