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Persand parses the Local Plan process in Epsom

18 May 2026



The Epsom and Ewell Times has seen detailed exchanges of correspondence between Cllr **Kieran Persand** (Conservative – Horton) and Epsom and Ewell Borough Council concerning the torturous progress of the Local Plan.

The correspondence from Kieran Persand reveals a serious and highly technical dispute about governance, constitutional compliance and member oversight in the handling of the Epsom and Ewell Borough Council. The exchanges suggest a widening disagreement between some councillors and officers over who was authorised to make and submit significant Local Plan amendments during the examination process, and whether the council's Licensing and Planning Policy Committee ("LPPC") has effectively been bypassed.

The background is the troubled examination of EEBC's draft Local Plan, particularly its Green Belt strategy and housing allocations. During the public examination hearings in October 2025, the Planning Inspector criticised Topic Paper TP02 dealing with Green Belt assessments. In the appendix circulated by Persand, the Inspector is quoted as saying that conclusions within the paper were inconsistent with the evidence, that errors existed in individual site assessments, and that the approach lacked consistency.

Persand's central concern is that following those criticisms, officers produced revised documents — particularly COUD_020 and COUD_021 — and submitted them to the Inspector in January 2026 without prior scrutiny or approval by LPPC or Full Council. He argues this breached both the committee's Terms of Reference and the council's wider obligations as Local Planning Authority under section 20 of the Planning and Compulsory Purchase Act 2004.

The key constitutional dispute concerns delegated authority known as "P7", granted in November 2024. Officers rely on this delegation to justify submitting amended Local Plan material directly to the Inspector. Persand argues the wording only permitted officers "to propose changes and corrections" and did not authorise officers actually to make substantive policy changes or submit revised documents independently.

He also says councillors originally understood the delegation to mean officers would propose changes back to LPPC for political scrutiny and approval, not directly to the Inspector. In his later emails he repeatedly presses officers to explain:

- under whose authority the consultation was launched;
- whether any councillor ever reviewed or approved the revised Green Belt conclusions;
- whether the council's constitutional obligations had effectively been suspended; and
- whether the Inspector had in practice been allowed to influence policy direction indirectly through officer-led document revisions.

A particularly sensitive issue concerns Green Belt sites. Persand points out that the Inspector never explicitly instructed the council to release more Green Belt land. Rather, she criticised weaknesses in the council's evidence base and requested further work. He argues that revised papers subsequently reached different conclusions about some sites — including areas in Horton Ward — without those new judgements ever being debated politically.

Persand therefore contends that:

- officers may effectively have altered strategic planning policy without member authority;
- LPPC's statutory oversight role was bypassed;
- and Full Council approval may also have been required before revised submission documents were sent to the Inspector.

The appendix attached to his email is effectively a constitutional and legal critique of the process. It proposes:

- mandatory LPPC review of all future submission documents;
- clarification and narrowing of delegation P7;
- retrospective review of COUD_020 and COUD_021;
- further LPPC meetings during purdah if necessary; and
- possible revised submissions to the Inspector after member scrutiny.

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The response from Ian Mawer, Head of Planning Policy and Economic Development, rejects much of Persand's interpretation. Mawer argues that once the Local Plan was submitted in March 2025, the examination process became led by the Planning Inspectorate. He relies on national examination guidance stating that inspectors may request additional work and that modifications can be consulted upon during examination.

Mawer further states:

- LPPC already fulfilled its constitutional role through Regulation 18 and Regulation 19 stages;
- the additional work requested after October 2025 was carried out under delegated authority granted in November 2024;
- only the Inspector can recommend "main modifications" required for soundness;
- and the council remains formally committed to the submitted Local Plan unless and until the Inspector proposes modifications.

However, Persand's subsequent emails demonstrate that he remains unconvinced by that explanation. He repeatedly distinguishes between:

- the Inspector controlling the examination process; and
- the council still retaining responsibility for the accuracy, content and strategic direction of its own documents.

His concern appears to be not merely procedural, but constitutional: whether councillors have in practice surrendered political control over crucial Green Belt decisions to officers during the examination stage.

The issue does not appear fully resolved in the correspondence provided. Instead:

- officers maintain the process was lawful and properly delegated;
- Persand maintains that substantive constitutional obligations remain unmet;
- and he continued pressing for additional LPPC meetings and wider member scrutiny as recently as 18 May 2026.

The significance of the dispute is broader than procedural technicalities. It touches directly upon:

- democratic oversight of Green Belt decisions;
- transparency in Local Plan governance;
- the balance of power between elected members and officers;
- and whether major planning policy shifts can emerge during examination without fresh political approval.

A further politically sensitive dimension is timing. Persand repeatedly objected that consultation on revised documents commenced before LPPC had debated the issues, and during the post-election transition period leading into the new East Surrey Council arrangements.

There will be a special meeting of the LPPC tomorrow evening at The Town Hall.

Sam Jones – Reporter



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