

**Minutes of the Meeting of the COUNCIL held at the Council Chamber, Epsom
Town Hall on 25 July 2023**

PRESENT -

Councillor Rob Geleit (Chair); Councillor Steve Bridger (Vice-Chair); Councillors James Lawrence, Chris Ames, Kim Spickett, Chris Watson, Kieran Persand, Shanice Goldman, Anthony Froud, Robert Leach, Clive Woodbridge, Arthur Abdulin, John Beckett, Kate Chinn, Christine Cleveland, Alex Coley, Hannah Dalton, Liz Frost, Graham Jones, Jan Mason (Councillor Jan Mason left the room prior to the vote on item 26 below and did not participate in the vote on that item), Steven McCormick, Julie Morris, Bernie Muir, Phil Neale, Peter O'Donovan, Humphrey Reynolds and Alan Williamson

Absent: Councillor Darren Talbot, Councillor Julian Freeman, Councillor Alison Kelly, Councillor Rachel King, Councillor Neil Dallen, Councillor Bernice Froud, Councillor Christine Howells and Councillor Lucie McIntyre

Officers present: Andrew Bircher (Interim Director of Corporate Services), Piero Ionta (Head of Legal Services and Monitoring Officer), Brendan Bradley (Head of Finance) and Tim Richardson (Democratic Services Manager)

13 DECLARATIONS OF INTEREST

No declarations of interest were made by Councillors regarding items on the agenda.

14 MINUTES

The Minutes of the Meeting of the Council held on 23 May 2023 were agreed as a true record and the Mayor was authorised to sign them.

15 MAYORAL COMMUNICATIONS/BUSINESS

The Mayor made a number of announcements relating to noteworthy events which he had attended over the past 2 months.

16 QUESTIONS

Three questions had been addressed to Committee Chairs, to each of which a written answer had been provided and published.

Three supplementary questions were asked and answers were given by the relevant Committee Chair.

17 CHAIRS' STATEMENTS

The Council received written statements from the Chair of the Licensing and Planning Policy Committee, Chair of the Strategy and Resources Committee and Chair of the Crime and Disorder Committee.

6 questions were asked relating to the statements and responded to by the relevant Committee Chair.

18 ANNUAL REPORT OF THE AUDIT AND SCRUTINY COMMITTEE 2022-2023

Council received a report presenting the Annual Report of the Audit and Scrutiny Committee 2022-2023 in accordance with the requirement of Paragraph 7.2 of Annex 4.6 of the Council's Operating Framework.

Councillor Steve Bridger **MOVED** the recommendation in the report. In moving the recommendation, Councillor Bridger expressed thanks to officers for their work to complete the audits on time.

During debate, 2 councillors spoke to express their concerns on elements of the report. In response to the debate Councillor Steve Bridger, as Chair of the Audit and Scrutiny Committee, requested the councillors to provide a written copy of their questions to which he would provide a response.

Upon being put the recommendation was **CARRIED** with 20 votes for, 4 votes against, 2 abstentions and the Mayor not voting.

Accordingly, it was resolved to:

- (1) **Receive the Annual Report of the Audit and Scrutiny Committee 2022-2023 (Appendix 1 to the report).**

19 FINANCIAL POLICY PANEL REVIEW

The Council received a report setting out the recommendations of the Standards and Constitution Committee and providing an appraisal of the implementation of changes to financial decision-making procedures and committee responsibilities as agreed by Full Council in February 2022. The report recommended further changes to the constitution.

Councillor Liz Frost **MOVED** the recommendation in the report.

Upon being put the recommendation was unanimously **CARRIED**.

Accordingly, it was resolved to:

- (1) **Agree with Standards and Constitution Committee's recommendation to approve the proposed changes to the constitution set-out in this report.**

20 EXTERNAL AUDITOR'S ANNUAL REPORT - 2021/22

The Council received a report presenting Grant Thornton's 2021/22 Annual Report and an update on the 2022/23 Statement of Accounts.

Councillor Steve Bridger **MOVED** and Councillor Hannah Dalton **SECONDED** the recommendation in the report.

During debate, Members of the Council expressed their thanks to the Chief Finance Officer, Head of Finance and their team for their work on the Council's behalf to achieve the signoff of accounts by the external auditor.

Upon being put the recommendations were unanimously **CARRIED**.

Accordingly, it was resolved to:

- (1) **Receive the Auditor's Annual Report;**
- (2) **Note the management responses to the auditor's recommendations at Appendix 1 to the report.**

21 MOTIONS

The Council received two Motions submitted under FCR 14 of Appendix 4 of the Constitution.

Motion 1: "Debate not Hate"

The Council resolved by unanimously to debate this Motion at the meeting.

In pursuance of the Council's Rules of Procedure, Councillor Hannah Dalton **MOVED** and Councillor Julie Morris **SECONDED** the following Motion.

In moving the motion, Councillor Hannah Dalton identified an amendment to the wording of the motion set out in the agenda. This amendment was to replace the words "to use to" in paragraph 3 with the words "can use to", as set out in bold below.

Motion

"This council notes that increasing levels of toxicity in public and political discourse is having a detrimental impact of local democracy and that prevention, support and responses to abuse and intimidation of local politicians must improve to ensure councillors feel safe and able to continue representing their residents.

This council therefore commits to challenge the normalisation of abuse against councillors and officers and uphold exemplary standards of public and political debate in all it does.

The council further agrees to sign up to the LGA's Debate Not Hate campaign. The campaign aims to raise public awareness of the role of councillors in local communities, encourage healthy debate and improve the response to and support those in public life facing abuse and intimidation.

This Council resolves to:

- (1) Write to Chris Grayling MP to ask their support of the campaign.
- (2) Write to the Government to ask them to work with the LGA to develop and implement a plan to address abuse and intimidation of politicians.
- (3) Ensure the council has a clear reporting mechanism which councillors **can use to** monitor and record incidents of harassment and abuse of councillors and/or officers.
- (4) Regularly review the support available to councillors in relation to abuse and intimidation and councillor safety.
- (5) Work with the local police to ensure there is a clear and joined-up mechanism for reporting threats and other concerns about the safety of councillors and their families and discuss the need to take a preventative approach that accounts for the specific risks that councillors face, as they do with other high-risk individuals, like MPs.
- (6) Take a zero-tolerance approach to abuse of councillors and officers.”

Upon being put the motion was **CARRIED** unanimously.

Accordingly the Council resolved that:

This council notes that increasing levels of toxicity in public and political discourse is having a detrimental impact of local democracy and that prevention, support and responses to abuse and intimidation of local politicians must improve to ensure councillors feel safe and able to continue representing their residents.

This council therefore commits to challenge the normalisation of abuse against councillors and officers and uphold exemplary standards of public and political debate in all it does.

The council further agrees to sign up to the LGA's Debate Not Hate campaign. The campaign aims to raise public awareness of the role of councillors in local communities, encourage healthy debate and improve the response to and support those in public life facing abuse and intimidation.

This Council resolves to:

- (1) Write to Chris Grayling MP to ask their support of the campaign.**
- (2) Write to the Government to ask them to work with the LGA to develop and implement a plan to address abuse and intimidation of politicians.**
- (3) Ensure the council has a clear reporting mechanism which councillors can use to monitor and record incidents of harassment and abuse of councillors and/or officers.**
- (4) Regularly review the support available to councillors in relation to abuse and intimidation and councillor safety.**
- (5) Work with the local police to ensure there is a clear and joined-up mechanism for reporting threats and other concerns about the safety of councillors and their families and discuss the need to take a preventative approach that accounts for the specific risks that councillors face, as they do with other high-risk individuals, like MPs.**
- (6) Take a zero-tolerance approach to abuse of councillors and officers.**

Motion 2: “Monitoring of the Chalk Pit site, Epsom”

The Council resolved by a majority vote (with 6 votes for dealing with the motion at the meeting, 19 votes to refer the motion to the relevant committee, 1 abstention and the Mayor not voting) to refer the Motion to the Environment Committee for consideration.

22 EXCLUSION OF PRESS AND PUBLIC

Under Section 100(A)(4) of the Local Government Act 1972, the Council passed a resolution by majority decision (with 20 votes for, 6 votes against and the Mayor not voting) to exclude the public from the meeting for Part Two of the Agenda on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 1 and 3 of Part 1 of Schedule 12A to the Act (as amended) and that pursuant to paragraph 10 of Part 2 of the said Schedule 12A the public interest in maintaining the exemption outweighed the public interest in disclosing the information.

23 APPOINTMENT OF INTERIM S151 OFFICER

The Council received a report requesting it to appoint an interim S151 Officer for a period of up to nine months.

Councillor Hannah Dalton **MOVED** and Councillor Julie Morris **SECONDED** the recommendation in the report.

Upon being put the recommendation was unanimously **CARRIED**.

Accordingly, it was resolved to:

- (1) **Approve the appointment of Brendan Bradley as the Council's S151 Officer, on an interim basis with effect from 1 August 2023, for a period of up to nine months or until a permanent appointment is made if sooner.**

24 EXTENDING TERM OF INTERIM DIRECTORS

The Council received a report proposing that both existing Interim Directors (Directorate of Corporate Services and Directorate of Environment, Housing and Regeneration) continue in their roles until such time as a decision is taken on permanent recruitment upon the return to the office of the Chief Executive after September 2023.

Councillor Hannah Dalton **MOVED** and Councillor Julie Morris **SECONDED** the recommendation in the report.

Upon being put the recommendation was **CARRIED** with 23 votes for, 2 votes against, 1 abstention and the Mayor not voting.

Accordingly, it was resolved to:

- (1) **Agree to extend the appointment of the two Interim Directors in post, in each case for periods of up to 9 months as from end of September 2023 in order to provide management cover, pending the appointment and commencement of permanent staff in these positions.**

25 APPOINTMENT OF PANEL MEMBERS TO THE IRP

The Council received a report seeking the formal appointment of members to the council's Independent Remuneration Panel (IRP).

Councillor Liz Frost **MOVED** and Councillor Hannah Dalton **SECONDED** the recommendation in the report.

Upon being put the recommendation was unanimously **CARRIED**.

Accordingly, it was resolved to:

- (1) **Appoint the following as members of the Independent Remuneration Panel:**
 - **Robert Coyle**
 - **Karimulla (Hyat Akbar) Khan**
 - **Yan Yuen Kwok**

26 SCHEME OF DELEGATION

The Mayor informed the Council that he had permitted the addition of this additional urgent item to the agenda in accordance with FCR 7.7 of Appendix 4 of the Constitution as it was necessary to inform Members of the matter at the earliest opportunity available. The report identified some operational issues concerning the Council's Scheme of Delegation and the proposed a way to remedy those issues.

Councillor Liz Frost **MOVED** and Councillor Hannah Dalton **SECONDED** the recommendations in the report.

In moving the recommendations, Councillor Liz Frost identified an amendment to the wording of the motion set out in the agenda. This amendment was to add a further recommendation as set out below.

“(3) Agree that the following wording be added to Appendix 2 of the Constitution:

The Chief Executive and Directors are authorised to take decisions on grounds of urgency regarding matters which would otherwise be reserved for determination by a Committee or Council. A matter can be deemed urgent if, in the reasonable opinion of the officer concerned, a delay would seriously prejudice the interest of the Council or of the public and it is not practicable to convene a quorate meeting of the relevant decision-making body in sufficient time to take the decision. The officer concerned shall also:

- Advise and seek the views of the Chair and Vice Chair of the appropriate Committee at the earliest opportunity.
- Report the matter to the next scheduled meeting of the appropriate Committee; and
- Ensure all members are advised at the earliest opportunity (via MemberNews currently).”

Upon being put the recommendations of the report were **CARRIED** as follows:

It was resolved with 20 votes for, 5 abstentions and the Mayor not voting to:

(1) Note the contents of this report.

It was resolved with 17 votes for, 1 vote against, 7 abstentions and the mayor not voting to:

(2) Approve the allocation of £15,000 from the Corporate Projects Reserve to enable the funding of external legal advice.

It was resolved with 17 votes for, 2 votes against, 6 abstentions and the Mayor not voting to:

(3) Agree that the following wording be added to Appendix 2 of the Constitution:

The Chief Executive and Directors are authorised to take decisions on grounds of urgency regarding matters which would otherwise be reserved for determination by a Committee or Council. A matter can be deemed urgent if, in the reasonable opinion of the officer concerned, a delay would seriously prejudice the interest of the Council or of the public and it is not practicable to convene a quorate meeting of the relevant decision-making body in sufficient time to take the decision. The officer concerned shall also:

- Advise and seek the views of the Chair and Vice Chair of the appropriate Committee at the earliest opportunity.**
- Report the matter to the next scheduled meeting of the appropriate Committee; and**
- Ensure all members are advised at the earliest opportunity (via MemberNews currently)**

The meeting began at 7.30 pm and ended at 9.19 pm

COUNCILLOR ROB GELEIT (CHAIR)