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Epsom and Ewell Council transparency row erupts as council backs publication of urgent decisions

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Epsom & Ewell Borough Council has agreed to improve transparency over so-called “urgent decisions” following a heated debate that revisited the controversy surrounding the Rainbow Centre and allegations of secrecy over a £500,000 liability.

At its Full Council meeting on 12th March, councillors voted to support a motion calling for a clearer and more timely system for publishing decisions taken by officers under delegated authority.

The move follows months of criticism over how urgent decisions have been handled and disclosed, culminating in disputes over a confidential document linked to the Rainbow Centre.

Motion seeks clearer publication of decisions

The motion, proposed by Councillor **James Lawrence** (LibDem College) and seconded by Councillor **Alex Coley** (Independent Ruxley), called for a formal process to ensure that officer decisions are properly recorded and made publicly accessible.

Lawrence told councillors that while urgent decisions are currently noted in committee papers, the underlying decision notices themselves are not published in a timely or transparent way. “The decision notice itself isn’t given… that is not at all in the same timeframe as a decision notice from committee,” he said. He added that in the past it could take months, or even up to a year, for such decisions to be reported.

The motion proposed that the Chief Executive develop a process for publishing these decisions, with an update to be reported back to council later in the year.

Legal compliance questioned

The debate turned on whether the council is already complying with transparency laws. Lawrence said the current arrangements were “legally questionable”, pointing to regulations requiring a written record of officer decisions to be produced “as soon as reasonably practicable”.

However, Councillor **John Beckett** (RA Auriol), chair of the Standards and Constitution Committee, rejected claims that the council was acting unlawfully. He told the meeting that the council’s existing practice – recording urgent decisions in committee agendas and reporting them annually – complied with the regulations. “The custom and practice of this council… satisfies this requirement,” he said.

The Mayor also intervened to clarify that officers believed no law had been broken.

Rainbow Centre controversy looms over debate

The discussion was heavily influenced by the ongoing controversy surrounding the Rainbow Centre, where an urgent decision was used to deal with issues linked to the site.

That episode has been the subject of previous reporting by the Epsom & Ewell Times, including concerns about a secret document referring to substantial potential dilapidation costs – reported to be in the region of £500,000.

Councillor **Chris Ames** (Labour Court) directly linked the motion to that issue, accusing the council of a broader lack of transparency. “We’ve had an ongoing shambles over the so-called urgent decision over the Rainbow Centre,” he said.

He alleged that key information had not been disclosed and suggested there had been no intention to publish the document. “The reality is… there was never any intention to publish the document in the first place,” he said. Ames also described what he called a “growing transparency crisis” within the council.

Since 20th January Epsom and Ewell Times has awaited disclosure from Epsom and Ewell Borough Council of information that will throw light on the Rainbow Centre controversy. Despite a 20 day legal limit under the Freedom of Information Act to disclose and our concession to accept delay where some items sought may take longer to find, we have received no disclosures of even readily available information.

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Calls for greater openness

Councillor **Alex Coley** (Independent Ruxley), who seconded the motion, said he had been investigating urgent decisions since discovering their limited visibility several years ago. “I accidentally discovered that they exist,” he said. He told councillors that hundreds of historic officer decisions had not been publicly disclosed, including some involving significant financial commitments. “Some of them record millions of pounds being spent… even non-exempt information has been withheld as a matter of course,” he said.

Coley said progress had been made in recent years, but argued further reform was needed to ensure proper compliance and public confidence.

Cross-party engagement leads to compromise

Despite the sharp exchanges, the motion itself reflected a degree of cross-party cooperation. Both Lawrence and Coley acknowledged that they had worked with Councillor Beckett and officers to reach a compromise. Beckett, in turn, thanked them for their “time and patience” in developing the proposal.

The agreed approach stops short of declaring the current system unlawful, instead tasking the Chief Executive with designing an improved publication process.

Motion carried by council

The motion was approved by councillors, signalling a clear intention to increase transparency over urgent and delegated decisions. It requires the council to develop a system for publishing decisions in a more accessible and timely way, subject to the usual rules on confidential or exempt information. An update on progress is expected later in the year.

Wider implications

The debate highlights continuing concerns about governance and transparency at the council during its final years before abolition under Surrey’s local government reorganisation.

The Rainbow Centre episode appears to have acted as a catalyst for change, bringing the issue of urgent decisions into sharper public focus.

While the council maintains it has acted within the law, the adoption of the motion suggests a recognition that existing arrangements have not met public expectations. As one councillor put it during the debate, the issue is not only legality but trust.

With further major decisions expected before the transition to a new unitary authority, the way those decisions are recorded and disclosed is likely to remain under close scrutiny.

Sam Jones – Reporter



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