

Mayor's casting vote sends Epsom and Ewell Local Plan changes to consultation

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Epsom and Ewell councillors have agreed by the narrowest possible margin to consult residents on proposed changes to the borough's Local Plan, after a contentious extraordinary council meeting yesterday evening.

The vote was tied at 13-13 before Mayor Cllr **Lucie McIntyre** (RA West Ewell and daughter of Cllr Dallen) used her casting vote in favour. The decision allows consultation on the Planning Inspector's proposed main modifications; it does not adopt the Local Plan or grant planning permission for individual developments.

The changes include additional Green Belt sites at Downs Farm and Priest Hill. An amendment seeking a formal council objection to Green Belt development was ruled out of order by the Mayor and was not put to a vote, although councillors were shown its wording and later referred to it during the discussion.

Why was the amendment ruled out?

Cllr **Kieran Persand** (Conservative Horton) submitted the amendment, seconded by Cllr **Shanice Goldman** (Conservative Nonsuch).

An earlier version supplied to Epsom and Ewell Times would have retained the recommendation to hold the consultation, while asking the council to oppose the proposed release of Green Belt land at Priest Hill, Downs Farm and Horton Farm. It also called for further scrutiny of brownfield alternatives and for the council's objections to be communicated to the Inspector.

After the version before the meeting had been displayed, the Mayor ruled it out of order. She described her decision as procedural, rather than a judgement on the merits of the proposed changes.

Her stated reason was that the item before councillors was concerned with whether to consult on the proposed modifications. She said that, under that item, the council could not determine whether the evidence base was adequate because that went beyond the scope of the recommendation being considered. She said individual councillors and residents could object to allocations through the proposed consultation and ask the Inspector to consider whether they were justified.

The distinction appears to have been between allowing the Inspector's proposed changes to go out to consultation and adopting a formal council position on whether particular sites were justified. The Mayor did not give a detailed explanation at the meeting of why the latter could not be added to the former as an amendment.

Persand challenged the ruling and asked for an opportunity to revise his amendment. The Mayor said her ruling was final and declined to adjourn the meeting. She indicated that another amendment could be considered if it was ready in writing; later, when Cllr **Alex Coley** (Independent Ruxley) asked whether he could put one forward verbally, she said it had to be written.

Persand said he had followed the procedure suggested to him and had corresponded with officers before the meeting. The Mayor later said there had been exchanges about suggested changes but that she had not had time to respond to the final version, which she said arrived at about 3pm that day. Persand disputed that account.

Cllr **Bernie Muir** (Conservative Horton) argued that the constitution allowed amendments to be amended. "I do not understand how you could preside over a matter of such import" and allow available procedures to be blocked, she told the Mayor.

Housing and the Green Belt

Persand said residents wanted councillors to protect the Green Belt, but insisted he recognised the need for housing.

"I was born and raised in this borough. I've lived here my entire life. I work in London alongside my council responsibilities. Yet I still can't afford to buy a home in the very place I grew up," he said.

He added: "Our green spaces provide amazing opportunities for biodiversity and carbon storage. And once they are developed, they are gone for generations."

He said he could not support consultation on the plan in its current form.

Muir said the Conservative amendment would not have stopped consultation. “Our residents have a democratic right to be heard,” she said, but the council should also submit a corporate objection to the Inspector. She argued that opportunities in the town centre and commercial areas should be maximised “before a single blade of grass is cut”.

Goldman questioned why Downs Farm had previously been considered unsustainable but was now included. “As far as I’m aware, nothing has changed. No infrastructure has changed,” she said.

“An impossible dilemma”

Cllr **Steven McCormick** (Conservative Woodcote and Langley Vale), a former chair of the planning policy committee, said he had expected the amendment to be debated and was disappointed that Persand had not been able to revise it.

He challenged the position that councillors could not alter the schedule before consultation and argued that presenting it as an unchangeable document reduced Full Council to “an administrative rubber stamp”.

McCormick also criticised the choice he believed councillors faced if they rejected consultation:

“The choice presented to this chamber is accept the Green Belt releases inside the plan, or developers will take them outside the plan on appeal. That is an impossible dilemma, not a genuine democratic choice.”

He said elected members had been bypassed while additional sites were evaluated and argued that urban alternatives had not been properly considered. He added that the final decision on adoption belonged to Full Council: if the Green Belt releases remained when the plan returned, he would vote against adoption.

His legal interpretation was disputed by the position set out to councillors: that the Inspector’s proposed main modifications had to be consulted on as presented.

A voice for residents

Cllr **Peter O’Donovan** (RA Ewell Court), chair of the Licensing and Planning Policy Committee, proposed the consultation. He said councillors were being asked neither to add sites to nor remove them from the plan.

“We’re not asking you to comment on the local plan, what you like, what you don’t like. Are you happy to approve a public consultation?” he said. Responses would go to the Inspector, who would produce a final report before a subsequent council decision on adoption.

Cllr **Clive Woodbridge** (RA Ewell Village) urged residents to make their arguments through the consultation. He said many emails received from residents contained well-reasoned points about sites, but the Inspector would consider whether the modifications should change.

“What we can do tonight is we can start this consultation and give our residents a voice, give ourselves a voice.”

Woodbridge said he did not think the council should formally object while also acting as facilitator of the consultation. “I don’t think we should simultaneously say, but we’ve already made our mind up,” he said.

Cllr **Neil Dallen** (RA Town) rejected the suggestion that RA councillors had asked for Downs Farm and Priest Hill to be added. “We put forward a plan without it in,” he said. The Inspector had decided to include the sites in the proposed modifications, and residents and councillors could respond.

Divisions over procedure

Cllr **Robert Leach** (RA Nonsuch) said he would support consultation “through gritted teeth and under protest”, despite opposing the additional sites. “I hate the local plan with a passion,” he said, but feared that voting against consultation would leave the borough in a worse position.

Cllr **Chris Ames** (Labour Court) said he supported housing, including on Green Belt land if necessary, and would have opposed Persand’s amendment. Nevertheless, he could not support the recommendation because the amendment had not been debated and voted on. He described the handling of the meeting as “completely undemocratic”.

Cllr **James Lawrence** (Independent College) said he supported building at Priest Hill and Downs Farm because housing was needed. But he criticised the opportunities councillors had been given to influence site selection and said he would not support the recommendation.

Coley said councillors had not received all the information they needed, referring to correspondence and material exchanged during the examination. The Mayor said the information required to be published had been included.

O’Donovan said that, if consultation were refused, the matter would return to the Inspector for a decision. He urged councillors to let residents have their say and said consultation was expected to start on 3 November.

Following the Inspector’s consideration of responses, councillors are expected to be asked whether to adopt the plan. O’Donovan said that decision would probably come in March, shortly before Epsom and Ewell Borough Council is replaced by East Surrey Council.

Sam Jones – Reporter



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Image: McCormick speaks, Coley to his right and Goldman to his left. Woodbridge in foreground. EEBC YouTube