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# Elmbridge New Local Plan

## Local Development Scheme 2025 - 2028

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06 March 2025



**Elmbridge**  
Borough Council

# Contents

1. Introduction.....	1
The Draft Elmbridge Local Plan 2037 .....	1
2. Existing development plan documents .....	2
Development plans .....	2
The Elmbridge development plan.....	2
3. Other planning policy documents .....	4
Supplementary Planning Documents.....	4
Statement of Community Involvement .....	4
Community Infrastructure Levy .....	4
Brownfield Land Register .....	5
Self and Custom Build Register .....	5
Monitoring .....	5
4. New Local Plan.....	6
5. Resources .....	9
Internal resources - planning department.....	9
Internal resources - other council departments .....	9
External consultants.....	9
6. Programme management and risk assessment .....	10
7. Schedule of proposed development plan documents .....	11
Appendix 1: Risk assessment.....	14

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# 1. Introduction

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- 1.1 This Local Development Scheme (LDS) sets out a timetable for the production of a New Local Plan for Elmbridge Borough Council over the period 2025 to 2028. It supersedes the Council's previous LDS covering the period 2023 to 2026.
- 1.2 Section 15 of the Planning and Compulsory Purchase Act 2004 (as amended)<sup>1</sup> requires the Council to prepare and maintain a LDS setting out the timetable for the preparation and revision of Development Plan Documents (DPDs).
- 1.3 The LDS is designed to help our local communities and all our partners interested in development and the use of land in the Borough to understand what planning documents the Council intends to produce and in what order.

## **The Draft Elmbridge Local Plan 2037**

- 1.4 The Council's Draft Elmbridge Local Plan 2037 was submitted to the Planning Inspectorate for Examination in August 2023. At the close of Stage 2 of the Examination in Public the Inspector issued their Interim Findings Report in which the Draft Plan was found 'unsound' as submitted. The Inspector advised that the Council must choose to withdraw the Plan or request that the Inspector write up their full report in which they will find the Plan unsound.
- 1.5 Subject to the decision of Full Council on 26 February 2025 to withdraw the Draft Elmbridge Local Plan 2037 from Examination and begin work on the production of a new Local Plan for the Borough. This LDS sets out a timetable for the production of a New Elmbridge Local Plan, which will be developed from scratch.

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<sup>1</sup> [Planning and Compulsory Purchase Act 2004, Section 15](#)

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## 2. Existing development plan documents

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### Development plans

- 2.1 The development plan is at the heart of the planning system and the starting point for all planning decisions. Planning law requires that applications for planning permission be determined in accordance with the development plan unless material considerations indicate otherwise.

### The Elmbridge development plan

- 2.2 Elmbridge Borough Council's existing development plan is comprised of the following adopted planning policy documents:

#### Local Policy

- Elmbridge Core Strategy (July 2011)<sup>2</sup>
- Elmbridge Development Management Plan (April 2015)<sup>3</sup>

- 2.3 The Core Strategy and Development Management Plan set out the vision, spatial strategy and policies for shaping development in the Borough over the period to 2026.

- 2.4 The Council's policies map illustrates geographically how and where the policies and proposals in the Development Plan apply across the Borough and forms part of the Development Plan. An interactive policies map is available on the Council's website<sup>4</sup>.

#### County Policy

- Surrey County Council Minerals Plan (July 2011)<sup>5</sup>
- Surrey County Council Waste Local Plan 2019 – 2033 (December 2020)<sup>6</sup>

- 2.5 Surrey County Council is the Waste and Minerals Planning Authority for the whole of Surrey and produces a suite of DPDs to guide minerals and waste development across the County.

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<sup>2</sup> [Elmbridge Borough Council Core Strategy](#)

<sup>3</sup> [Elmbridge Borough Council Development Management Plan](#)

<sup>4</sup> [Elmbridge Borough Council Interactive Policies Map](#)

<sup>5</sup> [Surrey County Council Surrey Minerals Plan](#)

<sup>6</sup> [Surrey County Council Surrey Waste Local Plan 2019 - 2033](#)

## **Regional Policy**

- Saved policy NRM6 of the South East Plan (May 2009)<sup>7</sup>

2.6 The South East Plan came into force in May 2009 and covered the period up to 2026. However, the Government partially revoked the South East Plan on 25 March 2013 and the only retained policy relevant to Elmbridge is saved policy NRM6, which relates to new residential development near the Thames Basin Heaths Special Protection Area. This policy requires the provision of mitigation to overcome identified harm to this habitat from recreational disturbance associated with additional residents in the nearby areas.

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<sup>7</sup> [South East Plan](#)

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## 3. Other planning policy documents

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### Supplementary Planning Documents

- 3.1 Supplementary planning documents (SPDs) do not form part of the Development Plan but they form part of the local planning framework for Elmbridge. SPDs provide further information and guidance on how policies in the Development Plan will be implemented and must be consistent with DPDs. They are subject to public consultation and are capable of being a material consideration in planning decisions. However, they are not subject to an independent examination and therefore do not have the same weight in planning decisions as DPDs. Elmbridge Borough Council's adopted SPDs are available on the Council's website<sup>8</sup>.

### Statement of Community Involvement

- 3.2 The Council's Statement of Community Involvement (SCI)<sup>9</sup> sets out how the Council will engage with and involve local communities and stakeholders in the preparation, alteration and review of planning documents and planning decisions. Section 18 of the Planning and Compulsory Purchase Act 2004<sup>10</sup> requires LPAs to produce a SCI and Regulation 10A of the Town and Country Planning (Local Planning) (England) Regulations 2012<sup>11</sup> requires LPAs to review their SCI every 5 years.
- 3.3 The Council's current SCI was adopted in September 2021. A public consultation on changes to the SCI was undertaken in September 2024 and an updated SCI was adopted in November 2024, and implemented in January 2025.

### Community Infrastructure Levy

- 3.4 The Community Infrastructure Levy (CIL) is a tariff that councils can choose to charge on new developments to raise funds to provide infrastructure through the adoption of a 'CIL charging schedule'. The Council adopted its CIL Charging Schedule in February 2013<sup>12</sup> and took effect from 01 April 2013. The charging schedule is updated annually to ensure CIL rates are in line with

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<sup>8</sup> [Elmbridge Borough Council Supplementary Planning Documents](#)

<sup>9</sup> [Elmbridge Borough Council Statement of Community Involvement](#)

<sup>10</sup> [Planning and Compulsory Purchase Act 2004, Section 18](#)

<sup>11</sup> [Town and Country Planning \(Local Planning\) \(England\) Regulations 2012, Regulation 10A](#)

<sup>12</sup> [Elmbridge Borough Council CIL Charging Schedule](#)

changes in inflation. are updated annually. An Annual Infrastructure Funding Statement<sup>13</sup> is published every year detailing how the funds the Council collects through CIL contributions are spent. CIL operates alongside the existing system of Section 106 (S106) developer contributions.

- 3.5 A review of the Council's CIL charging schedule will be undertaken during the latter stages of the preparation of a new local plan for the Borough.

### **Brownfield Land Register**

- 3.6 The Town and Country Planning (Brownfield Land Register) Regulations 2017<sup>14</sup> require LPAs to prepare and maintain a statutory register of brownfield land<sup>15</sup> (also known as previously developed land) which the Council has assessed as being suitable for residential development. The Register comprises a standard set of data, prescribed by the Government, to help provide certainty for developers and communities and encourages the development of suitable brownfield sites. It must be kept in two parts and is subject to annual review.

### **Self and Custom Build Register**

- 3.7 The Self-build and Custom Housebuilding Act 2015 (as amended)<sup>16</sup> requires LPAs to keep a register of individuals and groups of individuals who are seeking to purchase serviced plots of land in the authority's area for their own self build and custom housebuilding and to have regard to that register when carrying out their functions. The Council currently maintains its self-build register<sup>17</sup> and entry to it can be achieved through completion of an online form.

### **Monitoring**

- 3.8 Progress made on the production of the Council's Development Plan documents and the other planning documents is monitored on a yearly basis within the Council's Authority Monitoring Report (AMR). The AMR is published annually and the current and previous versions are available on the Council's website<sup>18</sup>.

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<sup>13</sup> [Elmbridge Borough Council Annual Infrastructure Funding Statements](#)

<sup>14</sup> [Town and Country Planning \(Brownfield Land Register\) Regulations 2017](#)

<sup>15</sup> [Elmbridge Borough Council Brownfield Land Register](#)

<sup>16</sup> [Self-build and Custom Housebuilding Act 2015 \(as amended\)](#)

<sup>17</sup> [Elmbridge Borough Council Self and Custom Build Register](#)

<sup>18</sup> [Elmbridge Borough Council Authority Monitoring Reports](#)

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## 4. New Local Plan

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- 4.1 This LDS sets out a timetable for the production of a new single Local Plan covering the period to 2043/44 that would replace the Council's Core Strategy and Development Management Plan once adopted.
- 4.2 The Levelling Up and Regeneration Act (LURA)<sup>19</sup> was enacted in October 2023 and secondary legislation will follow in due course. The LURA sets the foundation for a range of planning reforms, including an overhaul of the plan making system. Since the LURA was enacted, there has been a General Election and a change of government. The newly elected Labour government confirmed in their July 2024 consultation on proposed changes to the National Planning Policy Framework (NPPF) and planning reforms<sup>20</sup> that it remains their intention to implement the new plan-making system as set out in the LURA. However, whilst the new plan making arrangements were originally due to be introduced in Autumn 2024, the government has confirmed that this date is to be pushed back to summer or autumn 2025.
- 4.3 New plan making arrangements are expected to require single Local Plans to be prepared within 30 months, remove the statutory basis for SPDs, and introduce 'Supplementary Plans' as part of the Development Plan. In addition, National Development Management Policies (NDMPs) are proposed to address common issues. LPAs will be required to prepare a 'local plan timetable' specifying the matters that the Local Plan will address, any Supplementary Plans that are to be prepared and how requirements in relation to design codes will be met.
- 4.4 On 12 December 2024 the Government published a new NPPF, which makes a number of changes to the plan making process including a new standard method for calculating housing need. Transitional arrangements are set out in Annex 1, which states at paragraph 234 that the policies in the new NPPF will apply from 12 March 2025 unless one or more of the following criteria are met:
- a. the plan has reached Regulation 19 (pre-submission stage) on or before 12 March 2025, and its draft housing requirement meets at least 80% of local housing need;

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<sup>19</sup> [Levelling Up and Regeneration Act](#)

<sup>20</sup> [Proposed reforms to the National Planning Policy Framework and other changes to the Planning system consultation](#)



b. the plan has been submitted for examination under Regulation 22 on or before 12 March 2025;

c. the plan includes policies to deliver the level of housing and other development set out in a preceding local plan (such as a joint local plan containing strategic policies) adopted since 12 March 2020;

d. the local plan is for an area where there is an operative Spatial Development Strategy and the local plan has reached Regulation 19 (pre-submission stage) on or before 12 March 2025; or

e. the plan deals only with minerals and/or waste matters and has reached Regulation 19 on or before 12 March 2025; or has been submitted for examination under Regulation 22 on or before 12 March 2025.

- 4.5 Paragraph 236 sets out that where criteria b of paragraph 234 applies, if the housing requirement in the plan to be adopted meets less than 80% of local housing, need calculated using the standard method in national planning practice guidance, published on 12 December 2024, the local planning authority will be expected to begin work on a new plan, under the revised plan-making system provided for under the Levelling Up and Regeneration Act 2023 (as soon as the relevant provisions are brought into force in 2025), in order to address the shortfall in housing need.
- 4.6 Government have further clarified that if a plan has reached Regulation 19 stage and requires significant reworking to meet the requirements of the new NPPF and plan-making system, which has been defined as needing to return to Regulation 18 consultation stage, the LPA has until December 2026 to submit their reworked plan.
- 4.7 Given the scale of work required in the timeframes defined in the transitional arrangements set out in the new NPPF, the Council has concluded that there is insufficient time available to prepare a new Local Plan under the existing arrangements. As such, the Council's new Local Plan will be produced under the new plan making arrangements due to come into effect in the summer/autumn of 2025. This LDS has been prepared on this basis.
- 4.8 The timetable set out in this LDS has been drafted based on the Council's current understanding of the implications of the Governments forthcoming plan-making reforms. The timetable will be reviewed and may need to be amended/updated when the plan making reforms are published/come into force later in 2025.

- 4.9 This LDS sets out a timetable for the production of a single comprehensive Local Plan and at this time the Council is not proposing to prepare any Supplementary Plans. However, this position is subject to review depending on the requirements set out in the forthcoming regulations around Supplementary Plans.
- 4.10 To support the implementation of a new Local Plan the Council will need to undertake a full review of its adopted Community Infrastructure Levy (CIL) Charging Schedule or prepare the relevant documents required under a revised CIL system introduced in forthcoming regulations under the Levelling Up and Regeneration Act 2023.

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## 5. Resources

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### Internal resources - planning department

5.1 The table below identifies the in-house staff resources within the Planning Department that will be available for the preparation of the New Local Plan.

Permanent posts	% time	Notes
Head of Planning and Environment Health	5%	Full time
Planning Policy and Strategy Manager	50%	Part time 0.85 FTE
Local Plan Manager	100%	Full time
Senior/Principal Planning Policy Officer	100%	Full time
Senior/Principal Planning Policy Officer	100%	Full time
Planning Policy Officer	75%	Full time

5.2 Additional temporary resources may be required to meet the Local Plan project timetable set out in this LDS.

### Internal resources - other council departments

5.3 As well as staff within the Council's Planning Department, staff from other departments across the Council are likely to contribute to the New Local Plan throughout its production. This will include staff in the Council's Housing, GIS, Community Services, Legal and Finance departments for example.

### External consultants

5.4 The Council will employ a range of external consultants to undertake/peer review several of the evidence base studies required, in particular where specialist technical advice is required.

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## 6. Programme management and risk assessment

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6.1 A detailed risk assessment of the new Local Plan project and actions that will be taken to reduce the likelihood of identified risks occurring is set out in Appendix 1. The key areas of risk identified include the following:

- Preparation of New Local Plan fails to meet key project milestones
- Changes in national policy and regulations require significant alteration to the emerging plan
- Lack of suitably experience staff/insufficient staff
- Delays in decision making process at key points in the timetable
- Failure to agree critical cross boundary strategic planning issues with key strategic partners
- Pressure on financial resources and the need for additional budget.
- Insufficient capacity within statutory and other consultees to provide detailed planning advice in a timely manner
- Failure of external partners/consultants to meet project deadlines
- The New Local Plan is found unsound
- Legal challenge
- Changes in the political structure or direction of the Council
- Insufficient capacity within the Planning Inspectorate to carry out gateway checks and local plan examination in a timely manner

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## 7. Schedule of proposed development plan documents

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**Document title:** Elmbridge New Local Plan (title to be confirmed at a later date)

**Role and content:** the New Local Plan will provide a positive vision for the future of the Borough; a framework for addressing housing and other development needs; as well as other economic, social and environmental priorities for at least a 15 year period post adoption. It will contain locally distinctive strategic and non-strategic policies and land/site allocations, whilst fostering high quality design and contributing to the mitigation of, and adaptation to, climate change.

**Geographical coverage:** whole authority area

Stage	Timing	Notes
Pre-commencement work programme	Mar. 2025 - Feb. 2026 (12 months)	<ul style="list-style-type: none"> <li>- Recruitment</li> <li>- Early internal engagement with heads of services and other Council departments to identify joint working and streamlining opportunities</li> <li>- Comms and public engagement strategy</li> <li>- Early Duty to Cooperate engagement to identify joint working opportunities</li> <li>- Procurement of consultants for key evidence base documents</li> <li>- Implementation of new planning data monitoring system</li> <li>- Implementation of Part 1 and 2 Self and</li> </ul>

Stage	Timing	Notes
		Custom Build Register
Scoping and early participation  (30 months' timeframe starts from here)	Feb./Mar. – Jun. 2026  (4 months)	<ul style="list-style-type: none"> <li>- Production of project initiation document</li> <li>- 4-week initial consultation (similar to a pre-Reg. 18 consultation)</li> <li>- Submission to Gateway 1 at end of Jun. 2026</li> </ul>
Plan visioning and strategy development	Jul. – Dec. 2026  (6 months)	<ul style="list-style-type: none"> <li>- Initial (pre-Reg. 18) consultation response</li> <li>- Visioning</li> <li>- Production of a draft plan for Reg. 18 consultation</li> <li>- 8-week Regulation 18 consultation in Nov. – Dec. 2026</li> </ul>
Evidence gathering and drafting the plan	Jan. – Nov. 2027  (11 months)	<ul style="list-style-type: none"> <li>- Reg. 18 consultation response</li> <li>- Production of evidence base</li> <li>- Production of Reg. 19 draft plan for consultation</li> <li>- Submission to Gateway 2 at end of Oct. 2027</li> </ul>
Engagement, proposing changes and submission	Dec. 2027 – May 2028  (6 months)	<ul style="list-style-type: none"> <li>- 6 week Regulation 19 representation period</li> <li>- Response to Reg. 19 representations</li> <li>- Prepare modifications to Reg. 19 draft plan</li> <li>- Submission to</li> </ul>

Stage	Timing	Notes
		Gateway 3 at the start of Apr. 2028 - Submission to the Planning Inspectorate at end of May 2028
Examination	Jun. – Nov. 2028 (6 months)	- Examination in Public (EiP)
Adoption	Dec. 2028 (1 month)	- Post EiP modifications and finalisation of the Plan - Adoption process

7.1 As stated above, this LDS timetable has been drafted based on the Council's current understanding of the implications of the Governments forthcoming plan-making reforms. The timetable will be reviewed and may need to be amended/updated when the plan making reforms are published.

## Appendix 1: Risk assessment

Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
1	Preparation of New Local Plan fails to meet key project milestones	<p><b>High likelihood of risk occurring with significant potential impacts</b></p> <p>Delays in the New Local Plan preparation process could expose the Council to speculative development for an extended period, which could result in reputational harm.</p> <p>It is currently unknown what the impacts of failing to meet the Government's 30-month Local Plan production timeframe could be.</p>	<p>Weekly Planning Policy Team meetings will be held to maintain momentum and ensure efficient mobilisation of resources, as well as identify potential issues that need to be addressed.</p> <p>Planning Officers will prepare progress updates on the preparation of the New Local Plan will be provided every month from the formal project commencement date.</p> <p>Progress against the LDS timetable will be also reported as part in the Council's AMR and will identify any slippage in the timetable.</p> <p><b>Will reduce likelihood of risk occurring to a low to medium likelihood</b></p>



Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
2	Changes in national policy and regulations require significant alteration to the emerging plan	<p><b>High likelihood of risk occurring with significant potential impacts</b></p> <p>Changes to the NPPF, national planning policy guidance (PPG) and planning regulations could lead to the Council failing to meet key milestones in the LDS timetable. This could expose the Council to speculative development for an extended period and result in reputational harm, as well as currently unknown impacts associated with failure to meet the Government's 30 month timetable for Local Plan preparation.</p> <p>The Council could also have to change/update elements of the evidence base and make changes to draft policy leading to additional costs for the Council.</p>	<p>Planning Officers will keep up to date with expected consultations and changes to national policy, guidance and planning regulations to ensure any impacts are anticipated and addressed as effectively as possible to reduce the risk of significant changes needed to the New Local Plan and minimise the impact on timescales and budget.</p> <p><b>Will reduce likelihood of risk occurring to a medium likelihood</b></p>
3	Lack of suitably experience staff/insufficient staff.	<p><b>High likelihood of risk occurring with very significant potential impacts</b></p>	<p>Senior Officers will seek to fill vacant posts as soon as possible with suitably qualified candidates, advertising through key sites and</p>

Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
	<p>Difficulties recruiting and retaining suitable qualified Planning Officers are currently being experienced across the country and in the South East in particular.</p>	<p>A lack of staff resources could lead to delay in the production of the New Local Plan. This could expose the Council to speculative development for an extended period and result in reputational harm, as well as currently unknown impacts associated with failure to meet the Government's 30 month timetable for Local Plan preparation.</p> <p>A lack of suitably experienced staff could result in a need for greater spending on procuring external consultants to advise/produce evidence base studies.</p> <p>Insufficient staff resources could also increase the risk of the New Local Plan being found unsound at Examination, which could result in delay in preparation of the New Local Plan and/or failure to meet key LDS milestones.</p>	<p>publications.</p> <p>If vacancies cannot be filled through usual recruitment mechanisms, consideration will be given to the employment of temporary staff and/or consultants to take on specialist areas of work to extend the capacity of the Planning Policy team. However, this option may be constrained by wider Council policies on vacancies and recruitment and available financial resources.</p> <p><b>Will reduce likelihood of risk occurring to a medium likelihood</b></p>
4	<p>Delays in decision making process at key</p>	<p><b>High likelihood of risk occurring with very</b></p>	<p>The Council will agree the timetable for the production of a New Local Plan set out in this</p>

Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
	<p>points in the timetable. Delays may be experienced due to the democratic process and/or timetabling of meetings, or the inability to agree the content of the emerging plan which could be found sound by a Planning Inspector.</p>	<p><b>significant potential impacts</b></p> <p>Delays in decision making could see the Council fail to meet key LDS milestones, including failing to produce the Plan in 30 months.</p> <p>This could delay the adoption of the New Local Plan and expose the Council to speculative development for an extended period of time.</p> <p>It is currently unknown what the potential impacts of failing to meet the Government's 30-month Local Plan production timeframe would be.</p>	<p>LDS. This will enable briefings and committee meetings to be appropriately timetabled in advance to facilitate timely decision making.</p> <p><b>Will reduce likelihood of risk occurring to a medium likelihood</b></p>
5	<p>Failure to agree critical cross boundary strategic planning issues with key strategic partners</p>	<p><b>Low to medium likelihood of risk occurring with significant potential impacts</b></p> <p>Failure to agree on the approach to addressing cross boundary strategic issues could cause the New Local Plan to be found unsound at examination, or fail reach the examination stage if a Local Plan Inspector is not convinced that</p>	<p>Planning Officers will engage with duty to cooperate partners and other key strategic partners regularly throughout the production of the New Local Plan. Through this engagement Officers will seek to agree the key cross boundary strategic planning issues for the Borough and how they should be addressed.</p>

Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
		the representations of key partners/statutory consultees have not satisfactorily addressed	<b>Will reduce likelihood of risk occurring to a low likelihood</b>
6	Pressure on financial resources and the need for additional budget during preparation of the New Local Plan	<p><b>Medium likelihood of risk occurring with significant potential impacts</b></p> <p>Insufficient budget to cover the costs associated with the preparation of a New Local Plan could lead to delay in the production of the New Local Plan as more evidence would need to be produced in house by Planning Officers. This could again present risks associated with speculative development and reputational harm to the Council, as well as currently unknown impacts associated with failure to meet the Government's 30 month timetable for Local Plan preparation.</p> <p>In some cases, Officers would not have the necessary technical expertise or access to the required software and tools to produce certain elements of the evidence base, which could</p>	<p>Planning Officers will discuss with the Council's finance team to develop a business case for the budget. This will then be discussed with Members as part of the wider Council budget setting.</p> <p>It is possible to apply for a growth item for additional budget in exceptional circumstances. However, this would need to be supported by a robust business case for extending the agreed budget.</p> <p><b>Will reduce likelihood of risk occurring to a low likelihood</b></p>

Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
		result in issues of soundness with the New Local Plan.	
7	Insufficient capacity within statutory and other consultees to provide detailed planning advice in a timely manner during preparation of the New Local Plan	<p><b>Very high likelihood of risk occurring with significant potential impacts</b></p> <p>The inability of statutory and other consultees to provide timely and suitably detailed advice/responses to the emerging Local Plan could delay its preparation significantly. This could again delay production of the New Local Plan leading to exposure to speculative development and reputational harm to the Council, as well as currently unknown impacts associated with failure to meet the Government's 30 month timetable for Local Plan preparation.</p>	<p>Planning Officers will undertake early engagement, particularly with statutory consultees, setting out clear expectations as to when the Council will need their feedback on the evidence base and consultation documents to try and ensure these organisations can incorporate the Council's timetable into their own work schedules.</p> <p><b>Will reduce likelihood of risk occurring to a medium likelihood</b></p>
8	Failure of external partners/consultants to meet project deadlines	<p><b>Low to medium likelihood of risk occurring with medium to significant potential impacts</b></p> <p>The failure of external partners/consultants to</p>	<p>Planning Officers will control work quality and project timetables through the Council's procurement practices and contract conditions. At the procurement stage, all prospective</p>

Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
		<p>meet deadlines could delay the preparation of the New Local Plan. This could again expose the Council to speculative development and reputational harm, as well as currently unknown impacts associated with failure to meet the Government's 30 month timetable for Local Plan preparation.</p>	<p>consultants will be asked about the resources they can draw upon, and their ability to respond to and achieve tight deadlines.</p> <p>In addition, good project management is required with regular check-in meetings with consultants to monitor progress and address identified issues as efficiently as possible.</p> <p><b>Will reduce likelihood of risk occurring to a very low to low likelihood</b></p>
9	<p>The New Local Plan is found unsound</p>	<p><b>High likelihood of risk occurring with very significant potential impacts</b></p> <p>The New Local Plan would require significant modifications to be found sound, or it would need to be withdrawn from Examination with plan preparation restarted from scratch. Both scenarios have the potential to expose the Council to speculative development and reputational harm, as well as currently unknown</p>	<p>This risk will be reduced by ensuring that the Council's decision making is firmly based on the technical evidence base.</p> <p>The budget will include a retained Barrister who will critically assess the soundness of the Council's approach at all key stages of plan preparation to reduce the likelihood of this risk occurring.</p> <p><b>Will reduce likelihood of risk occurring to a</b></p>

Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
		impacts of failure to meet the Government's 30 month timetable.	<b>medium likelihood</b>
10	Legal challenge	<p><b>Medium to high likelihood of risk occurring with very significant potential impacts</b></p> <p>Defending the Council's position in a legal challenge would incur significant financial costs. If such a legal challenge were successful, this could result in all or part of the New Local Plan being quashed.</p>	<p>The likelihood of a successful legal challenge is substantially reduced where the New Local Plan is prepared in accordance with relevant regulations, is strongly aligned to the conclusions of the evidence base that underpins it and the plan -making authority can demonstrate it has met the necessary 'tests of soundness' set out in the NPPF.</p> <p>In addition, specialist external legal advice will be taken at all key stages during preparation of the New Local Plan to assess the risks of legal challenge. If any threats of challenge are made through the plan-making process, these will be discussed with the Council's retained barrister.</p> <p><b>Will reduce likelihood of risk occurring to a low to medium likelihood</b></p>

Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
11	Changes in the political structure or direction of the Council can be a significant risk to an emerging Plan	<p><b>High likelihood of risk occurring with very significant potential impacts</b></p> <p>Changes in political structure could result in a new administration seeking to take an alternative approach through its local plan mid-way through the preparation of the New Local Plan. This could result in delay in the production of the New Local Plan as such a change in approach would require supporting evidence to be reviewed and additional rounds of public consultation to be undertaken. This could expose the Council to speculative development and reputational harm, as well as currently unknown impacts of failure to meet the Government's 30 month timeframe for Plan production.</p>	<p>Planning Officers will brief Members regularly through quarterly meetings throughout the production of the New Local Plan to ensure they have an enhanced level of knowledge of all aspects of the emerging evidence base and plan-making system, including national policy and guidance, as well as the regulatory requirements around plan-making.</p> <p><b>Will reduce likelihood of risk occurring to a medium likelihood</b></p>
12	Insufficient capacity within the Planning Inspectorate to carry out	<p><b>Low to medium likelihood of risk occurring with significant potential impact</b></p>	<p>This LDS will provide the Planning Inspectorate with an indication of the Council anticipates it will submit its New Local Plan for gateway checks and Examination, enabling the</p>



Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
	gateway checks and local plan examination in a timely manner	Insufficient capacity within the Planning Inspectorate could result in delay in the production of the New Local Plan, particularly the Examination in Public, which would delay the adoption of a New Local Plan for the Borough. This could expose the Council to speculative development and reputational harm, as well as the currently unknown impacts of failure to meet the Government's 30 month timetable for Plan production.	<p>Inspectorate to consider planning it into their work programmes and ensure that resourcing is available.</p> <p>Extension of the Examination could be mitigated by ensuring a robust and up to date evidence base is prepared and submitted to underpin the New Local Plan.</p> <p><b>Will reduce likelihood of risk occurring to a very low likelihood</b></p>
13	Devolution and local government reorganisation	<p><b>High to very high likelihood of risk occurring and very significant potential impact</b></p> <p>The outcome of the Government's devolution bill and resulting restructuring of Surrey LPAs may have a significant impact on the production of a New Local Plan for Elmbridge and could delay the adoption of an up to date plan. This again, expose the Council to speculative development and reputational harm, as well as the currently unknown impacts of failure to meet the Government's 30 month timetable for Plan</p>	<p>Officers will keep up to date with the expected devolution agreement and restructuring of Surrey LPAs to ensure any impacts are anticipated and addressed as far as possible.</p> <p><b>Will reduce likelihood of risk occurring to a high likelihood</b></p>

Ref.	Area of concern	Likelihood and potential impact	Intended actions to reduce risk
		production.	