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Tiers to be shed if Epsom and Ewell loses its Borough Council?

23 December 2024



Surrey could be split in two as part of sweeping changes to how services are run. Downing Street is looking to reshape local government and has set out a white paper outlining its vision. It wants to do away with two-tier systems of boroughs and counties and instead create single unitary councils. It argues this would not only be more cost-effective but also shift power away from Westminster. If devolution plans for the county go through, Surrey and its 11 boroughs and districts would be no more. The big question is: what replaces it? The most likely answer at the moment appears to be two councils with a directly elected mayor overseeing county-wide issues – these could include policing, fire and rescue, and transport.

The English Devolution White Paper says that new unitary councils *"must be the right size to achieve efficiencies, improve capacity and withstand financial shocks. For most areas, this will mean creating councils with a population of 500,000 or more, but there may be exceptions to ensure new structures make sense for an area, including for devolution, and decisions will be on a case-by-case basis."* Surrey has a population of 1.2 million, and a single "mega-council" stretching from Farnham to Oxted, an area larger than Greater London, would simply be too vast, some have argued. This leaves the most likely option of merging the current boroughs of Tandridge, Mole Valley, Reigate & Banstead, and Epsom & Ewell into East Surrey Council, with Woking, Guildford, Spelthorne, Runnymede, Surrey Heath, Waverley, and Elmbridge forming West Surrey Council.

The white paper also argues: *"Unitary councils can lead to better outcomes for residents, save significant money which can be reinvested in public services, and improve accountability with fewer politicians who are more able to focus on delivering for residents."* However, opponents argue devolution could push residents further from the decision-making process and only delay funding reforms for local government.

Will Forster, newly elected MP for Woking, expressed his concerns: *"I don't think that having a single mega council is a good idea. Camberley to Oxted is far too large, there are huge differences east to west. It's too large and remote. A single council would be too vast. That's not devolution, that's not empowering people."* Even the idea of a West Surrey Council would create a single area stretching from Haslemere to Staines. He added: *"It also ignores the elephant in the room, social care – this seems to be the Government's way of ignoring that. They want authorities of 500,000 or more. You look at a map, you do the sums. That's clearly an east and west split. They've never divided up a borough or district and you can't do north or south."*

Other questions would need to be answered as well, such as how the directly elected mayors are held to account. At the county level, the council holds regular meetings to vote on decisions, with scrutiny committees playing a further role. How this would be replicated for a single mayor is yet to be made clear. Councils have been invited to submit proposals to the government in January.

Tim Oliver, leader of Surrey County Council, welcomed the devolution paper and its *"bold ambition to empower local communities and councils."* He said: *"The government has set out an agenda for change, including potential reorganisation of local government, particularly in two-tier county areas like Surrey. I believe there is general consensus that the current structure – here and elsewhere in the country – is not the most effective. Therefore, we welcome a real examination and review of how local government is organised to make it more efficient and more effective for residents. We intend to work alongside government, and other partners locally, and ensure any change ultimately benefits the people of Surrey."*

Announcing the paper's publication, Deputy Prime Minister Angela Rayner stated: *"Our manifesto pledged to give everyone access to devolved power. So I will legislate for a new power of ministerial directive – which will allow central government to knock heads together and create strategic authorities when local leaders cannot agree. If we are going to build an economy that works for everyone, we need nothing less than a completely new way of governing – a generational project of determined devolution. Because the Westminster system is part of the problem. Whitehall is full of layers of governance and bureaucracy, controlled and micromanaged from the centre. To truly get growth in every corner of the country and put more money into people's pockets, we must rewire England and end the hoarding in Whitehall by devolving power and money from central government to those with skin in the game."*

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Epsom and Ewell's new Mayor

23 December 2024



Epsom and Ewell Borough Council has appointed Councillor **Steve Bridger** (RA Stamford) as the new Mayor for the year 24/25. In a ceremonial meeting Tuesday 14th May, speeches were made to propose the new Mayor, to thank the outgoing Mayor, and by both the incoming and outgoing Mayors themselves.

Councillor **Phil Neale** (RA Cuddington) proposed his appointment. He said "I hope I will achieve at least one of these requirements," referring to the traditional brevity and humour expected in such speeches. Cllr Neale detailed Cllr Bridger's extensive background, highlighting his early career in the family-owned wholesale fish business and his long tenure at Tesco, where he achieved notable success. "Steve proudly states that he managed every department… all except working the tills," Cllr Neale quipped. He also mentioned Cllr Bridger's dedication to family, particularly his support for his late son Richard, who battled Duchenne muscular dystrophy.

Councillor **Chris Ames** (Labour Court) paid tribute to the outgoing Mayor, Councillor **Rob Geleit** (Labour Court), lauding his achievements over the past year. He highlighted the Civic Celebration of Culture as a significant event and praised Mr Geleit's fundraising efforts. "A charity dinner brought a year of fundraising for his three well-chosen charities to a successful conclusion," Cllr Ames remarked. He also expressed eagerness to have Cllr Geleit return to his duties with the Labour group, emphasizing the importance of his presence in the upcoming general election.

Councillor Rob Geleit reflected on his tenure with gratitude, sharing various highlights from his year as Mayor. "I've had a fantastic year serving Epsom and Ewell and its people," He expressed deep appreciation for his consort, Tina, and the support team, particularly Lolli from the Mayor's office. He recounted memorable events such as the Derby, Christmas carols at Downview Prison, and the Buckingham Palace garden party. He proudly announced that over £15,000 had been raised for his chosen charities, exceeding expectations. "We managed to keep it all together until the end, which may or may well be unprecedented," he said, praising the charity committee's efforts and in particular the dedication of Cllr **Dr. Graham Jones** MBE (RA Cuddington).

In his address, new Mayor Councillor Steve Bridger expressed excitement and gratitude for his new role. He acknowledged the challenges and opportunities ahead and looked forward to serving the community alongside his wife, Carol.

Cllr Robert Leach (RA Nonsuch) will serve as Deputy-Mayor.

Image: L to R Cllr Robert Leach (Deputy Mayor) , Mayor Steve Bridger, CEO Jackie King. The New Mayor takes the chair in Council chamber. Credit EEBC YouTube

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Annual audit of Epsom and Ewell Borough Council

23 December 2024



The annual Grant Thornton Auditor's Report on the workings of Epsom and Ewell Borough Council has delivered a positive assessment of its performance across financial sustainability, governance, and value for money, despite acknowledging the ongoing challenges the Council faces. The report was formally presented and noted at the Council meeting of 14th May.

Financial Sustainability: The report highlights that the Council operates in a challenging financial environment with prudent short and medium-term planning. While financial stability remains dependent on continual savings plans, the forecast indicates a need to deliver approximately £1.4 million in savings by 2027/28. The auditors emphasized the importance of finding alternatives to using reserves to manage budget gaps, noting no significant weaknesses in financial sustainability arrangements.

Governance: The Council's governance structure was praised for maintaining appropriate arrangements and compliance policies. An updated Risk Management Strategy and adherence to CIPFA's Good Governance Framework were noted as strengths. However, the auditors recommended prioritizing the completion of management actions and reviewing the

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composition of the Audit & Scrutiny Committee to potentially include independent members.

Value for Money: The Council's efforts to ensure economy, efficiency, and effectiveness were aligned with delivering value for money. Recommendations were made to develop a partnership governance framework and to address underperformance in processing minor planning applications, despite improvements seen in 2023.

Overall, the audit reflects positively on the Council's operations, suggesting continued disciplined financial management and strategic governance enhancements.

Criteria	2022/23 Risk assessment	2022/23 Auditor judgement on arrangements		2021/22 Auditor judgement on arrangements	
Financial sustainability	No risk of significant weakness identified.	G	Our work did not identify any areas where we considered that key or improvement recommendations were required	A	No significant weaknesses in arrangements identified, but two improvement recommendations have been made.
Governance	No risk of significant weakness identified.	A	No significant weaknesses in arrangements identified, but three improvement recommendations made	A	No significant weaknesses in arrangements identified but two improvement recommendations raised.
Improving economy, efficiency and effectiveness	No risk of significant weakness identified.	A	No significant weaknesses in arrangements identified, but one improvement recommendation made to support more effective partnership working arrangements.	G	No significant weaknesses in arrangements identified and no improvement recommendations raised.

G	No significant weaknesses in arrangements identified or improvement recommendation made.
A	No significant weaknesses in arrangements identified, but improvement recommendations made.
R	Significant weaknesses in arrangements identified and key recommendations made.

The four key recommendations in more detail and the responses of EEBC management:

Grant Thornton Recommendation 1: Timely Internal Audits.

The auditors suggested that internal audits focusing on financial controls should be completed before the end of the financial year to aid the Head of Internal Audit in forming their opinion.

EEBC Management Response: Acknowledging the importance of timely audits, management noted past challenges due to staff turnover and long-term sickness, which have now been resolved. With a fully resourced team, management is confident in meeting the audit schedule, with progress monitored by both the Strategic Leadership Team and the Audit & Scrutiny Committee.

Grant Thornton Recommendation 2: Monitoring Framework for Audit Actions

The council was advised to develop a framework to monitor management actions identified in internal audit reports, ensuring these are completed by the agreed due dates to enhance clarity and accountability.

EEBC Management Response: Management emphasized that a robust monitoring framework is already in place, with the Business Assurance team logging all actions and requiring quarterly updates from Heads of Service. Additionally, new performance management software has been procured to further improve monitoring capabilities.

Grant Thornton Recommendation 3: Audit & Scrutiny Committee Composition

Auditors recommended reviewing the composition of the Audit & Scrutiny Committee to exclude Strategy & Resources members for independence and considering the appointment of independent members.

EEBC Management Response: Management revealed that a review of the committee's operations is already planned following a Corporate Peer Challenge in March 2024. The audit recommendation will be considered during this review in consultation with relevant members.

Grant Thornton Recommendation 4: Partnership Governance Framework

To enhance partnership working, the council was advised to develop a governance framework to guide and evaluate the success and effectiveness of these collaborations.

EEBC Management Response: Management expressed a commitment to positive partnership working, acknowledging recognition from the recent Corporate Peer Challenge. This recommendation will be considered in conjunction with the Action Plan resulting from the Peer Challenge.

Seeing through transparency in Council Chamber

23 December 2024

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In a fullsome debate during the Full Council meeting of Epsom and Ewell Borough Council Tuesday 16th April, members clashed over a motion aimed at enhancing transparency in decision-making processes. The motion, proposed by the Liberal Democrat group, called for a policy of 'transparency by default,' urging that all meetings and documentation be made public unless specific exemptions under the Local Government Act applied.

Councillor **Julie Morris** (LibDem College), expressing disappointment with the decision not to refer the matter to the Standards and Constitution Committee, argued that the current approach lacked proper review and resulted in too many discussions being held behind closed doors. She emphasized the need for a more nuanced approach to determine when confidentiality was truly warranted.

Councillor **Bernie Muir** (Conservative Horton) echoed concerns about transparency, citing instances where information had been withheld or meetings had been abruptly shifted to private sessions. She called for comprehensive training for both officers and councillors to ensure better understanding and adherence to transparency principles.

Councillor **Steven McCormick** (RA Woodocte and Langley) acknowledged the challenges in navigating confidentiality requirements but defended the importance of open discussions. He highlighted the unique opportunity afforded by debating the motion in a public forum, urging members to engage in constructive dialogue.

Newly-elected Councillor **James Lawrence** (LibDem College) expressed confusion over the rationale behind certain decisions to withhold information. He stressed the importance of providing clear explanations to the public and fellow councillors, especially in cases where secrecy seemed unwarranted.

Councillor **Chris Ames** (Labour Court) raised concerns about the misuse of private sessions for political reasons, emphasizing the need for robust scrutiny and public engagement. He criticized the current administration for potentially undermining transparency and urged for greater accountability moving forward.

In response to criticisms, Councillor **Alex Coley** (RA Ruxley) defended the decision to debate the motion in full Council, emphasizing the importance of public engagement. He questioned the opposition's reluctance to address transparency concerns in a public setting.

Councillor **Alan Williamson** (RA West Ewell), opposed the motion, asserting that existing transparency measures were sufficient. He cautioned against broadening transparency requirements, arguing that certain discussions necessitated confidentiality to foster open dialogue.

Councillor **Peter O'Donovan** (RA Ewell Court) highlighted the distinction between confidentiality and secrecy, emphasizing the need for a safe space to discuss sensitive issues. He cautioned against overreach in transparency efforts, citing the potential risks to privacy and effective decision-making.

Councillor **Phil Neale** (RA Cuddington), echoing sentiments expressed by Councillors Donovan and Spickett, emphasized the importance of confidentiality in certain discussions, particularly those involving commercial interests or personal safety. He cautioned against inadvertently stifling open dialogue by overly broadening transparency requirements.

Councillor **Hannah Dalton** (RA Stoneleigh) underscored ongoing efforts to address concerns regarding confidential sessions, promising clearer explanations for why certain items were categorized as confidential. She emphasized the need for balance between transparency and privacy, acknowledging the challenges inherent in navigating sensitive issues.

Councillor **Kieran Persand**, (Conservative Horton) expressing support for the motion, highlighted frustrations over perceived barriers to transparency within the council. He stressed the need for greater accountability and public trust, arguing that enhanced transparency measures were necessary to rebuild confidence among residents.

Councillor **Alison Kelly**, (LibDem Stamford) who seconded the motion, underscored the importance of improving communication and understanding among councillors and the public. She proposed measures to enhance clarity around confidentiality, aiming to provide residents with a better understanding of decision-making processes.

However, Councillor **Liz Frost**, (RA Woodcaote and Langley) Chair of the Standards and Constitution Committee, urged caution, warning against potential unintended consequences of broadening transparency measures. She emphasized the importance of maintaining a balance between openness and the need for confidential discussions to facilitate effective decision-making.

Following the debate, the motion was put to a vote, with a majority ultimately deciding against its passage.

Image – Cllr Liz Frost responds to the motion. Council Chamber. EEBC YouTube

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Council cancel culture?

23 December 2024

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Some opposition Councillors on **Epsom and Ewell Borough Council** have voiced concerns over the apparently high rate of cancellation of policy and scrutiny committees of the Council on which they serve.
Epsom and Ewell Times has looked at the 8 policy, audit and standard committees (and Full Council) in the Council calendar ending 31st March 2024.

Of 39 programmed meetings 9 are marked as having been cancelled in the 12 month period.

Councillor **Kate Chinn** (Labour Court) said "With 4 policy committees cancelled in March it does beg the question if the Residents' Association (the ruling group on the Council) leadership has run out of steam and ideas. There is little evidence of a vision and the laser focus needed to tackle the challenges the borough faces. Homelessness costs the council ever increasing amounts to house residents in out of borough temporary accommodations away from their children's schools and family support networks. Reducing crime and anti-social behaviour these are the issues we hear about on residents' doorsteps and where the residents want change."

She added: "We need the committees' meetings to generate ideas and plan how to manage these difficult issues rather than ignoring them in the misguided hope they will go away."

Cllr. **Julie Morris** (Liberal Democrat – College Ward) said: "The Liberal Democrats have been concerned at almost a whole cycle of policy committee meetings being cancelled. A progress statement, or discussion in public, on the Draft Local Plan is long overdue, amongst other progress reports on various topics. Whether or not decisions are being taken under delegated powers, or whether or not decisions do not actually need the meeting of a policy committee to take place, is irrelevant.

The point is that surely it is now virtually impossible for either councillors or the public to influence an agenda, similarly for the public to know what's going on within the Town Hall, or track a topic, nor is it obvious what major or minor decisions are being taken, and how and why they are being taken. Public engagement is at an all time low, lower than it has been at any time during my 27 years involved with the borough council."

She is proposing a motion at the next Full Council meeting due 16th April to promote greater transparency and reduce private sessions of committees that exclude press and public without clear justification.

Cllr. **Robert Leach** (Residents Association – Nonsuch Ward) said: "My understanding is that a meeting is cancelled if there is nothing to discuss. Simple as that!"

Cllr. **John Beckett** (Residents Association – Auriol Ward) said: "The reality is that the Council agrees dates of committee meetings up to 18 months in advance and Council business doesn't always fit with the timings of the agreed dates. Every council cancels and adds meetings to its annual calendar to reflect this and EEBC is no different. Also, no meeting is ever cancelled, or an extraordinary meeting called without there being a valid reason to do so."

Cllr. **Alex Coley** (Residents Association – Ruxley Ward) is Chairman of the Crime and Disorder Committee which has had three out of four meetings *apparently* cancelled, said: "There was a Crime & Disorder scrutiny committee from May 2022 to May 2023 which never met. This is because it would have duplicated the crime & disorder scrutiny powers of the Audit & Scrutiny committee. The cancellations of 10 Nov 2022, 10 Jan 2022 and 4 Apr 2023 were programmed in advance and should ideally be removed.

The current Crime & Disorder committee had meetings programmed into the annual calendar before I became chair. Upon taking the role I decided it would be more practical to reschedule the 2 Nov 2023 and 19 Mar 2024 meetings so they are in line with the other policy committee meetings which align to the Council's budget cycle (hence 12 Sep 2023 and 17 Jan 2024). I believe that ModGov (committee software) shows reschedules as cancellations."

A spokesperson for Epsom and Ewell Borough Council wrote: "Committee Meeting dates are agreed up to 18 months in advance, and Council business does not always fit with the timings of the agreed dates. It is normal practice in every council to cancel, reschedule or add meetings to reflect this, and Epsom & Ewell Borough Council is no different. We have thorough, legally compliant and transparent processes to propose and add items to Committee Meeting agendas, and no Committee meeting is ever cancelled or rescheduled (or an Extraordinary meeting called) without there being a valid reason to do so."

Epsom and Ewell Times has looked at the committee calendars of the other ten Surrey Boroughs for the same period.

It is not possible to compare accurately as each Council uses its own terminology. Some Council's may programme fewer meetings in the first place. We have ignored, as we did for Epsom and Ewell, sub-committees, postponements and committees driven by external demand eg., planning and licensing.

Elmbridge Borough Council is very difficult to compare as it uses a different nomenclature and form for its committees. Guildford Borough Council cancelled 8 meetings in the same period. Mole Valley District Council appears to have had 3 equivalent committee meetings cancelled. Reigate and Banstead Borough Council cancelled 3. Runnymede Borough Council = 1 . Spelthorne Borough Council = 3. Surrey Heath Borough Council – None. Tandridge District Council – None.

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Waverley Borough Council -2 and Woking Borough Council – None.

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“Audit and Scrutiny” under scrutiny

Should we have a petition about petitions?

“Audit and Scrutiny” under scrutiny

23 December 2024



Every day the **Epsom and Ewell Times** brings you a fresh chess puzzle to solve. Harder to solve than any chess puzzle run so far is what, if anything, at a meeting in the Epsom and Ewell Town Hall Chamber on 1st February of the Audit and Scrutiny committee, was actually resolved on the question of how to get items on the agenda.

We don’t want to get in the way of today’s puzzle, contained in the following transcript of a Council debate, but in fairness to our readers, we should first give a few clues.

Opposition Councillors **Lawrence** and **Ames** had both advance requested items to be on the agenda of the meeting. Both requests were refused. One of the rejected items requested was the question “how to get an item on the agenda?” (!)

That issue then in fact became the matter discussed after a question was asked by Cllr Lawrence on the committee’s annual work programme that had come up for debate.

Cllr. Ames disagreed with Cllr. **Leach** (the Committee’s Vice-Chair) on the latter’s statement that the rules were contradictory and needed re-writing. Cllr. Ames said the rules were clear and an item should go on an agenda if requested by any councillor. Cllr. Leach stated he agreed with Cllr Ames. And that is where things are a bit puzzling.

The Council officer implied that a request for a matter to be on the agenda might be rejected if to deal with it would take up too much officers’ time preparing for the meeting. Cllr. Leach said the point of the committee was, for example, to investigate whether Council practices could be improved and money saved. If that cannot occur because of the resources that would be taken up by such enquiries it follows that the committee may be a waste of money itself.

Over to you to solve this puzzle.

Submit your answers on our online contact form or by email to admin@epsomandewelltimes.com

The TRANSCRIPT:

Audit and Scrutiny Committee 1st February 2024:

Bridger = Cllr Steve Bridger (RA Stamford Ward and Audit and Scrutiny Committee Chair). Leach = Cllr Robert Leach (RA Nonsuch Ward). Lawrence = Cllr James Lawrence (LibDem College Ward). Ames = Cllr Chris Ames (Labour Court Ward). Bercher = Andrew Bercher (Interim Director of Corporate Services).

Bridger:

Move on to item 8, which is the work programme.

Bercher:

Thank you, Chair. Yes, this is the committee’s annual work programme, and again, it has the planned activities for the next few months. This is detailed, and any changes feature in the footnotes at the bottom of each page. So again, happy for any comments on this one.

Bridger:

Do we have any questions at all for it?

Lawrence:

Thank you, Chair. I’m just going to carry on from an email that I was raising about this. So, I was wanting to have an agenda item—maybe there’s more proof for a work plan on how councillors add scrutiny items or agenda items to this committee because I know at some parts in the constitution, we get given a right to add an agenda item, but I was also told it was at the chair’s discretion. So, I just wanted to check, do councillors, as, for example, as members of the committee, do we have the right to add them, or is it a qualified right with the chair’s permission? Thank you.

Bridger:

It is. As long as you submit a written request, yes, we can put things onto the agenda. But it has to be within the correct time frame; obviously, things have got to be added, etc. No problem. Okay.

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Lawrence:

Thanks, yeah, because I did send an email—I can't remember the exact date it was, but it was a while ago. It was about asking for an agenda item. About December. It was asking for an agenda item for the committee on how we have a scrutiny action or some discussion or to say note to the steps for it. So, I remember other committees asking about it, and it wasn't very clear to me how that process works. I just wanted to check if that's something that's possible to add to the work plan. Thank you.

Bercher:

Thank you, Councillor. I think there's an element of it that depends on this: because if there is a big piece of scrutiny work that the committee wants to carry out, then that needs to be resourced. And it needs to be resourced not only by officers but potentially by members who are going to then form a separate group to go and look into whatever particular issue it might be. And when I've worked with these things in the past typically there's been a little working group that's been set up, and members have met over a number of weeks, possibly months, in order to look into things and have worked alongside officers in order to gather data, analyse data, assess, produce a report, and then bring a report back to committee.

So that kind of scrutiny activity can be quite resource-intensive. And currently, unless it's on the work programme and is resourced, then we won't have the capacity to do it. But it depends on what it is. If someone says, I'd like to hear at the next committee something about X, and that's a relatively important thing but it's an update from a particular piece of work which is already in hand. I don't know; I'm surmising here. Then that might be relatively easy to do. So in the way that with the chair, we've said that we need a report every time we meet on complaints and ICO and something like that that wasn't previously programmed, but it's something that we've been able to accommodate, and very, very happy to do that. So I think it's with your discretion as well, chairs, to what gets on the agenda.

Leach:

I think I can take the matter a little further. I had a meeting with the legal officer. It was on a ward issue, but the conversation strayed into this area. Mr. Bercher, is quite correct in saying that a scrutiny report can be very work-intensive. Yes, it can. It can also be not intensive at all. It could be something where a person could just sit down there on the spot and probably write out a report. A scrutiny really should be, as I understand it, limited to an area of the council's work where we believe that work could be done better, it could be done more quickly and for less cost, or easily. And it is possible that having done the work, we might well conclude that we are doing it as well as it can be done, no changes needed.

I think what Councillor Lawrence is suggesting is there are areas of concern. That's not really a scrutiny issue, but I think it's an area where if you have a concern, and I see this committee as being totally non-partisan. So a Liberal Democrat or a Labour member has exactly the same rights as an RA member to have their concerns dealt with. It could be that just an informal conversation behind the scenes which would then be relayed back to you might be a better way than actually trying to go through a whole scrutiny procedure.

Lawrence:

Thank you both. That makes sense. I understand why you want to have a discussion first before coming to a full meeting. I have some other different agenda items, but I'll see if anyone else wants to ask questions. Thank you.

Ames:

I remain a little bit unclear. I'm trying to reconcile the answer that you gave, Chair, just now about putting an item on the agenda with the response that Councillor Lawrence got when he ironically requested that this issue be placed on the agenda. We're talking about the very issue of getting an issue on the agenda, and that was refused. And it was reported to Councillor Lawrence that this was your view, that this didn't need to be placed on the agenda. I'm trying to reconcile the various responses about this being a subjective decision with the very clear statement in the operating procedure that sets out an unfettered right for councillors to request that an issue be put on the agenda for this committee, any councillor, not just a member of this committee. And that should happen.

What the framework says: Any councillor who wishes to have an item included on the agenda of this committee should give written notice of the item to the scrutiny officer. If the scrutiny officer receives such a notification, he will, in consultation with the committee chair and vice-chair, include it on the first available agenda of the committee for consideration by the committee. I don't see the chair having a veto in that procedure or making a subjective decision.

This provision puts into the council's constitution something that would be in statute for a council that didn't work on the cabinet system. I don't see it as being something that the chair is entitled to reject. There's obviously a discussion about what would be the first available agenda, but I can't see this committee operating its scrutiny role effectively if it's within the gift of the committee chair and the vice-chair, who are both from the ruling party of this administration, to veto requests for something to be brought to the attention of this committee.

It simply isn't possible to reconcile the explanations that we've been given with a very clear statement in the operating framework that there is an unfettered right for councillors to place an item on the agenda of this committee. These are not subjective decisions that are being taken, judgments being taken by the chair, it's to be included on the first available agenda. It is quite clear in the operating framework, and both Councillor Lawrence and myself have had requests for something to be placed on the first available agenda rebuffed. This committee, in this sense, is not operating in line with the constitution and the operating framework. It couldn't be clearer in the operating framework that there is an unfettered right. Things go wrong in local authorities when people are trying to bring this to the attention of a scrutiny committee, and those items are not able to be discussed. So, it's a matter of great concern that this is happening.

Leach:

I'm not aware of the two issues that you refer to, but if you could tell me either publicly now or perhaps privately we'd

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certainly look into them. The constitution on how you get an item onto this agenda is actually contradictory, as you know. We have no less than 18 versions of the constitution in the last five and a half years, and the result of it is that we have now improved a constitution to the level where it is poor. We still have further to go. I mean, it is a badly drafted document, and in fact, the constitution contradicts itself. I've had a conversation with a view to drafting it into something which is more coherent, which will be the best plan. All this is just basically an idea I've had and a conversation I've had with the legal officer. It's got no further than that, but it is a matter that I certainly would like to take forward to make it clearer.

Ames:

I think we're a little bit going around in circles. What Councillor Lawrence has asked for is for this very issue to be placed on the agenda for this meeting, and that request was rebuffed. That's a very clear explanation about what was requested.

If you feel that this item in the framework, which I've read, is in any way unclear, we clearly need to have a discussion on that because it's fundamental to how this committee operates.

If members of this committee, or indeed any other councillor, Councillor Coley, for example, is not able to place an item on the agenda for this committee, as is their clear right here, and somebody says that it's because there's some kind of anomaly in the constitution, we need to have that discussion. This committee cannot operate as it's set out and intended to in the constitution and operating framework if the committee chair has a veto over what can be placed on the agenda. It's simply not what it says in the constitution and the operating framework.

Leach:

You're absolutely correct. That's why I believe that part of the constitution needs to be rewritten. And my idea, and this is purely my idea, it's not an RA group's, it's not even the chairman's view, but my view is if someone puts forward a motion or requests something to go onto the agenda, there should be, first of all, the consideration as to whether it is acceptable. I'm sure your request would be perfectly reasonable, but we have to allow for the fact that you could have people putting vexatious or malicious matters onto the agenda, and I believe there needs to be a filter process there whereby you could turn around and say this is not acceptable.

As for the constitution, if the member is dissatisfied, then that decision will come to this committee as to whether we would be prepared to do a scrutiny. Now that's my suggestion that I'm happy to forward and will be putting forward. I believe that it's necessary to have a filter to stop somebody just filling up the agenda with all sorts of things that aren't scrutiny items while still protecting the rights of members. I stress that's my personal opinion. It's not necessarily something that's going to be happening.

Lawrence:

All right, thank you, Vice-Chair. I understand there needs to be some sort of filter in what comes onto committee or agenda items. I know I'd certainly feel that way if I was the chair of a committee. Just for clarification on what I was also asking for the agenda item, it was what I was just talking about previously to Councillor Ames. It was about this committee, for example, noting the process of how a scrutiny operation would work, certainly would be useful for me, for example, because being a new councillor, I haven't seen a scrutiny operation. I haven't seen what can be added to a committee agenda. I haven't seen what can be a scrutiny item or how the process works or how that filters back to the committee. So, that was the point. That was what I'd requested to go on the agenda item. That's just for a bit of clarification and thank you.

Bridger:

Any further questions?

Thank you,

Ames.

Thank you. I'm just making one very brief comment, and I'll leave it there because we're not getting anywhere. I'm quite shocked by Councillor Leach's comments. We have to have this committee operate as it is set out in the operating framework and not as Councillor Leach would like it to be. I think that's a fairly fundamental process of how a council operates under its constitution and operating framework. We have to follow the constitution and not some version of the constitution that's in the head of a vice-chair that would be like that if he had his way. And we're not following the process, and we really need to follow the constitution. Otherwise, the whole idea of having a council that operates constitutionally is out the window. Thank you.

Leach:

Sorry, can I say, I again, I agree with you. I outlined how I believe the constitutional issue could be sorted out. Until that has been implemented, that's been put to the council and been voted and supported. That is not part of the constitution. I did it as a courtesy to this committee to sort of give you forward notice as to a change that I hope to be able to make to the constitution to resolve it. But Councillor Ames, until that change has been made, if it ever does get made, yes, we have to operate under the constitution as it is. I think your criticism of me was a little unfair.

Related reports:

Local Audit meet: unexpectedly interesting…

Quis custodiet ipsos custodes?

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When a meeting is not a meeting, in brief.

23 December 2024



The vexed issue of whether a “members’ briefing” is a “meeting” or not has received some attention of late. Anxiety was aroused by fears that a “confidential” meeting of **Epsom and Ewell** Councillors might effectively determine whether Green Belt land would remain in the Local Plan as potential sites for housing development. The “meeting” on 10th January was “met” by a small group of protestors who had caught wind of the event.

According to Cllr. **Alison Kelly** (LibDem Stamford) “I did tell a friend that I was going to a member’s briefing. I didn’t realize that I was not to disclose that. I just gave that out because a friend asked me why I can’t come out. I don’t understand why they cannot be publicly declared as meetings.”

She revealed this at the meeting of the Strategy and Resources Committee of 25th January. This *was* a meeting and the press and public were allowed in as usual. During a debate about the Council’s new “Communication Strategy” Cllr Kelly also said: “we’ve recently faced accusations over secrecy with response to the Local Plan Green Belt members briefings and some legal guidance; we’ve also been asked to remain silent on some matters including the existence of a briefing meeting and we seem to have had quite a lot of part two sessions *[sections of Council meetings that are closed to the press and public]*. How does this strategy help us to address the issue of secrecy levelled at us by the residents?”

In response RA leader Cllr **Hannah Dalton** (Stoneleigh) said: “The purpose of member briefings is for members *[i.e., councillors]* to be informed and in a safe and confidential space to ask questions, to understand information, to obtain data from officers, whether from our council or other councils or the LGA *[Local Government Association]* or whomever. To then provide a steer to… what then comes to committee.”

The Council’s law officer advised: “I don’t think there’s problem actually saying that you’re coming to a council briefing. If you went further to say I’m coming to a council briefing on xxx subject then that is disclosing at times confidential information.”

Cllr **Steven McCormick** (RA Woodcote and Langley Vale) told the Epsom and Ewell Times 15th January: that the 10th January “members’ briefing”, “…was not a secret meeting; it just wasn’t a public meeting. I stated publicly at the September LPPC Committee and extraordinary full Council on 24 October 2023 that Member briefings regarding the Local Plan would be taking place during this time period assuming the local plan was unpaused by full council, which it was.”

Epsom and Ewell’s Member of Parliament **Chris Grayling** has weighed in and on 31st January told constituents: “The Council has now decided to press ahead with its plans, and while details of the updated proposals remain confidential, I understand from Councillors in the ruling group that they continue to include substantial green belt development in the area. This is despite the fact that existing brownfield sites can deliver most of what is needed.”

He urged residents to make their views known to the Council.

Related reports:

Councillors belted-up on Green Belt?

Mystery Local Plan critic revealed

Image: Cllr Alison Kelly at the Strategy and Resources Committee meeting

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Should we have a petition about petitions?

23 December 2024



While Epsom and Ewell Borough Council’s ePetition platform offers residents a voice in local decision-making, a closer

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examination of the data reveals a challenging picture. From September 2016 to the present, the Council's ePetition system has faced difficulties in garnering community support and has seen a high rate of rejections, often on vague grounds.

Debate Requests – An Uphill Battle for Support

a) Petition Requests Submitted for Full Council Debate: 13

b) Permitted: 4

c) Successfully Reached Required Number of 1500 for Debate: 1

The stark reality emerges when analyzing the numbers. Despite 13 petition requests for Full Council debate, only four were permitted, with a solitary petition managing to secure the necessary support. The challenges in mobilizing community backing for debates raise questions about the effectiveness of the ePetition platform in truly representing resident concerns.

Rejected Petitions:

1. Continued designation of Hook Road Arena as Green Belt land

   Reason for Rejection: Relates to the Council's Planning or Licensing functions, separate statutory processes in place.

2. Railings outside the Metro Bank and Lester Bowden's

   Reason for Rejection: Relates to a matter for which this Council is not responsible or cannot influence.

3. Petition to EEBC regarding height and density regulations for Proposed building developments

   Reason for Rejection: Relates to a matter for which this Council is not responsible or cannot influence.

4. Subject matter not specified in petition submission

   Reason for Rejection: Does not meet the requirements of the Council's ePetition Scheme.

5. Objection to the Epsom Hospital Development Scheme

   Reason for Rejection: Does not meet the requirements of the Council's ePetition Scheme.

6. Hook Road speed limit & cameras

   Reason for Rejection: Relates to a matter for which this Council is not responsible or cannot influence.

7. Keep Epsom and Ewell Green Belt

   Reason for Rejection: Does not meet the requirements of the Council's ePetition Scheme.

8. Fairview Road temporary homes for the homeless

   Reason for Rejection: Relates to the Council's Planning or Licensing functions, separate statutory processes in place.

9. Compulsory Purchase Order for Horton Cemetery

   Reason for Rejection: Does not meet the requirements of the Council's ePetition Scheme.

Dismayed at the Council's refusal, made on the basis it was for the Strategy and Resources Committee not the Council (sic), The Friends of Horton Cemetery set up their own petition on change.org

The rejection of petitions, often on grounds as vague as not complying with the ePetition Scheme requirements, underscores the challenges residents face in navigating the system. This pattern raises skepticism about the transparency and accessibility of the ePetition platform.

Scrutiny and Accountability

The removal of the Council Officer appearance request from the Petition Scheme in May 2023 marks a significant shift in the dynamics of accountability, leaving residents with fewer avenues to question and scrutinize Council decisions.

Epsom and Ewell Borough Council's ePetition system, while ostensibly a tool for community engagement, faces challenges in attracting support and exhibits a high rate of rejections. The rejection of petitions on rather vague grounds raises questions about the system's accessibility and transparency, prompting a critical examination of the Council's commitment to genuinely amplifying resident voices.

For more information and to explore current and past ePetitions, visit www.epsom-ewell.gov.uk.

Image: The Surgeons Petition or The Barbers Triumphant: Science Museum, London. (CC BY 4.0)

Two Q or Not to Q? That was the Q....

23 December 2024

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Epsom and Ewell Borough Council debated public participation in its committees on Tuesday 12th December. A proposed amendment to standing orders has the effect of restricting a member of the public to asking only one question on a topic and being confined to one supplementary question on that topic only if it arises from the answer given to the first question. And this remains the case even if there is no other member of the public wishing to use what may remain of the 30 minutes the rules provide for public participation at the meeting.

Cllr Chris Ames (Labour Court) was unhappy with this apparent restriction on residents taking part in local democracy. He moved an amendment to send back the proposal to the Council's constitution drafting sub-committee for a re-think.

He said the rules should "not only encourage but also should not unduly restrict the right of residents to participate in public meetings."

In relation to the rules determining whether a resident's question qualified to be asked he emphasized the importance of avoiding unnecessary administrative burdens on officers while promoting transparency in the democratic process.

Cllr Liz Frost (RA Woodcote and Langley) chair of the sub-committee did not accept Cllr Ames amendment and so a debate ensued.

Cllr Ames went on to argue the Council should actively encourage residents who voted for them to participate in the democratic process. In his view, the rules in question imposed unnecessary restrictions on residents, hindering their ability to engage effectively in public meetings. He expressed concern about the potential detachment of councillors from the residents.

He described the new rules as a retrograde step.

One specific point of contention for Cllr Ames was the addition of the words "and final" to an existing rule, which, in his interpretation, unnecessarily restricted the order in which questions could be asked. He called for moral courage if the Council indeed intended to restrict residents to two questions and suggested that any such restriction should be clearly stated, perhaps subject to the chair's discretion and the existing 30-minute time limit.

He also disputed the notion that residents asking more questions would significantly burden officers, pointing out that the Council had constructed a set of rules making the process labour-intensive in the first place. In his view, the focus should be on eliminating cumbersome rules that deter resident participation.

Additionally, Cllr Ames challenged the alleged rule that a second question must be on a separate topic from the first, deeming it as another way of stifling debate. He brought up an incident where a resident was initially invited to ask a supplementary question but was later told he could not ask a second question on the same issue.

As a journalist Cllr Ames drawing from his extensive experience with Freedom of Information requests, shared his insights into how public bodies tended to complain about the cost of answering questions while simultaneously relying on rules and restrictions to avoid transparency, particularly when uncomfortable issues were raised.

He concluded by urging the Council to discard what he termed as ludicrous rules and embrace a more open approach, allowing residents to participate even if it meant confronting uncomfortable truths. Despite his impassioned plea, Cllr Frost reiterated her rejection of the proposed amendment and the "clarified" rule on public questions was approved by the majority of Councillors.

Related Reports:

Quis custodiet ipsos custodes?

Image: Cllr Ames rises in the Council Chamber. Epsom and Ewell Borough Council Youtube channel.

Alderman awards for Epsom and Ewell trio

23 December 2024



Epsom and Ewell Borough Council Tuesday 12th December conferred the title Alderman of the Borough on three men who long served the district as local councillors.

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Former Councillor Eber Kington (RA), a stalwart in local governance, dedicated an impressive 36 years of service as an Epsom and Ewell Borough Councillor, presiding as Mayor of the Borough in 1999-2000 and Deputy Mayor in 2000-2001.

Similarly, former Councillor Chris Frost (RA), with 24 years of devoted service from May 1999 to May 2023, held the role of Mayor of the Borough in 2015-2016 and Deputy Mayor in 2014-2015.

The late former Councillor Clive Smitheram (RA), who served for 23 years until April 2022, receives his recognition posthumously. His term included the role of Mayor of the Borough in 2010-2011 and Deputy Mayor in 2011-2012.

During the meetings Councillors Peter O'Donovan, Clive Woodbridge, Liz Frost, Neil Dallen, Alex Coley, Jan Mason and Hannah Dalton (RAs) paid tributes to each nominee.

At 9:55 pm the motion carried unanimously in the absence of LibDem and Labour councillors, who earlier had left the Chamber.

Related reports:

Local Council stalwarts up for local honour

Long serving Councillor Clive Smitheram dies at 76

Image: Chris Frost, Eber Kington and Clive Smitheram

Local democracy to be energised?

23 December 2024



Epsom and Ewell Borough Council has taken a significant step forward in opening up its committees to public participation. Under a new constitution the public now have the right to ask questions at committees on topics on the agenda! The previous constitution prohibited this.

Last night at a meeting of the Full Council a new constitution was adopted. After a year of weekly Friday night meetings and a Byzantine network of committees and sub-committees beavering away, the fruits of a cross-party effort were approved. Cllr **Liz Frost** (RA Woodcote Ward) was widely credited for her leadership of the initiative.

The end result is admittedly a somewhat labyrinthine set of documents: annexes within appendices within operating frameworks within a constitution. But, hey ho – the public now have clearer rights and Epsom and Ewell Times has extracted what you really need to know:

CLICK HERE for the key rules about public questions and public statements allowed at most committees of the Council. Note that these rules do not apply to meetings of the Full Council.

Will we now see more public participation at Council meetings, as illustrated in our accompanying image from Conneticut USA? (Happens to bear a slight resemblance to our own Town Hall Chamber). In contrast there were no members of the public attending last night's Council meeting.

Image: Sage Ross CC BY-SA 3.0

Related reports:

Local Audit meet: unexpectedly interesting…

Council Committees: Everything you need to know

Your right to ask questions at Council

23 December 2024

The public may not ask questions at Full Council meetings. Only most committees.

Annex 4.5 – Protocol for Members of the Public Speaking at Committees

1. Questions and statements from the public
   1.1. At ordinary meetings of the council's committees and sub-committees, up to 30 minutes will be set aside for questions and statements:
   i. On matters within the terms of reference of the body in question.

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ii. From any member of the public who lives, works, attends an educational establishment, or who owns or leases land in the Borough.
1.2. This protocol is not applicable to advisory panels, regulatory committees, Epsom Walton Downs Conservators and Epsom Walton Downs Consultative Committee.
1.3. The topic of the question or statement may not relate to:
i. Specific planning or licensing cases, …….
ii. The personal affairs of an individual.
iii. A matter which is exempt from disclosure or confidential under the Local Government Act 1972.
1.4. Questions and statements which in the view of the Chair are defamatory, offensive, vexatious or frivolous will not be accepted.
1.5. Each question or statement will be limited to 3 minutes in length.
1.6. This protocol does not cover questions and statements from the public for meetings of the Planning Committee or licensing sub-committees, which are not permitted……. For the avoidance of doubt, questions and statements from the public relating to planning or licensing committees matters can only be made at those specific committees with the consent of the Chair of that committee.

2. Procedure for Questions
2.1. The chair of the committee shall indicate the item on the agenda at which questions may be put by individual members of the public. Questions are welcomed from the members of the public and must satisfy the conditions below.
2.2. All questions must consist of one question only they cannot consist of multiple parts. This does not preclude a member of the public from asking another question on a separate topic, time permitting.
2.3. A person who wishes to ask a question must submit their question in writing (either in hard copy or by email) to the Democratic Services Manager at democraticservices@epsom-ewell.gov.uk. The written question must arrive by noon on the third working day before the day of the meeting.
2.4. The member of the public submitting a question must set out:
i. the wording of the question they wish to ask.
ii. an address, email address or telephone number at which they can be contacted before and after the meeting.
iii. The details of where they live, work, attend an educational establishment, own or lease land in the Borough.
2.5. Following receipt of a written question, the Democratic Services Manager will ensure that the member of the public asking the question is contacted and told whether their request complies with the conditions above. If contact details are not readily identifiable or have not been supplied, the question will not be accepted even if in all other respects it is valid.
2.6. At the committee meeting, questions must be addressed to the Chair of the relevant committee / sub-committee. The Chair will invite the questioner to put the question at the meeting.
2.7. The Chair may decline to answer a question, may give an answer orally at the meeting or may provide a written reply. If available, the questioner will be supplied with a written answer before the meeting.
2.8. Questions regarding items on the agenda for the meeting may not receive an answer, as the matter will not yet have been considered.
2.9. At the meeting the Chair will ask the questioner if the response answers their concern or if they wish to ask one supplementary question. If a supplementary question is asked, it must arise from the reply given. The Chair may decline to answer a supplementary question or invite other councillors or officers of the relevant body to contribute to a response.
2.10. If a member of the public wishes to ask more than one question, their second question shall be taken after all other individuals who wish to ask a question have been given the opportunity to do so.
As an alternative to submitting a written question, a member of the public may address a meeting of a committee or sub-committee for up to three minutes.
3.1. A person wishing to make a statement at a meeting must provide written notice (via hard copy or email) including a summary of the subject matter, to the Democratic Services Manager. The written notice must arrive by noon one working day before the day of the meeting.
3.2. Speakers may not engage in further debate once their statements have been made

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