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Secret Surrey leaders' talks challenged by Epsom councillor

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An Epsom and Ewell councillor has launched a sustained Freedom of Information campaign to uncover what Surrey's council leaders have discussed and agreed behind closed doors.

Councillor **Alex Coley** (Independent, Ruxley) is seeking the agendas, minutes and decisions of the Surrey Leaders' Group, a forum bringing together the leaders of Surrey County Council and the county's 11 borough and district councils.

The Group is currently chaired by Epsom and Ewell Borough Council Leader Councillor Hannah Dalton (RA, Stoneleigh).

Cllr Coley's efforts began in March, when he requested records covering the civic years 2022/23 to 2025/26. Establishing which authority was responsible for answering proved to be the first hurdle.

Surrey County Council said that it did not hold the information. A response sent through a WhatDoTheyKnow account bearing the name "Surrey Leaders' Group" came from Guildford Borough Council, which also said it did not hold the records because it did not provide the Group's secretariat.

Guildford directed Cllr Coley to Reigate and Banstead Borough Council, which eventually confirmed that it held at least some of the material.

However, Reigate and Banstead initially refused the four-year request on cost grounds. It said more than 200 documents were spread across different authorities, including records kept by a previous secretariat. Locating, retrieving and reviewing them would exceed the Freedom of Information Act limit of £450, calculated as 18 hours of staff time at £25 an hour.

Cllr Coley expressed surprise that the basic records of a body composed of senior elected representatives should be so difficult to retrieve.

He argued that the failure to maintain a readily accessible publication scheme had itself helped create the situation in which answering an FOI request was said to be too expensive.

He subsequently narrowed his request to 2024/25 and 2025/26 and asked which council held the records for the two earlier years.

After extending its response deadline to consider the public interest, Reigate and Banstead released the Group's constitution and collections of agendas. It has, however, refused to disclose the minutes.

The Council relied upon section 36 of the Freedom of Information Act, which can protect information where disclosure would be likely to inhibit the free and frank provision of advice or exchange of views.

It said the Group provided a "safe space" in which senior councillors could test ideas, challenge assumptions and discuss politically sensitive or developing issues before proposals entered the formal decision-making processes of their respective councils.

Disclosure, it argued, could have a "chilling effect", making participants less candid and ultimately weakening the quality of subsequent council decisions.

The Council also maintained that the Surrey Leaders' Group is not itself a formal decision-making body. It said any binding decision would still have to be taken through the constitutional and democratic procedures of the council concerned.

Constitution complicates the picture

The constitution disclosed through the FOI request presents a more complicated picture.

Among the Group's stated objectives is taking decisions about joint activities across Surrey. It may make representations, determine certain nominations to outside bodies, levy subscriptions upon its member councils and maintain a fund that can be used to employ consultants or commission research.

Although it cannot bind constituent councils without referring an issue back to them, the constitution states that the decision-making powers of the former Surrey Delivery Board are to be exercised by the Leaders' Group, subject to council ratification where required.

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It also provides for voting, with each council leader having one vote, although the stated aim is to reach decisions by consensus.

The agendas demonstrate that the Group has considered matters extending far beyond informal networking. Subjects have included local government reorganisation, the allocation of reorganisation costs, strategic planning, health services, policing, economic growth, staff retention and the future governance of Surrey.

One agenda expressly recorded that a “decision” was required from leaders on proposals for funding the implementation of local government reorganisation. Leaders were asked to agree the proposals and take steps to set aside money from their councils’ budgets or reserves.

Another item asked leaders to provide a “steer” on proposed voluntary financial controls associated with the restructuring.

“No transparency”

Cllr Coley has now requested an internal review of the refusal to release the minutes.

He disputes the claim that publication would provide only limited additional transparency. He says the Group does not routinely publish its agendas, minutes, decision notices or even its constitution.

He also claims that at least one Surrey chief executive has acknowledged in writing that decisions were made at the Group rather than by its constituent councils. He says the current chair Cllr Dalton has told councillors that a particular course had to be followed because it had already been agreed by Surrey Leaders.

“The Surrey Leaders Group should not be a secret forum to circumvent public scrutiny,” he wrote in his request for a review.

Cllr Coley contrasted its private proceedings with the new East and West Surrey joint committees, whose agendas, minutes and decisions have been published and whose meetings have been open to the public and available to watch online.

That distinction is particularly important during the reorganisation of Surrey’s councils. Decisions and informal agreements made now could influence the structures, finances and services inherited by the two new unitary authorities.

Cllr Coley also argued that any need for continuing secrecy should be reduced by the impending abolition of the Group’s constituent councils. He told the Epsom and Ewell Times ” Your readers might chuckle at the idea of a “deep state” in Surrey, but what else should we call these arrangements where the most far reaching decisions are made in private with no scrutiny or public record and the mere existence of the Surrey Leaders Group is shrouded in mystery?”

Reigate and Banstead Borough Council acknowledged the internal review request on 2nd September. It aims to provide its decision by 30th September.

The complete FOI correspondence and released documents can be read on WhatDoTheyKnow.

Sam Jones – Reporter



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