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RA councillor replaces Independent member as scrutiny row erupts at Epsom Town Hall

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A stormy Audit and Scrutiny Committee meeting at Epsom and Ewell Borough Council on Thursday 27 March has ignited a political row, as Councillor **Robert Leach** (RA Nonsuch) controversially replaced Councillor **Alex Coley** (Independent Ruxley) on the committee. The change, made by the ruling Residents Association group, prompted accusations of "gerrymandering" and "Trumpian politics" from opposition members, particularly Labour Councillor **Chris Ames** (Labour).

The chair of the committee, Cllr **Steven McCormick** (RA Woodocte and Langley), presided over what quickly became a fractious meeting, with procedural disputes dominating its early minutes. The substitution of Cllr Coley – a former Residents Association member who resigned from the group and now sits as part of a two-member independent group – triggered a fierce exchange over the legality and transparency of the move.

"Nonsense on stilts": Labour mounts strong objection

Rising on a point of order almost immediately, Cllr Chris Ames condemned the replacement as illegitimate:

"A member of the committee who was appointed by full council last year… has been excluded from attendance by diktat from the Residents Association… It's a gross example of gerrymandering by the administration, by a Residents Association clique that will sink to any depths to gain revenge on the former member."

Cllr Ames declared that no constitutional rule allowed for such a substitution, emphasising that committee membership was determined by full council, not party whips. He went on to challenge the very presence of Cllr Leach at the meeting, describing it as: "The worst kind of gerrymandering… resorting to Trumpian politics… shocking, absolutely shocking."

Chair defends decision with constitutional reference

Cllr McCormick responded by reading from Appendix 5 of the Council Procedure Rules (CPR 15.4), arguing that: "A member of a committee… may designate as their substitute another councillor… The substitution happened by the leader of the RA group earlier today." He added: "This is not to be debated… If you want to take it up with the monitoring officer, then please do."

Despite Cllr Ames's repeated interventions, the chair refused further discussion, insisting that proper constitutional advice had been followed.

Legal officer backs the administration

Cllr **James Lawrence** (Lib Dem College) attempted to elicit further legal clarity, but the deputy monitoring officer succinctly backed the chair: "I've got nothing further to add to what the monitoring officer has provided today."

That led Cllr Ames to vent: "You have no explanation as to why a member of this committee who was appointed by council has been excluded from this committee." He warned that the substitution would "nullify the whole proceedings"

Despite the protest, the meeting proceeded with Cllr Leach continuing in place.

Epsom and Ewell Times contacted Cllr Coley after the meeting and he said: "I did not request a substitute for either the meeting of S&R [strategy and resources committee] on the 25th March or A&S [Audit and Scrutiny committee] on the 27th March. Neither was I told that I would be substituted. I was however provided with a legal steer by the Council's Monitoring Officer in which it was anticipated that the RA Group Leader might substitute me as the seat was allocated to that political group."

"My reflection is that there seems to be a fear of robust scrutiny happening in committee meetings. Training on committee procedure is almost non-existent, with a lack of confidence and understanding creating a fait accompli when reports are brought to committee. It is my understanding that smaller opposition groups will be blocked from oversight of

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strategic financial decisions in the near future." He added: "This bodes very poorly for the governance of the Council at such a critical time, with Local Government Reorganisation, a multi-million pound Town Hall move and an expected deficit in the Council's finances in 2026."

The relevant words of the rule are: "A member of a committee may……. designate as their substitute another councillor. ……. The nominating member, Leader / Chair of their Group, or Deputy Leader / Chair of their Group, shall inform the Democratic Services Manager of the substitute in writing prior to the meeting in question."

There appears to be no rule allowing for any person other than the councillor himself or herself to designate a substitute.

Cllr Alex Coley and recently resigned group leader of the Liberal Democrats, Cllr **Julie Morris** (College), have formed a new 2 member Independent Group. The new Group pledges to allow its members freedom to vote and speak at Council independently from any "group position".

Complaints report:

Following the dramatic opening, the committee did manage to turn to the rest of its business, including a review of council complaints between April and December 2024.

Members noted the learning from complaints data. Operational Services were responsible for 57% of complaints, mainly about refuse collection, although this was a 19.5% decrease compared to the previous year.

Treasury and transparency

The committee also received the Financial Strategy Advisory Group's report on treasury management. There were no contentious issues here, and the recommendation to note the annual report passed unanimously.

But concerns over transparency re-emerged during discussion of previous minutes, particularly relating to responses to the external audit. Lib Dem Cllr James Lawrence criticised omissions in how verbal statements were recorded:

"If I'm looking at the minutes and I didn't sit at the committee… that doesn't tell me anything that adds to the debate."

He also challenged the failure to record examples he had raised regarding "a failure to be transparent" in council decisions.

Cllr Ames returned to the theme, questioning why statements by officers in a previous meeting were vague or misrepresented. He called for: "An accurate description of what was said last time… because that is quite an important thing."

Director of Corporate Services acknowledged this and promised to amend the minutes for accuracy.

RIPA and policy clarity

In the RIPA (Regulatory and Investigatory Powers Act) annual report the officer was candid:

"This is a report we're obliged to bring to you every year to tell you about any covert surveillance… and we haven't done any."

The Council had nonetheless updated its surveillance policy after external inspection. The chair added that the report would be shared with community safety stakeholders to ensure open oversight.

Cllr Lawrence pointed out that a senior officer's name in the report was "to be confirmed," and officers clarified it was awaiting the arrival of a successor to Mr Sebastian.

Closing with caution

The meeting concluded with a subdued atmosphere after its turbulent beginning. No public questions had been submitted, and most agenda items passed without dissent.

But the confrontation over Cllr Coley's removal – and the unresolved questions about process, transparency, and political fairness – are unlikely to fade quietly.

Commentary

The drama surrounding Cllr Coley's substitution is more than a procedural quibble. It raises fundamental concerns about how power is exercised by the ruling RA group. When committee appointments, made by full council, are seemingly overridden without transparent explanation, the spectre of executive overreach looms.

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Cllr McCormick's constitutional cover seemed dubious at best and the tone and timing of the move – coming after Coley's defection from the RA – understandably fuel suspicions of retaliation. The refusal to debate or justify the decision in open session further deepens the sense of opacity.

This episode may yet prompt a broader review of how Epsom and Ewell's committees are constituted, and how scrutiny can be safeguarded from political manipulation.

Until then, the Audit and Scrutiny Committee risks becoming the subject of its own audit.

Image: Audit and Scrutiny Committee – Epsom and Ewell Borough Council YouTube channel.

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