

Council Meeting: Privatising Legal Advice?

3 October 2021



Amardip Healy, the Chief Law Officer of Epsom and Ewell Borough Council, resigned from her post in August. She filled the statutory role of “Monitoring Officer”. The function of a Monitoring Officer is reporting on contraventions or likely contraventions of any enactment or rule of law and reporting on any maladministration or injustice where the Ombudsman has carried out an investigation; establishing and maintaining registers of Members’ interests and gifts and hospitality; maintaining, reviewing and monitoring the Constitution.

During the Full Council of **30th September 2021** convened to authorise the appointment of an interim monitoring officer for 12 months, many Councillors were taken-aback by a decision reached “behind closed doors” to outsource this important function to a solicitor in private practice for a monthly fee of £1900 for an unspecified commitment in time and an hourly rate of £190 for exceptional work. One presumes VAT at 20% is added to the legal bills. The solicitor appointed, Olwen Brown of the firm Anthony Collins, is undoubtedly expert in this field and she impressed the inner circle of Councillors who had the privilege of interviewing her for the position.

Labour Councillors and some Residents Association Councillors expressed their concerns as to the cost. Eber Kington, former leader of the ruling Residents Association Group, defended the decision and claimed it would demonstrate resilience. Cllr Debbie Monksfield Court Ward (Labour) complained that this arrangement would inhibit her in the performance of her democratic duties. The Monitoring Officer provides neutral advice to Councillors in Opposition and from now she would be afraid to ask for advice knowing the lawyer’s billing meter might be running at Council Tax payers’ expense.

Cllr David Gulland (College Ward Liberal Democrat) criticised the process by which this *fait accompli* had come about but voted in favour of it reluctantly because the law requires a Monitoring Officer to be in place. The three Labour Councillors who form the official Opposition against the 33 strong ruling Residents stood firm and voted against.

The Council’s view is that the fixed rate will cover the expected workload and only exceptional work such as complex investigations of a Councillor would attract additional fees. For more detail of the financial arrangements see [HERE*](#).

Support for Afghan Refugees

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Following the British and allies’ humiliation in Afghanistan in August this year the UK Government has urged local Councils to participate in the Afghan Locally Employed Staff Relocation Scheme. The urgent need is to provide homes to those refugees who fled from the Taliban takeover and are currently in temporary accommodation in the UK. Funds are promised to local authorities willing to support the resettlement of Afghan interpreters and others (and their families), who worked for UK Forces, the UK Embassy and other official British interests.

The scheme supports rent and other housing costs, local authority support staff salaries and “integration support” (e.g., English language, education and health). The funds promised by the Government range over a three year period from £22,340 for one adult in a one bedroom property to £134,040 for a 2 adult 4 children family in a 4 bedroom property.

The Council Officers recommended that Epsom and Ewell Borough Council undertake support for 2 families but an amendment moved by Court Ward Councillor Kate Chinn (Labour) was accepted by all Councillors and 5 families will be supported. The greatest challenge to the programme will be identifying landlords willing to provide suitable properties.

Nina Kaye of the Epsom Refugee Network responded to the decision We are pleased to hear that the Council has voted to take up to five Afghan families being re-settled under the LES (Locally Employed Staff) scheme. These families have risked so much to support our troops in Afghanistan and as a result have had to flee their homes and their country. There are many highly skilled individuals in this group who will be a real asset to our Community. Epsom & Ewell Refugee Network will be working with the Council to support these families when they arrive, helping them to learn English and settle into life in the UK”.

Joanna Sherring of Epsom Community Sponsorship stated: “Our Charity is applying to be a Community Sponsorship group in Epsom & Ewell and it’s great to see such support for refugees in our community. Hopefully we will never know what it feels like to lose everything and have to start a new life in a different country. I am so proud to be part of a such a passionate group of people who want to offer the chance of a new life to a refugee family”



Epsom and Ewell is by no means alone in the County in supporting the scheme with all the other 10 District Councils supporting between 2 (Mole Valley) and 5 to 10 (Waverley).

Full details of the scheme and Government explanations are available [HERE](#)