

PRELIMINARY STATEMENT OF COMMON GROUND

1. List of Parties involved:

- Elmbridge Borough Council (EBC)
- Environment Agency (EA)

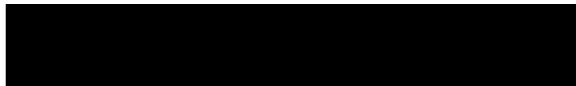
2. Signatories:



06.02.2024

Elmbridge Borough Council

Suzanne Parkes, Head of Planning & Environmental Health



06.02.2024

Environment Agency

Judith Montford - Planning Specialist, Environment Agency Sustainable Places, Thames Area

3. Strategic Geography

This preliminary Statement of Common Ground (SoCG) is between Elmbridge Borough Council (EBC) and the Environment Agency (EA). It applies to Elmbridge Borough.

The Environment Agency (EA) is a non-departmental public body responsible for a number of areas including managing the risk of flooding from main rivers, reservoirs, estuaries and the sea. The EA is not responsible for surface water and ground water flood risks, these being the responsibilities of the Lead Local Flood Authority (which is Surrey County Council).

Elmbridge has a significant flood context, with the River Thames (Lower) forming its northern boundary, and the Rivers Wey, Mole, Dead, Ember and Rythe all running through it. There are also areas of the borough at risk from surface water and reservoir flooding with further localised issues occurring when rivers are high, or drainage and sewer systems are over capacity or there are blockages in the system.

This preliminary SoCG sets out the on-going engagement between the parties in relation to the strategic matter of flooding and flood risk.

4. Strategic Matters

Duty to Cooperate

EBC has engaged the EA on an active and on-going basis throughout the preparation of its draft Local Plan. This has included engagement on the evidence base documents, at Regulation 18, 19 and submission for EiP stages of the draft Local Plan preparation, with engagement on-going.

Duty to cooperate activities up until the Regulation 19 Stage are recorded in EBC's Duty to Cooperate: Statement of Compliance (June 2022). Specifically, activities relating to Strategic Matter 5: Flooding, are set out in page 149 – 158. Activities undertaken between the Regulation 19 stage and Submission of the draft Local Plan are recorded in EBC's Duty to Cooperate: Statement of Compliance Update (August 2023). Activities relating to Strategic Matter 5: Flooding are set out in page 28 – 31.

Whilst the EA raised objection on issues of soundness at the Regulation 19 representation state, they have not raised an objection to the draft Local Plan in relation to the duty.

Since the submission of the draft Local Plan in August, 2023, EBC has continued to engage with the EA and the parties are working together to prepare and review the Council's forthcoming Level 2 SFRA, updated Level 1 SFRA and Sequential Tests, as requested by the EA to reflect the latest flood risk modelling and updates to the Flood risks section of the Planning Practice Guidance (PPG). A summary of the status of these pieces of work is set out below:

Level 2 Strategic Flood Risk Assessment (SFRA) – the Council commissioned consultants AECOM to prepare the Level 2 SFRA. The assessment work will utilise the latest modelling from the EA (Lower Thames Modelling 2023) and Supplement Model Report (October 2023) received September 2023 and January 2024 respectively.

The EA were invited to provide comments on the scope of work that were incorporated into the project brief; and the draft report will be provided to the EA for review (now expected February 2024).

Sequential Test – Using the site assessment database produced by AECOM for the Level 2 SFRA the Council has produced a draft Sequential Test and Exception Test report that sequentially tests each of the 199 sites allocated in the draft Local Plan in accordance with national policy and guidance. The draft report will be provided to the EA for review along with the draft Level 2 SFRA.

Level 1 Strategic Flood Risk Assessment (SFRA) Update –At the request of the EA, the Council also commissioned AECOM to prepare a full update to the 2019 Level 1 SFRA in January 2024. This work is at an early stage, with the draft report expected in March/April 2024. The EA will again be engaged throughout the process and will be provided with the draft report for review.

5. Governance Arrangements

The parties are committed to working positively together, sharing information and best practice, and continuing to engage with one another through the EiP process and beyond. This co-operation and collaboration will take place at an officer level.

The SoCG will be reviewed to reflect the outcomes of progress made through effective cooperation on the Level 1 update and Level 2 SFRA, and any other issues that may arise through the EiP process.