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EPSOM & EWELL BOROUGH COUNCIL

TOWN HALL

EPSOM

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01 December 2025

SIR OR MADAM

I hereby summon you to attend a meeting of the Council of the Borough of Epsom and Ewell which will be held at the Council Chamber, Epsom Town Hall, Epsom on **TUESDAY, 9TH DECEMBER, 2025** at **7.30 pm**. The business to be transacted at the Meeting is set out on the Agenda overleaf. A link to the meeting is provided above.

Prayers will be said by the Mayor's Chaplain prior to the start of the meeting.

A handwritten signature in black ink, appearing to read 'Sing', is written over a horizontal line.

Chief Executive

EMERGENCY EVACUATION PROCEDURE

No emergency drill is planned to take place during the meeting. If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions.

- You should proceed calmly; do not run and do not use the lifts;
- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move to the assembly point at Dullshot Green and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.

Public information

Please note that this meeting will be held at the Town Hall, Epsom and will be available to observe live on the internet.

A link to the online address for this meeting is provided on the first page of this agenda and on the Council's website. A limited number of seats will also be available in the public gallery at the Town Hall. For further information please contact Democratic Services, email: democraticservices@epsom-ewell.gov.uk, telephone: 01372 732000.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for this Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at democraticservices@epsom-ewell.gov.uk.

Exclusion of the Press and the Public

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government Act 1972 (as amended). Should any such matters arise during the course of discussion of the below items or should the Mayor agree to discuss any other such matters on the grounds of urgency, the Council will wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

Questions and statements from the Public

Questions and statements from the public are not permitted at meetings of the Council. [Annex 4.2](#) of the Epsom & Ewell Borough Council Operating Framework sets out which Committees are able to receive public questions and statements, and the procedure for doing so.

Filming and recording of meetings:

The Council allows filming, recording and photography at its public meetings. By entering the Council Chamber and using the public gallery, you are consenting to being filmed and to the possible use of those images and sound recordings.

Members of the Press who wish to film, record or photograph a public meeting should contact the Council's Communications team prior to the meeting by email at: communications@epsom-ewell.gov.uk

Filming or recording must be overt and persons filming should not move around the room whilst filming nor should they obstruct proceedings or the public from viewing the meeting. The use of flash photography, additional lighting or any non-handheld devices, including tripods, will not be allowed.

COUNCIL

Tuesday 9 December 2025

7.30 pm

**Council Chamber - Epsom Town Hall,
<https://www.youtube.com/@epsomandewellBC/playlists>**

For further information, please contact democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

AGENDA

1. DECLARATIONS OF INTEREST

To receive declarations of any Disclosable Pecuniary Interests or other registrable or non-registrable interests from Members in respect of any item to be considered at the meeting.

2. MINUTES (Pages 5 - 8)

To confirm the Minutes of the Meeting of the Council held on 22 July 2025.

3. MAYORAL COMMUNICATIONS/BUSINESS

To receive such communications or deal with such business as the Mayor may decide to lay before the Council.

4. LEADER AND CHAIRS' STATEMENTS (Pages 9 - 16)

To receive statements from Chairs of the Council's Policy Committees, briefing Members on current events and issues.

5. CALENDAR OF MEETINGS 2026-2027 (Pages 17 - 22)

This report presents the Municipal Calendar of ordinary meetings from May 2026 to April 2027.

6. APPOINTMENT OF ALTERNATIVE TRANSPORT COUNCILLOR CHAMPION (Pages 23 - 26)

This report requests the Council's approval for the appointment of Councillor Alan Williamson as the Alternative Transport Champion for the remainder of the 2025-26 Municipal Year, in accordance with Annex 2.1 of the Operating Framework.

7. COMMITTEE DECISIONS TAKEN IN ACCORDANCE WITH URGENCY PROCEDURE (Pages 27 - 30)

This report provides the Council with notification of committee decisions taken in accordance with the urgency procedure contained in Annex 4.6 of the Operating Framework.

8. ANNUAL GOVERNANCE STATEMENT 2024-2025 (Pages 31 - 56)

The Annual Governance Statement ("Statement") is an important document which provides assurance concerning the council's governance arrangements, both financial and non-financial. It is prepared on an annual basis for inclusion in the Statement of Accounts.

The Statement was taken to Audit and Scrutiny Committee for approval in July 2025, as per its terms of reference. The Statement has been brought to Full Council to ensure all Members are conversant with its contents. Please note the information within the Statement is accurate as of 1 July 2025 (as per its production timeline).

9. DEVOLUTION AND LOCAL GOVERNMENT REORGANISATION IN SURREY - UPDATE (Pages 57 - 80)

This report outlines the latest developments and updates on Devolution and Local Government Reorganisation (LGR) following the decision from the Ministry of Housing, Communities and Local Government (MHCLG) on 28 October 2025 to implement the 2 unitary proposal for Surrey.

10. UPDATE TO THE CONSTITUTION (Pages 81 - 90)

The following report proposes an update to the Council's Scheme of Delegation relevant to its Revenues and Benefits and Public Protection departments.

11. COMMUNITY GOVERNANCE REVIEW - CREATION OF CIVIL PARISHES AND ASSOCIATED PARISH COUNCILS IN EPSOM & EWELL (To Follow)

12. STAFF PAY AWARD (To Follow)



EPSOM AND EWELL

Minutes of the Meeting of the FULL COUNCIL of the BOROUGH OF EPSOM AND EWELL held at the Council Chamber, Epsom Town Hall on 22 July 2025

PRESENT -

The Mayor (Councillor Robert Leach); The Deputy Mayor (Councillor Lucie McIntyre); Councillors Chris Ames, John Beckett, Kate Chinn, Christine Cleveland, Alex Coley, Neil Dallen, Hannah Dalton, Liz Frost, Tony Froud, Rob Geleit, Shanice Goldman, Christine Howells, Rachel King, James Lawrence, Steven McCormick, Bernie Muir, Phil Neale, Peter O'Donovan, Humphrey Reynolds, Kim Spickett, Darren Talbot, Chris Watson, Alan Williamson and Clive Woodbridge

Absent: Councillor Arthur Abdulin, Councillor Steve Bridger, Councillor Julian Freeman, Councillor Bernice Froud, Councillor Graham Jones, Councillor Alison Kelly, Councillor Jan Mason, Councillor Julie Morris and Councillor Kieran Persand

The Meeting was preceded by prayers led by the Mayor's Chaplain.

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 6 May 2025, Annual Meeting of the Council held on 13 May 2025 and Extraordinary meeting of the Council held on 26 June 2025 were agreed as a true record and the Mayor was authorised to sign them.

15 MAYORAL COMMUNICATIONS/BUSINESS

The Mayor welcomed the Council's new Director of Corporate Services and Section 151 Officer to the meeting.

16 LEADER AND CHAIRS' STATEMENTS

The Council received written statements from the Chair of the Strategy and Resources Committee, and Chair of the Community and Wellbeing Committee.

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

17 RECOMMENDATION FROM STRATEGY AND RESOURCES COMMITTEE , 15 JULY 2025

Council received a report seeking to increase the recommended minimum reserve balance of the general fund working balance reserve to £1,500,000.

Councillor Neil Dallen **MOVED** the recommendation in the report.

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

Accordingly, it was resolved to:

- (1) Approve an amendment to the recommended minimum level of general fund working balance reserve as set out in section 2.8 of the report.**

18 MOTIONS

The Council received one Motion submitted under FCR 14 of Appendix 4 of the Constitution.

Motion 1 was **PROPOSED** by Councillor Alex Coley and **SECONDED** by Councillor James Lawrence.

The Council resolved by a majority vote (with 5 votes for dealing with the motion at the meeting, 18 votes to refer the motion to the relevant committee and the Mayor not voting) to refer the Motion to the Strategy & Resources Committee for consideration.

19 ANNUAL REPORT OF THE AUDIT & SCRUTINY COMMITTEE 2024-2025

The Mayor informed the Council that in accordance with section 100B(4)(b) of the Local Government Act 1972, by reason of special circumstances, he had agreed to receive item 7 of the agenda (Annual Report of the Audit & Scrutiny Committee 2024-2025) as an urgent matter to correct an administrative error of its omission and avoid a delay to its consideration to the next meeting of the Council.

Council received a report presenting the Annual Report of the Audit and Scrutiny Committee 2024-2025 in accordance with the requirement of Paragraph 7.2 of Annex 4.6 of the Council's Operating Framework.

Councillor Steven McCormick **MOVED** the recommendation in the report.

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

Accordingly, it was resolved to:

-
- (1) Receive the Annual Report of the Audit and Scrutiny Committee 2024-2025 (Appendix 1 to the report).**

The meeting began at 7.30 pm and ended at 8.00 pm

COUNCILLOR ROBERT LEACH (CHAIR)
MAYOR

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LEADER AND CHAIRS' STATEMENTS

Head of Service:	Piero Ionta, Head of Legal and Monitoring Officer
Report Author:	Tim Richardson
Wards affected:	(All Wards);
Appendices (attached):	Appendix 1 –Statements from the Leader and Committee Chairs

Summary

To receive statements from Chairs of the Council's Policy Committees, briefing Members on current events and issues.

Recommendation (s)

The Council is asked to:

- (1) Consider the Statements in accordance with Standing Orders.

1 Reason for Recommendation

- 1.1 Appendix 4 of the Council's Constitution (FCR 11) sets out that the Leader and Chair of each of the Policy Committees is able to submit a statement to be included as a standard item on the agenda for each meeting of Full Council (excluding the Annual Meeting and Budget Meeting). The statement will brief members on the current events and issues, and where it is a Chair's statement, relate to the relevant committee's area of work.

2 Background

- 2.1 The following statements have been submitted for inclusion on the agenda for this meeting, and are attached at Appendix 1:
- 2.1.1 Chair of the Environment Committee, Councillor Liz Frost.
- 2.1.2 Chair of the Licensing and Planning Policy Committee, Councillor Peter O'Donovan
- 2.2 A total period of 30 minutes will be set aside for councillors to ask questions on the statements. The Mayor will manage questions, in accordance with FCR11.2

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 No comments are provided on Statements.

3.2 Crime & Disorder

3.2.1 No comments are provided on Statements.

3.3 Safeguarding

3.3.1 No comments are provided on Statements.

3.4 Dependencies

3.4.1 No comments are provided on Statements.

3.5 Other

3.5.1 No comments are provided on Statements.

4 Financial Implications

4.1 **Section 151 Officer's comments:** No comments are provided on Statements.

5 Legal Implications

5.1 **Legal Officer's comments:** No comments are provided on Statements.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** No comments are provided on Statements.

6.2 **Service Plans:** No comments are provided on Statements.

6.3 **Climate & Environmental Impact of recommendations:** No comments are provided on Statements.

6.4 **Sustainability Policy & Community Safety Implications:** No comments are provided on Statements.

6.5 **Partnerships:** No comments are provided on Statements.

6.6 **Local Government Reorganisation Implications:** No comments are provided on Statements.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None.

Other papers:

- [Appendix 4 of the Constitution of Epsom and Ewell Borough Council](#)

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LEADER AND CHAIRS' STATEMENTS TO COUNCIL

Councillor Liz Frost

Chair of the Environment Committee

Air quality

The Environment Act 1995 requires local authorities to review and assess the current and likely future air quality in their areas against nationally determined air quality objectives. Where these air quality objectives are not being met, local authorities should issue an Order for the particular area, designating it an Air Quality Management Area (AQMA). A meeting of the EEBC Social Committee (the committee with responsibility for such matters at that time) in June 2007 received a report that a section of Ewell High Street exceeded the national objective for NO₂. The committee therefore designated that section an AQMA. The main cause of the high levels of NO₂ in that area was the heavy and congested road traffic.

Following the designation, EEBC devised an Air Quality Action Plan. They worked in partnership with SCC, the Highways Authority, to deliver the plan, which was designed to improve the traffic flow through this part of Ewell High Street.

The Council produces annual Air Quality Annual Status reports. Over the years, the actions taken as part of the plan, plus other factors such as improvements to vehicles, have seen a reduction in the concentration of NO₂. This has consistently been below the national objective over the past few years. Current legislation and statutory guidance indicates that it is not appropriate for AQMAs to be maintained with no good reason. At the Environment Committee meeting in October, it was therefore agreed to nominate and authorise the Public Protection Manager to take steps to revoke the Ewell High Street Air Quality Management Area.

Allotments

Allotments are in high demand, with waiting lists for all those managed by the borough. To make better use of our limited available space, some of the plots are now offered as half or quarter sized. This is giving more residents the opportunity to grow their own fruit, veg, flowers etc.

Climate Action Plan

As part of our Climate Action Plan, the Council has produced a 'Green Your Home Guide'. This is full of hints and advice, covering such topics as insulating your home, greener energy and saving water. It also provides information about greener ways of gardening and preserving and enhancing our wildlife. You can find the guide at [Green Your Home Guide](#).

Councillor Peter O'Donovan

Chair of the Licensing and Planning Policy Committee

Local Plan

Following the submission of the Local Plan in March 2025 the Examination stage commenced.

In July the Inspector requested that the council respond to 'Matter, Issues and Questions' relating to the Local Plan and during August and September officers responded to these.

Formal examination hearings were held in person in the council chamber during August, September and October. The Hearings were held in two stages:

- Stage 1 - Duty to Cooperate and legal compliance, held in late August. The Inspector confirmed in writing on the 9 September that the Duty to Cooperate had been satisfied and that we could progress to stage 2.
- Stage 2 – Soundness, held in September and October. During the hearings modifications (changes) to policy wording were agreed. In addition, the Inspector requested that two discrete pieces of additional work be undertaken by the council. Officers are now undertaking this work and have committed to providing it to the Inspector by 22 January 2026.

The Inspector has advised that once the above work is complete, and subject to the findings of this additional work, she will be able to assess what main modifications maybe necessary to make the plan sound. This may require an additional hearing session.

I would like to thank officers and those that participated in or observed the hearing sessions.

Stoneleigh and Auriol Neighbourhood Plan

Following the submission of the Plan to the Council on the 18 May 2025, the council managed the consultation on the Submission Neighbourhood Plan for 6 weeks in the summer.

An Independent Examiner was appointed by the Council (in consultation with the Neighbourhood Forum) in August 2025 and all responses received during the consultation (including the Council's response, approved by LPPC in July) were forwarded to the Examiner for consideration.

The Examiners Report was received on the 23 October 2025, which suggested changes that were necessary for the Plan to proceed to referendum.

On the 25 November LPPC agreed to all the Examiners recommended changes and that the plan should proceed to referendum. The referendum will be held in February 2026 and eligible voters in the neighbourhood forum area will be asked to answer yes or no to the following question:

"Do you want Epsom and Ewell Borough Council to use the neighbourhood plan for Stoneleigh and Auriol to help it decide planning applications in the neighbourhood area?"

Epsom Town Centre Masterplan

On Thursday 3 July, the Epsom Town Centre Masterplan was awarded 'Best Plan' at the Royal Town Planning Institute's South East Awards for Planning Excellence.

Judges praised the team's strong desire to make Epsom a better place. They noted the commitment to a participative approach and high standard of engagement, utilising digital consultation tools, and their recognition as being a national trailblazer in the digital planning space. The judges were also impressed with how the planning team ensured that there was sustainability at the plan's core.

As a winner of the "Best Plan" category in the region, Epsom Town Centre Masterplan will now automatically be entered as a National Awards for Planning Excellence finalist.

Policy Updates

STATEMENT OF PRINCIPLES UNDER THE GAMBLING ACT 2005

STATEMENT OF POLICY LICENSING ACT 2003

Both these draft documents were approved at LPPC in the September meeting and are now out for consultation, which will end in mid-January 2026

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CALENDAR OF MEETINGS 2026-2027

Head of Service:	Piero Ionta, Head of Legal and Monitoring Officer
Report Author:	Tim Richardson
Wards affected:	(All Wards);
Appendices (attached):	Appendix 1 – draft Municipal Calendar 2026-27

Summary

This report presents the Municipal Calendar of ordinary meetings from May 2026 to April 2027.

Recommendation (s)

The Council is asked to:

- (1) Approve the Municipal Calendar of ordinary meetings for 2026-2027.

1 Reason for Recommendation

- 1.1 It is necessary to set dates for ordinary meetings of the Council, its Committees, Sub-Committees and Advisory Panels for the forthcoming year to enable their business to be efficiently processed.
- 1.2 A programme of meetings for 2026-27 has been devised on a similar basis as the current year's original programme in terms of the number of meetings, along with their scheduling for Tuesdays and Thursdays where possible. This pattern of meetings was to regularise the days of the week on which meetings occur. The programme has also taken into account the school term and half-term dates for the Surrey area.
- 1.3 Dates cannot be scheduled for the Licensing Sub Committee meetings as these will need to be convened when needed to be able to respond to applications.
- 1.4 The draft Municipal Calendar for approval is attached at Appendix 1.

2 Background

- 2.1 In drawing up the calendar of ordinary meetings for 2026-2027 (Appendix 1), the main considerations have been the need to retain certain reporting chains as far as practicable, the timing of fiscal requirements. Consideration has also been given as far as practicable to school holidays.
- 2.2 Appendix 4 and 5 of the Constitution permit that in addition to the ordinary meetings listed in the calendar, Extraordinary or Special meetings may be called if required, in accordance with the procedures set out in those appendices. It may be necessary to hold Extraordinary or Special meetings in order to meet requirements of Local Government Reorganisation in Surrey, but no such dates have been identified at present.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None.

3.2 Crime & Disorder

3.2.1 None.

3.3 Safeguarding

3.3.1 None.

3.4 Dependencies

3.4.1 None.

3.5 Other

3.5.1 An effective decision-making programme should enable all committees and the Council to process business with the minimum of delay. If a forward-looking calendar were not to be agreed, uncertainty over the Council's ability to complete its business would result.

4 Financial Implications

- 4.1 The need to meet statutory deadlines, preserve reporting lines and other constitutional considerations means that at certain times of the year policy committee meetings are bunched together. The timetable is challenging for officers at certain points of the year and, whilst not the overriding consideration, the calendar has been devised to try and manage peaks in workload.

- 4.2 **Section 151 Officer's comments:** No financial implications arising from the content of this report.

5 Legal Implications

- 5.1 Legislation requires that agendas are published five clear working days before a meeting.
- 5.2 The Council is entitled to amend any of the dates in the Calendar of Meetings at this time but should note that it is required to approve a programme of ordinary meetings of the Full Council for the year at its annual meeting, under FCR 2.1 xii of Appendix 4 of the Constitution. By considering and approving the extended calendar early allows the Council to plan more effectively for its decision-making processes.
- 5.3 **Legal Officer's comments:** None arising from the content of this report.

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- Effective Council
- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:** None.
- 6.4 **Sustainability Policy & Community Safety Implications:** None.
- 6.5 **Partnerships:** Dates of meetings of Outside and Joint bodies, such as the Epsom and Walton Downs Conservators and Nonsuch Park Joint Management Committee are agreed by those bodies, but included within the Council's Calendar of Meetings to provide a comprehensive reference for Councillors and the public.
- 6.6 **Local Government Reorganisation Implications (LGR):** Full Council in March 2027 is the final scheduled meeting of the Council prior to the dissolution of Boroughs, Districts and County for LGR. This is due to the expectation that vesting day for the new unitary authority will be 1 April 27, no meeting can be held after that date by EEBC. The date of the vesting day is to be confirmed when the LGR Structural Changes Order is published in early 2026.

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- [Calendar of meetings 2025-26, Full Council 13 May 2025](#)

Other papers:

- [The Constitution of Epsom and Ewell Borough Council](#)
- [School term dates - Surrey County Council \(surreycc.gov.uk\)](#)

Meetings open to the public (start time as stated, unless otherwise amended on agenda papers)	MEETINGS OF THE COUNCIL AND COMMITTEES – MAY 2026 TO JULY 2027													
	2026										2027			
	Normal Time	Weekday	May	Jun	Jul	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar	Apr
COUNCIL	19.30 hrs	Tuesday	19a		21					8		9	23	
AUDIT & SCRUTINY COMMITTEE	19.30 hrs	Tuesday Thursday			16		29		12			4	18	
COMMUNITY & WELLBEING COMMITTEE	19.30 hrs	Tuesday Thursday			7			6			12		4	
CRIME & DISORDER COMMITTEE	19:30 hrs	Tuesday Thursday						8				23		
ENVIRONMENT COMMITTEE	19.30 hrs	Tuesday Thursday		23				13			19		11	
EPSOM & WALTON DOWNS CONSERVATORS	18:00 hrs	Monday		TBC					TBC		TBC			
EPSOM & WALTON DOWNS CONSULTATIVE COMMITTEE	18:00 hrs	Monday						TBC					TBC	
FINANCIAL STRATEGY ADVISORY GROUP	14.00 hrs	Friday		26			25		20		22			
HEALTH LIAISON PANEL	19.00 hrs	Tuesday Thursday		30					19				2	
HUMAN RESOURCES PANEL	17.00 hrs	Tuesday								1				
LICENSING & PLANNING POLICY COMMITTEE <i>(Note: LICENSING SUB COMMITTEES arranged as required)</i>	19.30 hrs	Tuesday Thursday		16	2		22	15	24		21		9	
NONSUCH PARK JMC	Nonsuch Mansion House at 10:00 hrs	Monday		TBC				TBC			TBC		TBC	
PLANNING COMMITTEE	19.30 hrs	Thursday	21	18	9		10	1	5	10	28	25	25	
SHAREHOLDERS SUB COMMITTEE	18.30 hrs	Tuesday							17					
STANDARDS & CONSTITUTION COMMITTEE	19.30 hrs	Tuesday Thursday					17				14			
STRATEGY & RESOURCES COMMITTEE	19.30 hrs	Tuesday Thursday			14		24		10		26		16	

a	Annual Meeting (Mayor Making) at 19.00 hrs
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APPOINTMENT OF ALTERNATIVE TRANSPORT COUNCILLOR CHAMPION

Head of Service:	Piero Ionta, Head of Legal and Monitoring Officer
Report Author:	Tim Richardson
Wards affected:	(All Wards);
Appendices (attached):	None

Summary

This report requests the Council's approval for the appointment of Councillor Alan Williamson as the Alternative Transport Champion for the remainder of the 2025-26 Municipal Year, in accordance with Annex 2.1 of the Operating Framework.

Recommendation (s)

The Council is asked to:

- (1) Approve the appointment of Councillor Alan Williamson as the Alternative Transport Champion for the remainder of the 2025-26 Municipal Year.**

1 Reason for Recommendation

- 1.1 Annex 2.1 of the Council's Operating Framework requires that in-year changes to the appointment of a councillor champion are made by Full Council.

2 Background

- 2.1 Appointment of councillor champions is made at the Annual Meeting of Council in May each year. In-year changes to appointments are subsequently to be made by Full Council after consultation with the Chair of the Majority Group and Chair of the relevant policy committee. This process is set out in Annex 2.1 of the Council's Operating Framework.
- 2.2 Councillor Liz Frost was appointed as the Alternative Transport councillor champion and as the Chair of the Environment Committee at the meeting of the Council on 13 May 2025.

2.3 Following consultation with the Chair of the Majority Group and Chair of the Environment Committee, it is proposed that Councillor Alan Williamson be appointed as the Council's Alternative Transport councillor champion for the remainder of the 2025-26 Municipal Year, in place of Councillor Liz Frost.

2.4 This change has been requested as it has been identified that under paragraph 8.4.1 of Annex 2.1 of the Operating Framework, a councillor champion cannot also hold the role of a committee Chair.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 None.

3.2 Crime & Disorder

3.2.1 None.

3.3 Safeguarding

3.3.1 None.

3.4 Dependencies

3.4.1 None.

3.5 Other

3.5.1 None.

4 Financial Implications

4.1 **Section 151 Officer's comments:** None arising from the contents of this report.

5 Legal Implications

5.1 **Legal Officer's comments:** None arising from the contents of this report

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Effective Council

6.2 **Service Plans:** The matter is included within the current Service Delivery Plan.

- 6.3 **Climate & Environmental Impact of recommendations:** None.
- 6.4 **Sustainability Policy & Community Safety Implications:** None.
- 6.5 **Partnerships:** None.
- 6.6 **Local Government Reorganisation Implications:** The Council works in a number of different ways with a number of outside bodies, who undertake a wide range of activities for the benefit of the Borough and its residents and businesses. Active and engaged representatives appointed by the Council can help to build and sustain good relationships, and further that good work.

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- [Representation on External Bodies, report and Minutes of Full Council, 13 May 2025](#)

Other papers:

- [Annex 2.1 of the Operating Framework](#)

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COMMITTEE DECISIONS TAKEN IN ACCORDANCE WITH URGENCY PROCEDURE

Head of Service:	Jackie King, Chief Executive
Report Author:	Tim Richardson
Wards affected:	(All Wards);
Appendices (attached):	None

Summary

This report provides the Council with notification of committee decisions taken in accordance with the urgency procedure contained in Annex 4.6 of the Operating Framework.

Recommendation (s)

The Council is asked to:

- (1) Note the decision of the Strategy and Resources Committee on 25 September 2025.**
- (2) Note the decision of the Environment Committee on 14 October 2025.**
- (3) Note the decision of the Licensing and Planning Policy Committee on 25 November 2025.**

1 Reason for Recommendation

- 1.1 Annex 4.6 of the Operating Framework – Overview, Audit and Scrutiny sets out a procedure for scrutiny call-in of decisions made by the Council's policy committees. Paragraph 14.5.2 requires urgent decisions that are not subject to call-in to be reported to the Council with the reasons for urgency.

2 Meeting of Strategy and Resources Committee, 25 September 2025

- 2.1 At its meeting on 25 September 2025, the Strategy & Resources Committee considered an item relating to a request from Surrey County Council to release its land at Southfield Park Primary School (adjacent to Chantilly Way / Long Grove Road) from a Land Registry title restriction registered by EEBC to protect the former EEBC land from non-educational use. This was item 9 of the agenda.

- 2.2 In the opinion of the Chief Executive and in accordance with Paragraph 14.2.2 of Annex 4.6 of the Operating Framework, the committee's decision on this item was considered to be urgent.
- 2.3 The decision was considered to be urgent to allow legal documentation to be completed on the academy conversion target date of 1 October 2025. A delay to the implementation of the Committee's decision on this matter would have meant that this deadline could not have been met.
- 2.4 The urgent nature of this decision was detailed in the decision notice for the meeting in accordance with Paragraphs 14.2.1 and 14.2.2 of Annex 4.6 of the Operating Framework. The decision notice was published on 29 September 2025.

3 Meeting of Environment Committee, 14 October 2025

- 3.1 At its meeting on 14 October 2025, the Environment Committee considered an item requesting the nomination and authorisation of the Public Protection Manager to issue a penalty notice under regulation 4 of The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 in respect of a particular incident detected on 13 September 2025. This was item 5 of the agenda.
- 3.2 In the opinion of the Chief Executive and in accordance with Paragraph 14.2.2 of Annex 4.6 of the Operating Framework, the committee's decision on this item was considered to be urgent.
- 3.3 The decision was considered to be urgent as the maximum permissible time to issue a civil penalty for the incident detected on 13 September 2025 would expire before the end of the scrutiny call-in period. A delay to the implementation of the Committee's decision on this matter would have meant that a civil penalty notice could not have been issued under regulation 4 of The Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018.
- 3.4 The urgent nature of this decision was detailed in the decision notice for the meeting in accordance with Paragraphs 14.2.1 and 14.2.2 of Annex 4.6 of the Operating Framework. The decision notice was published on 15 October 2025.

4 Meeting of Licensing and Planning Policy Committee, 25 November 2025

- 4.1 At its meeting on 25 November 2025, the Licensing and Planning Policy Committee considered an item presenting the Independent Examiner's report on the Stoneleigh and Auriol Neighbourhood Development Plan (NDP). The Examiner's report recommended that the Stoneleigh and Auriol NDP, subject to proposed modifications, should proceed to Referendum. This was item 6 of the agenda.

- 4.2 In the opinion of the Chief Executive and in accordance with Paragraph 14.2.2 of Annex 4.6 of the Operating Framework, the committee's decision on this item was considered to be urgent.
- 4.3 The decision was considered to be urgent as in accordance with legislation, the Council must decide whether the neighbourhood plan shall proceed to referendum within 5 weeks of receipt of the Report of Examination. The Committee was required to make its decision on or before 27 November 2025. A delay to the implementation of the Committee's decision on this matter would have meant that the legislative requirement could not be met.
- 4.4 The urgent nature of this decision was detailed in the decision notice for the meeting in accordance with Paragraphs 14.2.1 and 14.2.2 of Annex 4.6 of the Operating Framework. The decision notice was published on 26 November 2025

5 Risk Assessment

Legal or other duties

5.1 Equality Impact Assessment

5.1.1 None.

5.2 Crime & Disorder

5.2.1 None.

5.3 Safeguarding

5.3.1 None.

5.4 Dependencies

5.4.1 None.

5.5 Other

5.5.1 None.

6 Financial Implications

6.1 None.

6.2 **Section 151 Officer's comments:** None arising from the content of this report.

7 Legal Implications

7.1 This report meets the requirement of Paragraph 14.5.2 of the of Annex 4.6 of the Operating Framework.

7.2 **Legal Officer's comments:** None arising from the contents of this report.

8 Policies, Plans & Partnerships

8.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Effective Council

8.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

8.3 **Climate & Environmental Impact of recommendations:** None.

8.4 **Sustainability Policy & Community Safety Implications:** None.

8.5 **Partnerships:** None.

8.6 **Local Government Reorganisation Implications:** None.

9 Background papers

9.1 The documents referred to in compiling this report are as follows:

Previous reports:

- [Report and Decision Notice of the meeting of Strategy & Resources Committee, 25 September 2025 – Item 9 “Title Restriction - Southfield Park Primary School”](#)
- [Report and Decision Notice of the meeting of Environment Committee, 14 October 2025 – Item 5 “The Littering From Vehicles Outside London \(Keepers: Civil Penalties\) Regulations 2018”](#)
- [Report and Decision Notice of the meeting of Licensing and Planning Policy Committee, 25 November 2025 – Item 6 “Stoneleigh and Auriol Neighbourhood Plan - Examiner's Report and Decision to Proceed to Referendum”](#)

Other papers:

- [Annex 4.6 of the Operating Framework – Overview, Audit and Scrutiny](#)

ANNUAL GOVERNANCE STATEMENT 2024-2025

Head of Service:	Andrew Bircher, Assistant Director of Corporate Services
Report Author:	Will Mace, Corporate Governance and Strategy Manager
Wards affected:	(All Wards);
Appendices (attached):	Appendix 1: Annual Governance Statement 2024-2025

Summary

The Annual Governance Statement ("Statement") is an important document which provides assurance concerning the council's governance arrangements, both financial and non-financial. It is prepared on an annual basis for inclusion in the Statement of Accounts.

The Statement was taken to Audit and Scrutiny Committee for approval in July 2025, as per its terms of reference. The Statement has been brought to Full Council to ensure all Members are conversant with its contents. Please note the information within the Statement is accurate as of 1 July 2025 (as per its production timeline).

Recommendation (s)

The Council is asked to:

- (1) Note the Annual Governance Statement 2024-2025 as set out at Appendix 1.**

1 Reason for Recommendation

- 1.1** To comply with the Accounts and Audit Regulations 2015, the Council must prepare an annual statement which appraises its internal control environment, that is the set of processes, standards and structures that underpin the effective running of the council. This is referred to as the Annual Governance Statement ("Statement"), and forms part of the annual financial statements.

2 Background

- 2.1 Our governance arrangements aim to ensure that: we set and meet objectives; act lawfully, openly and honestly; and do the right things in the right way. In addition, these arrangements also create a framework in which all monies and resources are accounted for, safeguarded, and used efficiently and effectively.
- 2.2 The Statement is an important document which provides assurance concerning our governance arrangements, both financial and non-financial. It is prepared on an annual basis for inclusion in the Statement of Accounts. Before the Chief Executive and Chair of Strategy and Resources Committee certifies the statement, it is presented to the Audit and Scrutiny Committee for approval.
- 2.3 The Statement is attached at Appendix 1, with feedback from Members of the Audit and Scrutiny Committee included.
- 2.4 The Statement was prepared with reference to the Council's Code of Corporate Governance, and in consultation with senior management (via Divisional Assurance Statements), and the three statutory officers: Head of Paid Service (Chief Executive), Chief Finance and Section 151 Officer, and Monitoring Officer. The Chief Internal Auditor's opinion is included in the Statement, which provides independent assurance over our systems of internal control and risk management.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

3.1.1 No direct implications.

3.2 Crime & Disorder

3.2.1 No direct implications.

3.3 Safeguarding

3.3.1 No direct implications.

3.4 Dependencies

3.4.1 Not applicable for this report.

3.5 Other

3.5.1 There are no other implications with this report. Although notably, the report is a form of risk assessment as it provides the Council's assessment of its own governance and systems of internal control. Where improvements have been identified, they are listed in the Statement's action plan.

4 Financial Implications

- 4.1 **Section 151 Officer's comments:** There are no financial implications arising through the preparation and publication of the Statement.

5 Legal Implications

- 5.1 In order to comply with Regulation 6 of the Accounts and Audit Regulations 2015, the Council must prepare and approve an Annual Governance Statement (Statement). Regulation 10 of the 2015 regulations requires the council to publish the Statement alongside the adopted statement of accounts.
- 5.2 **Legal Officer's comments:** None arising from the content of this report.

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:
- Not applicable.
- 6.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:** No direct implications.
- 6.4 **Sustainability Policy & Community Safety Implications:** No direct implications.
- 6.5 **Partnerships:** No direct implications.
- 6.6 **Local Government Reorganisation Implications:** No direct implications.

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- *Annual Governance Statement 2023–2024*, Council, 10th December 2024. Online available: <https://democracy.epsom-ewell.gov.uk/ieListDocuments.aspx?CId=146&MIId=1625> [last accessed 21/11/2025].

Other papers:

- *Annual Governance Statement 2024–2025*, Audit and Scrutiny Committee, 17th July 2025. Online available: <https://democracy.epsom-ewell.gov.uk/ieListDocuments.aspx?CId=157&MId=1796> [last accessed 21/11/2025].



Annual
Governance
Statement
2024-2025

Date: September 2025

1. Executive Summary

Following the government's announcement and plans for Local Government Reorganisation (LGR), Epsom & Ewell Borough Council developed [7 Strategic Priorities](#) which we are committed to deliver during 2025-27. These priorities now stand in place of a new Four Year Plan, in light of the timescales associated with LGR.

We continue our drive to work as efficiently and effectively as possible in delivering our strategies and services, while prudently managing our assets, income and expenditure. Yet we remain adaptable to changes in government legislation and other external factors.

Governance can be defined as comprising “the arrangements put in place to ensure that the intended outcomes for stakeholders are defined and achieved. The fundamental function of good governance in the public sector is to ensure that [local authorities] achieve their intended outcomes while acting in the public interest at all times.” Governance includes processes, procedures, policies, administrative systems, legal arrangements and so forth, “through which [an organisation’s] objectives are set and pursued in” their environmental context, while “ensuring that stakeholders can have confidence that their trust in [the organisation] is well founded.”

For an account of the key processes, procedures and controls we have in place to ensure we have a robust foundation of good governance and sound financial management, please see our local [Code of Corporate Governance](#). The Code provides assurance that we are meeting the CIPFA principles of good governance.¹

Each year we are required to produce an Annual Governance Statement (AGS). The AGS incorporates the continuous assessment of our governance arrangements throughout the last year, identifying areas where we can improve,² and ultimately providing us with an honest and transparent assessment of our governance arrangements. Therefore, this helps us to ensure we are doing the right things in the right way, and ultimately delivering value for money.³ Hence why the AGS sits alongside our annual Statement of Accounts.

Our assessment of the status of our governance, for the year ending 31 March 2025, indicates that we generally have a sound foundation of governance, systems of internal control and risk management in place. However, there are some areas where we can further improve. These areas may impact our ability to manage risks effectively and achieve our aims and objectives. Yet we are aware of these issues, outlined in Section 3, and have plans in place to address them.

¹ CIPFA (2016) Delivering Good Governance in Local Government Framework, 2016 Edition. CIPFA: London.

² See the following sections: “Rationale for the Statement’s Assurance Opinion” and the “Action Plan”.

³ HM Government (2024) Best value standards and intervention: a statutory guide for best value authorities, Dept. for Levelling Up, Housing & Communities. Online available:

<https://www.gov.uk/government/publications/best-value-standards-and-intervention-a-statutory-guide-for-best-value-authorities/best-value-standards-and-intervention-a-statutory-guide-for-best-value-authorities#best-value-powers> [last accessed 31/05/24].

LGR has, and will continue to have, a significant impact on our governance. Most notably, the impacts relate to our strategic development, both as an organisation and our vision for the Borough, continuous improvement, and human resources.

Given the council is being combined with neighbouring authorities to make a new larger unitary council in 2027, setting long-term goals beyond this date is redundant. We believe the 7 strategic priorities we've developed will yield the most benefit to the Borough over the next two years. However significant investments and spend in continuous organisational improvement is less likely to happen, as the value of these will not be realisable in the next two years, and the new local authorities will have their own plans for this. To that end, some of the Corporate Peer Challenge (CPC) action plan items will not be progressed in agreement with Local Government Association Principal Advisor. We also face the challenge of managing our workforce and delivery of services in an environment of uncertainty, in that we are aiming to retain and recruit officers in an organisation that will change significantly in 2027.

2. Review of the Effectiveness of the Council's Governance Framework

Gaining assurance for the review

Throughout the year, we regularly review the effectiveness of our governance arrangements, which culminate in this annual statement. In addition to the controls listed within our [Code of Corporate Governance](#),⁴ we gain assurance for the content and overall governance assessment of the AGS through the following:

- Management assurance statements: all Heads of Service are required to review and sign a statement regarding the status of governance in their department. Any weaknesses that are identified by Heads of Service are then reviewed by the Strategic Leadership Team, and those that are significant governance issues are included in this statement's action plan (below).
- Statutory Officer Statements: Each statutory officer of the council provides a governance statement related to their areas of responsibility (see "Statutory Assurances" below).
- Code of Governance review: as part of the production of this statement officers review our Code of Governance and assess whether the controls and processes listed within are working effectively at present.
- Internal Audit's annual opinion: central to forming our governance assessment is consideration of our Internal Auditor's annual conclusion on our organisational governance, having completed the last annual audit plan.
- External Audit: we review the outcomes of our last External (financial) Audit, including the value for money element. Any observations are considered for inclusion in this Statement.
- Draft AGS review: the Strategic Leadership team conduct a final officer review of the draft version of this Statement, before it is submitted to the Audit and Scrutiny Committee for final review and approval.
- Delivering Good Governance update: CIPFA have recently (May 2025) published an [addendum](#) to their "Delivering good governance in local government: framework," which provides further guidance on the contents and presentation of the AGS. These updates have been reviewed and incorporated into this year's Statement.

Compliance with CIPFA Financial Management Code

CIPFA published its first edition 'Financial Management Code' for local authorities in October 2019. CIPFA considers that compliance with this Code is mandatory for all local authorities although such compliance is not specifically mandated by statute.

⁴ CIPFA (2023) *Developing an effective assurance framework in a local authority*, December 2023. Online available: <https://www.cipfa.org/cipfa-thinks/briefings> [last accessed 22/06/2024].

The code is essentially a best practice guide to financial management in the local authority sector. It covers the following areas:

- The responsibilities of the chief financial officer and the leadership team (including members).
- Governance and financial management style.
- Medium to long term financial management.
- The annual budget.
- Stakeholder engagement and business plans.
- Monitoring financial performance.
- External financial reporting.

Officers have undertaken an assessment of the council's compliance with the Code and in general terms the council's arrangements meet the recommended standards.

Subsidiary Company

The Council has one subsidiary company – Epsom & Ewell Property Investment Company Ltd (EEPIC) – a 100% wholly owned trading company of the Council. It was set up in September 2017 to provide the Council with the flexibility to undertake commercial trading activities in property investment.

In accordance with Government guidance introduced in April 2018, no further out of Borough property investment acquisitions have been made. As the sole shareholder of EEPIC, the Council ensures strong governance through regular meetings of the Shareholder Sub-Committee. It approves EEPIC's Annual Business Plan and receives an Annual Review each November as provided by the Shareholder Agreement.

In addition to its role as shareholder, the Council is also EEPIC's lender with separate governance provided through Strategy & Resources Committee for loan agreement matters. EEPIC Board Meetings are held quarterly with quarterly management and finance monitoring reports submitted to the Council's S151 Officer to ensure loan monitoring compliance.

As a property investment company holding property investment assets for income generation, the key risks to EEPIC are tenancy void periods i.e. tenant default or tenant failure to renew at lease expiry. To mitigate these risks, EEPIC holds long term leases (the shortest lease in the portfolio doesn't expire until 2036) and quarterly management reporting ensures Directors are kept fully informed of tenant matters. All Directors are senior officers of the Council, and all have received appropriate training.

Statutory Assurances

Several officers at the Council hold [statutory roles](#), which are established in legislation and have specific responsibilities. It is important that assurances from these officers are included in this AGS to support its conclusion on the Council's governance arrangements.

Head of Paid Service

The Head of Paid Service is responsible for the overall corporate and operational management of the Council. These responsibilities have been considered within the context of this statement and the Head of Paid Service can confirm that proper arrangements have been put in place for the overall operation and management of the Council.

The Head of Paid Service has significant concerns around the impact of the unprecedented increase in both the cost and demand for temporary accommodation on the council, particularly as this is a statutory requirement and must be met. We continue to face service and economic pressures and whilst the council remains relatively financially stable, this situation is unsustainable for the period of our current MTFS.

There has been a continued and sustained focus on governance, performance and risk management.

The Local Government Reorganisation (LGR) announced in December 2024 has placed Surrey on an accelerated timeline to Unitarisation, which has required a wholesale reconsideration of longer term plans and priorities. Staff turnover has stabilised well in the last year but the uncertainty of LGR has begun to impact on turnover, with the loss of a few key roles already having occurred. We anticipate this will continue and may place additional pressure on key services, particularly as retention and attraction will both become difficult.

The Council has worked with other Surrey authorities on the LGR submission and will be focussed on designing and implementing the future governance and service delivery models with potential unitary partners going forward into 2025/26 and beyond.

Chief Financial and Section 151 Officer

The Chief Financial Officer (CFO) is responsible for the proper administration of the Council's financial affairs. The Chief Financial Officer confirms that the Council's arrangements conform to Section 151 of the Local Government Act 1972 and that the Council complies with CIPFA's Statement on the Role of the Chief Financial Officer (CFO) in Local Government (2016).

While the Council has robust financial management arrangements in place, it is important to note that the 2025/26 budget was produced in the context of prevailing uncertainty around local government future, finances and macro-economic developments. In 2024 we witnessed a change in government after 14 years which also saw discussion on Local Government Reorganisation (LGR) resurface.

Government wants to see a new 'single-tier' system in Surrey with a far smaller number of unitary councils each delivering all the local council services. This has initiated added uncertainty within councils and stresses the ongoing importance of

good financial management to enable the Council to respond to the changing landscape.

During these developments, in 2024/25, the council approved its Medium-Term Financial Strategy 2025-29, which aims to deliver corporate priorities while addressing the future budget gap to maintain the financial health of the organisation. Financial risk remains high, particularly with regard to service demands including temporary accommodation, the future of the council, inflationary pressures and risks of reduction in council income. However, a healthy level of provisions are in place to manage risks as far as possible, but these risks will need to be monitored regularly.

As part of LGR, there are also advanced discussions with other Surrey authorities on how to respond to the expected changes in Surrey. We continue to use these platforms to ensure the council responds to challenges ahead where we assess financial resilience, collaborative initiatives and partnership opportunities, alongside a review of our statutory and discretionary services during 2025/26 and beyond.

Monitoring Officer

The Monitoring Officer (Head of Legal Services – which includes oversight of the Council's Democratic Services and Election Team) is required to report to the Council in any case where it appears that any proposal, decision, or omission by the authority has given rise to or is likely to or would give rise to any contravention of any enactment, rule of law or code of practice or maladministration or injustice in accordance with Sections 5 and 5A of the Local Government and Housing Act 1989.

During the course of the last year, the council's Constitution was reviewed and updated; work to review the constitution in other areas continues, subject to the impact of a Community Governance Review (CGR) and LGR. The council shall be considering the commencement of a Community Governance Review at its extraordinary Full Council meeting scheduled for 26 June 2025, which shall explore via public consultation the potential creation of parish areas to be served by parish councils from 2027 onward.

As identified by both the Chief Executive and Chief Finance Officer, the council has worked with other Surrey authorities on the LGR submission and will be focussed on designing and implementing the future governance and service delivery models with potential unitary partners going forward into 2025/26 and beyond, to ensure that any changes proposed either comply with or amend the current governance arrangements in place so as to ensure compliance with any relevant legal requirements.

Internal Audit Annual Opinion⁵

SIAP's Deputy Head of Partnership has stated: "I am satisfied that sufficient assurance and advisory work has been carried out to allow me to form a conclusion on the

⁵ Please note our Internal Audit function is delivered by the Southern Internal Audit Partnership (SIAP), operated by Hampshire County Council. This paragraph is a direct quote from the *Annual Internal Audit Report & Opinion 2024-2025*, prepared by SIAP's Deputy Head of Partnership. It is available in the committee papers for [this meeting](#). The meaning of "reasonable" is defined in sections 4 and 9 of the annual report.

adequacy and effectiveness of the internal control environment. In my opinion the framework of governance, risk management and control are 'reasonable' and audit testing has demonstrated controls to be working in practice.

Where weaknesses have been identified through internal audit review, we have worked with management to agree appropriate corrective actions and a timescale for improvement."

External Audit

External auditors Grant Thornton provided an unqualified (i.e. favourable) opinion on 26 February 2025 on the 2023/24 Statement of Accounts. The Auditor also has a responsibility to review the Authority's arrangements for securing economy, efficiency and effectiveness in its use of resources. When reporting on these arrangements, the Code of Audit Practice requires auditors to structure their commentary on arrangements under three specified reporting criteria, see below:

- **Financial sustainability:** how the Authority plans and manages its resources to ensure it can continue to deliver its services;
- **Governance:** how the Authority ensures that it makes informed decisions and properly manages its risks; and
- **Improving economy, efficiency and effectiveness:** how the Authority uses information about its costs and performance to improve the way it manages and delivers its services.

In the report issued on 26 February 2025, they reported that there was nothing to report in respect of whether the Authority has made proper arrangements for securing economy, efficiency and effectiveness in its use of resources for the year ended 31 March 2024 except that significant weakness in the Authority's governance arrangement, in particular in the manner that the constitution was updated. The exact wording can be seen in the auditors 2023/24 certificate which can be found via the link below:

[Audit Completion Certificate 2023.24.pdf](#)




The audit of 2024/25 Statement of Accounts is expected to take place from September onwards 2025 along with the Value for Money assessment. The review will consider the 2024-25 Statement of Accounts and VfM arrangements and report back to A&S. You can find the draft Statement of Accounts 2024-25 here:

[Draft Statement of Accounts 2024-25 v1.pdf](#)

3. Rational for this Annual Governance Statement's Assurance Opinion

This section highlights the factors that contribute to our overall assurance opinion, in addition to Internal Audit's annual opinion.

The first section focuses on the actions that relate to CIPFA's principles of good governance, while the second section presents actions that fall within the seven Best Value themes. Note, there will be some cross-pollination of actions between both sections, as certain actions will be applicable to both a CIPFA principle and a Best Value theme. Both sections use the following traffic light icon descriptors.



Definition ⁶	Description
<p>Adequate</p> 	<p>There are sound policies and processes in place that are working effectively across services, which provide for good governance arrangements and support compliance with requirements of the CIPFA Principle, and the achievement of the Council's Best Value aims and objectives.</p> <p>There may be minor areas for continuous improvement, but these do not represent a significant or material risk to the Council's overall governance framework.</p>
<p>Some development or areas for improvement</p> 	<p>Whilst there are policies and processes in place, there are some areas that remain a challenge for the Council or require further improvement, which may impact the effectiveness of elements of the Council's governance arrangements, compliance with the CIPFA principle and the achievement of the Council's Best Value aims and objectives. The Council has an action plan in place to address challenges and improvement matters.</p>
<p>Key development or many areas for improvement</p> 	<p>We have identified significant challenges in relation to the policies and processes, which may impact the effectiveness of elements of our governance arrangements, compliance with the CIPFA principle and achievement of our Best Value aims and objectives. We have implemented plans for corrective actions to manage these risks.</p>




⁶ We have referred to [Basildon Council's criteria](#) to inform this section's assessment (last accessed 11/06/2025).



Please note

The items included in the table below are controls, processes etc. that have changed in the year, that is, where we improved or identified an area to improve. It is therefore not a list of all the governance arrangements we have in place. For a full list and further detail on our arrangements and assurance framework, please see our [Code of Corporate Governance](#).



Documents listed in square brackets following items in the table below indicate where the item is being tracked. If it says Section 4 in the square brackets, this relates to the action plan contained within this statement.

Core CIPFA governance principle	Overall assessment	What's working well	Where we can improve
A. Behaving with integrity, demonstrating strong commitment to ethical values, and respecting the rule of law		<ol style="list-style-type: none"> 1. New 'People Framework' for officers has been implemented. which is restyled on our hybrid working policy 2. We updated our Contract Standing Orders to meet the implementation of the Procurement Act 2023. 3. We have publicised the Seven Principles of Public Life to staff via a news article and hard copy and digital posters displayed across Council buildings and intranet. 4. We produced a our annual Diversity, Equity and Inclusion Framework report for 2024/25 and have an action plan for 2025/26 in place. 	<ol style="list-style-type: none"> 1. We have experienced delays in reviewing and updating our Health and Safety policies. However, this work has been assigned as a priority for completion in 2025/26 [Health and Safety Action Plan].
B. Ensuring openness and comprehensive stakeholder engagement		<ol style="list-style-type: none"> 1. We submitted our Local Plan for inspection on time. 2. We've published new guidance on managing contract for officers. 	<ol style="list-style-type: none"> 1. We are investigating ways to create a corporate repository for all our resident engagement activities to provide a better overview of this work. Further emphasis has been given to this through our governance review consultation. New consultation platform to be launched shortly (updated June 2025) 2. We will finalise the updates to our Procurement Strategy in July 2025, which has slipped by a few months due to the government's delayed implementation of the Procurement Act 2023 [Service Delivery Plan]. 3. We're reviewing appeals related to the Local Plan to ensure they do not relate to the governance of the Plan [Section 4].



C. Defining outcomes in terms of sustainable economic, social, and environmental benefits		<ol style="list-style-type: none"> 1. We've agreed our second Climate Change Action Plan and achieved our 2024/25 objectives. 2. We delivered our 2024/25 Arts, Culture and Heritage Strategy objectives. 3. Our updates to our procurement documentation includes reference and guidance related to social value. 	<ol style="list-style-type: none"> 1. Approve the updated Health & Wellbeing Strategy following public consultation (July 2025). Progress has slipped past our intended completion date of the end of March 2025 [Service Delivery Plan]. 2. Local Government Reorganisation impacted our delivery to develop proposals for the current Town Hall site. Elements of this action are now included in our new strategic priorities [Corporate Performance Report]. 3. The delivery of our 2024/25 Community Safety Action Plan objectives have slipped but are expected to completed by the end of 2025 [Service Delivery Plan].
D. Determining the interventions necessary to optimise the achievement of the intended outcomes		<ol style="list-style-type: none"> 1. Following Full Council's consideration of our strategic priorities in May 2025, a resourcing and project plan will be put in place to determine what is needed to progress the priorities and assess their achievability, including the appointment of a new project management officer. 2. We've incorporated Local Government Reorganisation implications into our committee report template. 3. 	<ol style="list-style-type: none"> 1. Bi-weekly stand-up meetings will be held with budget Policy Chairs from Sept 25 to appraise of status, progress and barriers to delivery of all priorities. 2. Standing agenda items will be included on all monthly Policy Chairs meetings to discuss the progress of key strategic priorities in their areas.
E. Developing the entity's capacity, including the capability of its leadership and the individuals within it		<ol style="list-style-type: none"> 1. We've completed all appointments to our Strategic Leadership Team. 2. We've partnered with a data specialist organisation to create additional information governance capacity. 3. We recruited to our key People and Organisational Development team posts. 	<ol style="list-style-type: none"> 1. We're behind our target for long-term sickness and working on more guidance and training for managers to help address this [Corporate Performance Report]. 2. We're delivering training to staff – through Digital Champions – to help accelerate our organisational capacity related to using new software and digital processes [Service Delivery Plan].




		4. We will be rolling out a development programme for the Corporate Leadership Team in 25/26.	
F. Managing risks and performance through robust internal control and strong public financial management		<ol style="list-style-type: none"> 1. We set a balanced budget for 2025/26. 2. Treasury Management income has continued to exceed our targets for this year. 3. The Risk Management Strategy was reviewed and updated in November 2024. 	<ol style="list-style-type: none"> 1. There are 2 red / high risks on our Corporate Risk Register and 5 on our committee risk registers. For the most recent updates on these risks please see our Quarter 4 Corporate Performance Report [Corporate Performance Report].
G. Implementing good practices in transparency, reporting, and audit to deliver effective accountability		<ol style="list-style-type: none"> 1. Internal and External Audit, and budget monitoring reports, have reported to Audit and Scrutiny Committee throughout the year. 2. The Internal Audit Plan for 2025-26 was agreed by Audit & Scrutiny Committee. This has been set as two 6-month plans to allow for greater flexibility in the plan, enabling it to respond to changing priorities. 3. We published an updated guide for suppliers on how to do business with us. 4. We've updated our Whistleblowing policy. 	<p>We acknowledge that External Auditors have raised concern around governance and transparency at the council. In particular they have stated that there was “a significant weakness in the Authority’s governance arrangements”, specifically referring to the way in which the constitution was updated. It is important to note that this concern is related to the timing, openness and the way the constitution was updated but not an overall concern on the governance and transparency of the whole council and how it operates.</p> <p>We believe the change in s151 officers during the period contributed to this oversight and our new, permanent s151 officer has arranged regular meetings with external auditors, GT, to ensure they are fully informed of all ongoing matters that might impact upon the financial affairs of the council.</p> <p>We also welcome the review of external auditors of exempt items to obtain assurance of its use and report back to Audit and Scrutiny Committee as part of their Value for Money review.</p>

Seven Best Value Themes⁷

Best Value theme	Overall assessment	What's working well	Where we can improve
1. Continuous improvement		<ol style="list-style-type: none"> 1. CIPFA principles of good governance feature in this Statement, and we've related the latest update to this guidance. 2. Governance improvement actions are included in the final section of this Statement. 	<ol style="list-style-type: none"> 1. Local Government Reorganisation (LGR) has led us to refocus on new Corporate Priorities which have superseded some of the Corporate Peer Challenge Action Plan and this limits our ability to achieve value for money through continuous improvement projects. However, we remain committed to delivering essential service delivery improvements and upgrades. 2. We have not arranged our councillor workshops on risk appetite, and given our risk management framework is robust and LGR has increased councillor workloads, we will abandon this action [Internal Audit Progress Reports]. 3. LGR and the cancellation our move to East Street led to slippage in the delivery of our ICT Strategy [Service Delivery Plan].
2. Leadership		<ol style="list-style-type: none"> 1. We have agreed our strategic priorities for the next two years (i.e. to LGR expected vesting day). 2. Our financial accounts audits are up to date. 3. All statutory officer posts are filled with permanent appointments. 4. Performance and risk management has been regularly reviewed by the corporate 	<ol style="list-style-type: none"> 1. We are exploring how we contend with LGR in the context of officer development, retention and recruitment, which will be challenging [Section 4]. 2. We will enhance management capability through a new development programme [Section 4].

⁷ HM Government (2024) Best value standards and intervention: a statutory guide for best value authorities, Dept. for Levelling Up, Housing & Communities. Online available: <https://www.gov.uk/government/publications/best-value-standards-and-intervention-a-statutory-guide-for-best-value-authorities/best-value-standards-and-intervention-a-statutory-guide-for-best-value-authorities#best-value-powers> [last accessed 31/05/24].




		leadership team, policy committee Chairs, and Audit and Scrutiny Committee.	
3. Governance		<ol style="list-style-type: none"> 1. Internal Audit assessed overall governance at the council to be “reasonable”. 2. We have a risk-based internal audit plan, with regular progress reports brought to Audit and Scrutiny Committee. 3. Performance and risk information is regularly reported to the Corporate Leadership Team and councillors. 4. Key HR policies updated. 	<ol style="list-style-type: none"> 1. We received a ‘No Assurance’ for Environmental Health – Food Hygiene. The majority of the management actions created to address the observations in this audit have been completed. However one, related to recruitment of an additional Environmental Health Officer is overdue. Yet despite pro-active recruitment campaigns, no suitably qualified candidates applied for the vacancy, which is associated with a national shortage of Environmental Health Practitioners and LGR headwinds. The position is filled by agency at present. The other outstanding action was not due until after the time of writing of this report – it is currently on-track [Internal Audit Progress Reports]. 2. Internal Audit raised that while the number of overdue management actions has been higher, they are concerned about the time taken to complete actions and the number of revised target dates that are being set. Hence we will continue to encourage Heads of Service to carefully consider the original target dates they set in related to other (forthcoming) priorities [Internal Audit Progress Reports]. 3. We are reviewing our cyber security response plans to see if added value can be achieved through the consolidation of existing plans [Section 4].
4. Culture		<ol style="list-style-type: none"> 1. We continue to launch new staff intranet sites, which now includes “Community” channels. 2. We have a new staff recognition scheme in place. 3. Staff turnover is on target. 	<ol style="list-style-type: none"> 1. We are exploring how we contend with LGR in the context of officer development, retention and recruitment, which will be challenging [Corporate Performance Report].

		4. We have implemented Team Charters showing how our teams 'operate' and their values.	
5. Use of resources		<ol style="list-style-type: none"> 1. Our new strategic priorities include objectives related to moving from the old part of the Town Hall to the new, completing an Asset review, a new car park strategy, and review of the future of our museum. 2. We are proactive with our treasury management investment, which provides a return that is above target. 3. We received an unqualified (i.e. favourable) opinion on 26 February 2025 regarding our 2023/24 Statement of Accounts. 	<ol style="list-style-type: none"> 1. Temporary accommodation costs continue to place a significant strain on our finances [Corporate Performance Report]. 2. We are looking at how we can increase our resilience with regard to our staff resources in the Place Development team [Section 4]. 3. We're developing a more suitable My Performance Conversation process for our manual workforce [Section 4].
6. Service delivery		<ol style="list-style-type: none"> 1. Service plans, including service risks and performance indicators are in place for 2025/26. 2. We submitted our Local Plan for Inspection on time. 3. We have updated our procurement documents to align with the implementation of the new Procurement Act. 4. Our service delivery key performance indicators have largely all been on track across the year. 	<ol style="list-style-type: none"> 1. We are struggling to recruit permanent officers to the Environmental Health team [Internal Audit Progress Reports, Corporate Performance Report]. 2. We still use several manual processes in the Place Development team are exploring ways to automate these [Section 4]
7. Partnerships and community engagement		<ol style="list-style-type: none"> 1. We have worked effectively with a local partners on delivering government grants and supporting refugee schemes and homelessness prevention over the year. 	<ol style="list-style-type: none"> 1. We are close to completing a new Borough Profile, which should be available in the summer of 2025/26 [Service Delivery Plan]. 2. We are developing a new governance framework that will capture all our partnerships and clearly outline their benefits. This will be completed by the end of September 2025 [Audit Action Tracker].

4. Action Plan

2023-24 Annual Governance Statement Action Plan

The table below contains the latest updates on last year's action plan. Any actions marked as complete will now be deactivated, and any in progress or delayed will continue to be tracked through to completion.

Issues Identified	Original Due Date	Due Date	Commentary	RAG Status	RAG Status	Latest Update
Enhance the resilience of the People & Organisational Development Service by recruiting vacant posts and continuing with multi-role training for new team members	31-Mar-2024	30-Sep-2024	HR Advisor left in December leaving one vacant post. Decision to recruit an HR Administrator and delete an HR Officer post to better meet the needs of the service. All HR posts filled in April 2025 giving capacity for team to progress policy and project work.		Completed	02-May-2025
Review and enhance recruitment and retention policies and procedures for key roles across the council	31-Mar-2024	30-Sep-2025	A new HR Administrator joined on 1st April 2025. The team is now at full capacity which will enable time to focus on this project. Recruitment and retention will be a key strand of HR in light of Local Government Reorganisation. The Council is working with our partners in the Districts & Boroughs on a joint approach where possible. This action will be CARRIED FORWARD.		On track	03-Jul-2025
Review and update IT policies as necessary	31-Mar-2024	31-Dec-2025	Additional elements being considered for inclusion in policies including the secured use of Artificial Intelligence (AI). Policy		On track	04-Jul-2025

Issues Identified	Original Due Date	Due Date	Commentary	RAG Status	RAG Status	Latest Update
			work is being scheduled to align with several high priority IT procurements that are currently underway, This action will be CARRIED FORWARD.			
IT AGS action	31-Mar-2024	31-Dec-2025	Update relates to IT security so cannot be disclosed. Members are requested to contact the report author outside of the committee meeting if they would like the update. This action will be CARRIED FORWARD.	●	On track	03-Jul-2025
Document management Software - to procure new software to enhance the revenues and benefits service	31-Dec-2024	31-Dec-2024	This item has been completed. The new system has now gone live in Revenues and Benefits. Just a couple of additional modules waiting to go live.	●	Completed	11-Feb-2025
Biodiversity Net Gain - implement the Biodiversity Net Gain policy requirements	31-Jul-2024	31-Jul-2024	Concern at national level regarding the number of applications which are able to opt out and avoid BNG has meant most authorities have received very few schemes meeting the requirement. Therefore, the impact of BNG has been very limited to date, and we haven't had to introduce any specific measures to deal with it. As such, this no longer	●	Completed	04-Jul-2025

Issues Identified	Original Due Date	Due Date	Commentary	RAG Status	RAG Status	Latest Update
			represents a significant governance issue that the council can action. Consequently, we have closed the action and will instead include it as a risk on our risk register.			
Public Protection Inspections -review resourcing in statutory Environmental Health services, including discretionary activities	31-Mar-2025	31-Mar-2025	This item has been completed.	●	Completed	11-Feb-2025
Audit and Scrutiny Committee-review the Audit and Scrutiny Committee's Terms of Reference	31-Mar-2025	28-Feb-2026	Local Government Reorganisation (LGR) has led us to refocus on new Corporate Priorities which have superseded some of the Corporate Peer Challenge Action Plan, which this action formed a part of. Therefore, this action has been superseded by the council's new Strategic Priorities and will be marked complete for this reason.	●	Completed	03-Jul-2025
Corporate Plan - produce a long-term corporate plan	31-Mar-2025	31-Mar-2025	Strategic Priorities for 25-27 approved at Full Council 6/5/25 - these will supersede old 4 year plan and proposed new 5 year plan.	●	Completed	08-May-2025
Develop a corporate record of the Council's resident engagement activities	31-Mar-2025	31-Mar-2025	This action has been completed. A report was submitted to the Community and Wellbeing Community in October	●	Completed	11-Feb-2025

Issues Identified	Original Due Date	Due Date	Commentary	RAG Status	RAG Status	Latest Update
			<p>2024. Areas where there is a need for further activity would be around:</p> <ul style="list-style-type: none"> • engagement with young people • engagement with advisory groups • ensuring that where E&E are attending events our presence is clearer e.g. with a stand • identify a mechanism to get more feedback from councillors. <p>This is going to be added into BAU activities going forward.</p>			
<p>Data Protection Officer</p> <p>source additional</p> <p>Data Protection Officer capacity</p>	31-Oct-2024	31-Oct-2024	<p>This item has been completed.</p> <p>The new DPO service is underway with the first meetings having taken place and full on boarding completed.</p>	●	Completed	24-Jan-2025
<p>Councillor Training - review and enhance the councillor training and development programme</p>	31-Mar-2025	31-Oct-2025	<p>At the Strategy and Resources Committee meeting on 23 July 2024, the following action and timescale were agreed:</p> <p>11.2 Arrange a training for members and officers on committee system governance to understand the role of committees in proper scrutiny of policy. Chief Executive to ask CFGS to run this in Oct 2025.</p> <p>This action will be CARRIED FORWARD.</p>	●	On track	03-Jul-2025

2024-25 Additions to the Annual Governance Statement Action Plan

Issues identified	Action to be taken	Due date
Management capability	Enhance management capability to lead through change, by delivering a new development programme.	31 March 2026
Open, transparent and timely discussions with key stakeholders	There will be more regular open, transparent and timely discussions with external auditors, internal auditors and members on key decisions affecting council affairs and sharing documents and information in a timely manner. Regular meetings have already been scheduled with external auditors to address weaknesses raised around the way the constitution was updated. Member communications will be reviewed, and training needs assessed.	31 March 2026
Review our cyber security response plans	Review to see if added value can be achieved through consolidation of existing plans.	31 December 2025
Staff resourcing across all teams	Review level of resilience of staff resourcing.	31 December 2025
Manual processes in Place team	Replace manual processes in the Place Development team with automation.	31 March 2026
Appeals related to the Local Plan	Review appeals related to the Local Plan to ensure they do not relate to the governance of the Plan.	30 September 2025
Corporate priorities	In light of LGR, management will consider having a focussed set of corporate priorities for the coming year / 2 years.	31 October 2025
Performance appraisals of the manual workforce	Develop a suitable My Performance Conversation process for our manual workforce.	31 December 2025

5. Executive Confirmation

The Chair of Strategy and Resources Committee and Chief Executive both recognise the importance of good governance and sound financial management. They pledge their commitment to address the matters highlighted in this AGS, and to further enhance our governance arrangements to enable delivery of our strategic priorities. Further, they confirm they have been advised of the implications of the governance review by senior management. In addition, they are assured that the Audit and Scrutiny Committee are satisfied that the steps outlined in this document will ensure that our governance arrangements remain fit for the future.

Signed on behalf of Epsom & Ewell Borough Council:⁸

SIGNED

**Chair of Strategy & Resources
Committee**

Date: 02/10/2025

SIGNED

Chief Executive

Date: 01/10/2025

⁸ The hand-signed copy is stored in the Town Hall.

DEVOLUTION AND LOCAL GOVERNMENT REORGANISATION IN SURREY - UPDATE

Head of Service:	Jackie King, Chief Executive
Report Author:	Piero Ionta
Wards affected:	(All Wards);
Appendices (attached):	Appendix 1 - Terms of Reference – East Surrey Joint Committee Appendix 2 - Letter from MHCLG to Chief Executives of Surrey Councils, 28 October 2025

Summary

This report outlines the latest developments and updates on Devolution and Local Government Reorganisation (LGR) following the decision from the Ministry of Housing, Communities and Local Government (MHCLG) on 28 October 2025 to implement the 2 unitary proposal for Surrey.

Recommendation (s)

The Council is asked to:

- (1) Note the updates for LGR in Surrey, particularly the decision and relevant information from MHCLG;**
- (2) Agree to the establishment of the East Surrey Joint Committee on a voluntary basis, effective immediately, that shall be constituted and be established under the provisions of section 101(5) (arrangements for discharge of functions by local authorities) of the Local Government 1972 Act and pursuant to the requirements of the draft Surrey (Structural Changes) Order 2026.**
- (3) Note that upon enactment of the Surrey (Structural Changes) Order 2026, the voluntary East Surrey Joint Committee shall become the Joint Committee required to be established under the provisions of that legislation and that this will be constituted and established under the provisions as set out above in Recommendation 2.**
- (4) Agree and adopt the Terms of Reference and Terms of Procedure set out within Appendix 1 for all forms of an East Surrey Joint Committee.**
- (5) Approve Cllr Dalton as the appointed representative for Epsom & Ewell Borough Council on any relevant LGR Joint Committee;**

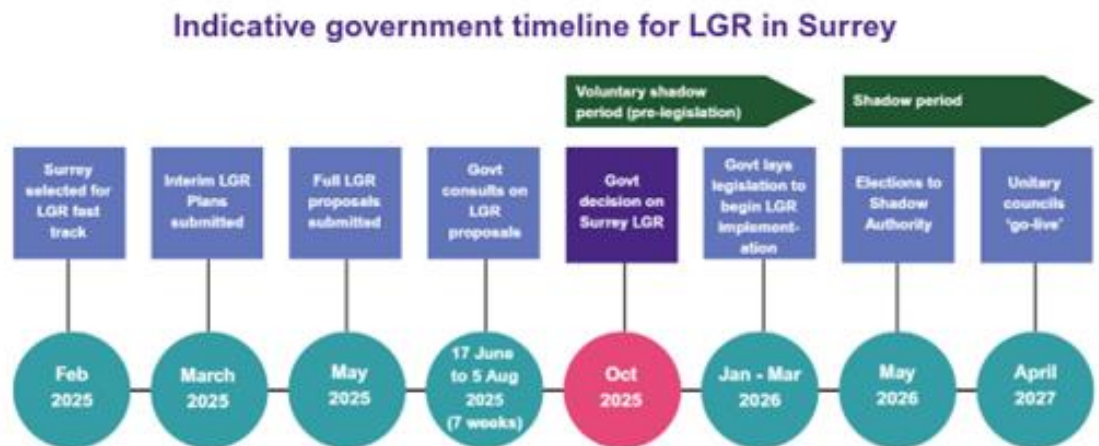
- (6) Delegate to the Chief Executive, Directors and Head of Legal any necessary authority to support the establishment, operation and decision making required by and in support of any relevant LGR Joint Committees (to include any informal working groups).**

1 Reason for Recommendation

- 1.1 To support the establishment of working practices (a formal joint committee) in advance of the enactment of the Surrey Structural Changes Order and thereafter pending the establishment of the proposed Shadow East Surrey Unitary.

2 Background

- 2.1 In May 2025, this Council along with a number of other districts and boroughs proposed that 3 unitary authorities would be best for Surrey, which would have positioned Epsom and Ewell with Mole Valley District Council, Reigate & Banstead Borough Council, Tandridge District Council within a new unitary to the east of Surrey.
- 2.2 Surrey County Council, Elmbridge Borough Council and Mole Valley District Council submitted a joint proposal on a 2 Unitary approach for Surrey. This approach had no direct impact upon this council, save that this positioned Elmbridge with Mole Valley District Council, Reigate & Banstead Borough Council, Tandridge District Council and Epsom & Ewell Borough Council in the east of Surrey.
- 2.3 Reigate & Banstead Borough Council and Crawley Borough Council submitted a separate proposal. It was confirmed by government that this proposal would not be taken further, ahead of the central government consultation stage.
- 2.4 Since these actions, the LGR process in Surrey has followed the below timetable:



- 2.5 Between submission of proposals and a decision on LGR, this Council has undertaken a range of readiness activities to prepare during this time, maintaining our responsibility to ensure that services remain consistent, our residents supported, and that our organisation is ready for what comes next.
- 2.6 Internally, we have continued our programme management approach, with a range of operational workstreams, providing corporate oversight to LGR activities.
- 2.7 In addition to our internal planning, this Council supported the establishment of an external programme management approach which has been put in place for all Districts and Borough Councils (D&Bs) and Surrey County Council, with both PMOs having worked together to provide updates into Surrey Chief Executives and Surrey Council Leaders.
- 2.8 This Council, along with other D&Bs have facilitated a wider range of data requests and information gathering in order to support the discovery stage ahead of a decision. Going forward this data will play a key role in bringing services together across both unitary areas before and after vesting day.
- 2.9 This report has been produced with reference to those published by Elmbridge Borough Council and Mole Vallet District Council to their respective Cabinets on the same topic.

MHCLG decision

- 2.10 On 28 October the Government announced its decision to implement the 2 unitary options for Surrey, as well as an initial £500 million repayment in principle towards the Woking Borough Council debt in 2026/2027. MHCLG also circulated a draft Structural Changes Order (SCO) as well as a draft direction under Section 24 of the Local Government and Public Involvement in Health Act 2007 to all Surrey Councils.

- 2.11 A draft SCO has been provided to the Council's statutory officers on an embargoed basis, which means that it cannot be attached to this report. The following seeks to summarise the following key aspects for LGR whilst respecting the wishes of MHCLG.

Draft Structural Changes Order – joint committees and implementation teams

- 2.12 It is proposed that there shall be an equal allocation of seats on Joint Committees, with an East Surrey Joint Committee comprising of 10 members, 5 from Surrey County Council and 5 from the East Surrey D&Bs, with one representative from each D&B council.
- 2.13 Joint Committee functions are the development and agreement of an implementation plan, as well as a proposed Code of Conduct for the Shadow Authority, having also considered the relevant timetables for action and budgets.
- 2.14 As the functions to be exercised by the Joint Committee under the SCO (and any voluntary predecessor) are to be executive functions, under the constitution of neighbouring councils operating under a Cabinet model, their Leader can make the arrangements for such and make the nomination of who will be appointed to it. Those Councils' operating under a Committee model – such as this Council – require the approval of Full Council to both nominate who will be appointed to a Joint Committee (and any voluntary predecessor). Furthermore, there will be additional decisions required that have yet to be identified, hence the above recommendation to delegate any necessary decision making to this Council's senior and statutory officers, so that any decisions affecting the work of the Joint Committee can be taken at the same pace across each constituent council without being impacted by current governance structures.
- 2.15 Alongside this, the draft SCO confirms a single implementation team, with the Chief Executive of Surrey County Council (SCC) as the named Leader of that team, supported by two Deputies – one an officer from an East Surrey council, with another from a West Surrey council – those appointments shall be considered in due course.
- 2.16 In the letter from the Secretary of State to Council Leaders, MHCLG have encouraged Surrey to establish voluntary joint committees on a similar basis to those that will be created under the SCO on a voluntary basis ahead of the draft SCO being laid in Parliament.
- 2.17 With this in mind, Council leaders and senior officers across Surrey have indicated a wish to establish voluntary Joint Committees at the earliest opportunity. To that end, a draft Terms of Reference and Terms of Procedure have been prepared in consultation with each Monitoring Officer across Surrey – as attached at **Appendix 1**.

- 2.18 As the proposed Terms of Reference are common across each constituent council, practically, it will not be possible to propose amendments to the draft Terms that bind the other councils. It is a simple matter of either agreeing to the recommendation to create a Joint Committee and its Terms or voting against this Council joining the voluntary Joint Committee prior to the statutory Joint Committee due to come into effect as of March 2026.

Draft Structural Changes Order – elections and vesting day activities

- 2.19 The draft SCO confirms the cancellation of existing D&B and County elections for May 2026, and establishes that both unitary authorities will see whole council elections in 2026 and then 2031, with whole Council elections taking place every 4 years thereafter. To note, there were no elections due to be held in 2026 for this Council, the next borough election is due in May 2027.
- 2.20 The new authorities will be using existing SCC divisions as established under the Surrey (Electoral Changes) Order 2024 with 2 Councillors per division (72 Councillors for East Surrey across 36 wards) in the 2026 elections. The Ministerial letter outlines the expectation for the Local Government Boundary Commission to conduct a review ahead of the 2031 elections. This will see 5 divisions within the existing Epsom & Ewell geography.
- 2.21 The draft order also confirms two Returning Officers, the Reigate & Banstead Head of Paid Service for East Surrey, with the Runnymede Head of Paid Service as the Returning Officer for West Surrey.
- 2.22 Costs for the elections in 2026 are to be divided by the existing Surrey County Council and the D&Bs, as agreed by those councils.
- 2.23 Shadow Authorities come into effect following the elections. At its first meeting, the Shadow Authorities must:
- 2.23.1 Establish a leader and cabinet model of governance
 - 2.23.2 Adopt a code of conduct (as developed by the Joint Committee)
 - 2.23.3 Designate an interim Monitoring Officer
 - 2.23.4 Designate an interim s151 Officer
 - 2.23.5 Designate an interim Head of Paid Service
- 2.24 Each Shadow Authority must make permanent appointments to these roles by 31 December 2026.
- 2.25 In addition, it must:

- 2.25.1 Formulate proposals for, prepare and adopt a scheme for members allowances
- 2.25.2 Review and revise where necessary the Implementation Plan prepared by the relevant Joint Committee
- 2.25.3 Prepare any budgets or plans required by the unitary councils.
- 2.25.4 Work with the existing councils to ensure delivery of public services
- 2.26 Costs for the Shadow Authorities are to be divided by the existing Surrey County Council and D&Bs, as agreed by those councils.
- 2.27 On 7 November 2025, Surrey County Council and D&Bs fed back factual amendments and points of clarification arising from the draft SCO to MHCLG.

Draft section 24 direction and explanatory note

- 2.28 The government also provided a draft section 24 (s24) direction, under the Local Government and Public Involvement in Health Act 2007 alongside the confirmation that the 2 unitary proposal was successful, subject to parliamentary approval. The draft s24 and explanatory note has also been provided to the Council's statutory officers on an embargoed basis, which means that it cannot be attached to this report. The following seeks to summarise the following key aspects whilst respecting the wishes of MHCLG.
- 2.29 The draft s24 direction requires existing councils to seek and gain consent from the relevant Shadow Authority for financial transactions over a certain value. Woking and Spelthorne are excluded as they are currently in best value intervention.
- 2.30 Specifically:
 - 2.30.1(a) Disposal of any land if the consideration for the disposal exceeds £100,000
 - 2.30.2(b) Entering into any capital contract:
 - i. under which the consideration payable by the authority exceeds £1,000,000, or
 - ii. which includes a term allowing the consideration payable by the authority to be varied
 - 2.30.3(c) Entering into any non-capital contract under which the consideration payable by the relevant authority exceeds £100,000, where:

- i. the period of the contract extends beyond 1 April 2027, or
 - ii. under the terms of the contract, that period may be extended beyond that date.
- 2.31 MHCLG is seeking views on when the s24 Direction should come into force, with a suggested date of 30 June 2026. The draft s24 only refers to consent being required from the Shadow Authority, so it would not be expected to come into force until the Shadow Authorities are operational.
- 2.32 A draft explanatory note is also provided. This explains that a Shadow Authority may grant general consent in respect of particular contracts or types of contracts (for example regular and routine contracts).
- 2.33 It also provides further explanation that the capital and non-capital value thresholds are cumulative where multiple contracts are entered into with the same organisation or individual or of a similar description. The cost is based on the expected value over the life of the contract.
- 2.34 On 21 November 2025, Surrey County Council and D&Bs fed back feedback and points of clarification arising from the draft s24 direction to MHCLG.

Next steps

- 2.35 As outlined in the letter from MHCLG to Chief Executives of Surrey Councils on 28 October 2025 (**Appendix 2**), this is a draft order and draft direction that still need to undergo internal review processes. Subject to these, and any factual amendments from Surrey Councils, the intention is for Ministers to formally lay the draft order before Parliament in early January.
- 2.36 At this point, the order will go through the Parliamentary process, including formal consideration by the Joint Committee on Statutory Instruments and Secondary Legislation Scrutiny Committee for the House of Lords, debates by a Committee in each House and the obtainment of approval motions in each House.
- 2.37 Work is already underway to ensure that we are able to support the development of the relevant voluntary structures in order to support a smooth transition and effective representation of Epsom and Ewell and its interests in this time, and we will continue to provide updated on our action throughout the transition.

3 Risk Assessment

Legal or other duties

- 3.1 Equality Impact Assessment

3.1.1 An Equality Impact Assessment was undertaken as part of the development of the 2 Unitary LGR proposal. At that stage, mitigation measures were outlined in general terms and will be refined as implementation plans for LGR progress now we have an outcome. As detailed workstreams begin, we will work with Surrey County Council and East Surrey councils to minimise negative impacts and maximise opportunities to promote fairness. Understanding current inequalities is essential to ensure they are addressed from the outset of the new authorities. Efforts will focus on aligning policies and service delivery across the new unitary areas, closing existing disparities, and preventing new ones. Key principles include statutory and meaningful resident engagement, ensuring smooth service transitions, and embedding equality considerations from day one. Dependencies with ongoing transformation programmes and existing local priorities will also be mapped to avoid unintended consequences. Any unmitigated impacts will be documented in future Equality Impact Assessments (EIAs).

3.2 Crime & Disorder

3.2.1 LGR implementation impacts all service delivery matters, including Community Safety. Engagement with Community Safety partners will be considered as part of the wider LGR work.

3.3 Safeguarding

3.3.1 Not applicable.

3.4 Dependencies

3.4.1 Not applicable.

3.5 Other

3.5.1 LGR comes with a number of high-level risks of implementation, especially around ensuring services considered safe and legal are appropriately delivered on day 1 of the new unitary authorities. It is expected that all councils have or are in the process of compiling a list and related risk register related to these services to be subject to regular reviews and considered as part of their internal programme management. It is expected that this approach shall also take place at Implementation Team level to support a smooth transition of critical services at both D&B and County level.

4 Financial Implications

4.1 Devolution and LGR will require additional one-off costs, approx. £400k which we have already committed / put aside as part of the strategic priorities reserve. Further financial implications for Epsom and Ewell are set out in the body of this report.

- 4.2 **Section 151 Officer's comments:** None arising from the content of this report.

5 Legal Implications

- 5.1 **Legal Officer's comments:** The legal implications have been addressed in the body of this report.

6 Policies, Plans & Partnerships

- 6.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Effective Council

- 6.2 **Service Plans:** The matter is included within the current Service Delivery Plan.

- 6.3 **Climate & Environmental Impact of recommendations:** LGR implementation impacts all service delivery matters, including environmental and sustainability matters. We expect this to be considered as part of the wider LGR work.

- 6.4 **Sustainability Policy & Community Safety Implications:** LGR implementation impacts all service delivery matters, including environmental and sustainability matters. We expect this to be considered as part of the wider LGR work.

- 6.5 **Partnerships:** LGR implementation impacts all service delivery matters, including environmental and sustainability matters. We expect this to be considered as part of the wider LGR work.

- 6.6 **Local Government Reorganisation Implications:** They are addressed in the body of this report.

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None

Other papers:

- 7.2 **Appendix 1 – Draft Terms of Reference and Terms of Procedure**

- 7.3 **Appendix 2 - Letter from MHCLG to Chief executives of Surrey Councils, 28 October 2025**

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WEST / EAST SURREY JOINT COMMITTEE

DRAFT TERMS OF REFERENCE

1.0 Introduction

- 1.1 The Councils of Surrey County Council, Woking Borough Council, Guildford Borough Council, Waverley Borough Council, Surrey Heath Borough Council, Spelthorne Borough Council and Runnymede Borough Council have resolved to establish a West Surrey Joint Committee (**WSJC**).
- 1.2 The Councils of Surrey County Council, Elmbridge Borough Council, Epsom & Ewell Borough Council, Mole Valley District Council, Reigate & Banstead Borough Council and Tandridge District Council have resolved to establish an East Surrey Joint Committee (**ESJC**).
- 1.3 The WSJC / ESJC is established pursuant to section s101 and 102 Local Government Act 1972 and the section 9EB Local Government Act 2000 and Part IV of the Local Authorities (Arrangements for the Discharge of Functions) (England) Regulations 2000 and 2012.
- 1.4 The WSJC / ESJC will be constituted from December 2025. It shall be dissolved on the day following that on which the shadow authority for West Surrey / East Surrey Council (**WSC** / **ESC**) holds its first meeting.
- 1.5 It is constituted by resolution of each participating authority on a voluntary basis but is also intended to satisfy the requirements of any Structural Change Order when such legislation may come into force.
- 1.6 The WSJC / ESJC must have regard to any information supplied to it by the Secretary of State and is set up further to the encouragement of the Secretary of State, as set out in his letter dated 28 October 2025 to all Surrey authorities.

2.0 Purpose

- 2.1 The purpose of the WSJC / ESJC is to bring together local authority partners expected to comprise the West Surrey / East Surrey Council, in a formally constituted arrangement to facilitate the discharge of functions relating to preparatory and transition arrangements to that authority to include the functions referenced in any Structural Change Order when such legislation may come into force.

3.0 Membership

- 3.1 The WSJC consists of twelve persons:

- 3.1.1 Six persons nominated by Surrey County Council, each of whom is for the time being a member of that council for an electoral division whose area is within the West Surrey Districts; and
- 3.1.2 Six persons nominated by the District and Borough Councils within the area of the proposed West Surrey Council, with each such Council nominating one person, each of whom is for the time being a member of the nominating council.

3.2 The ESJC consists of ten persons:

- 3.2.1 Five persons nominated by Surrey County Council, each of whom is for the time being a member of that council for an electoral division whose area is within the East Surrey Districts; and
- 3.2.2 Five persons nominated by the District and Borough Councils within the area of the proposed East Surrey Council, with each such Council nominating one person, each of whom is for the time being a member of the nominating council.

4.0 Functions

4.1 The WSJC / ESJC will prepare, keep under review, and revise as necessary, an Implementation Plan which must include:

- 4.1.1 Such plans and timetables as are, in the opinion of the WSJC / ESJC, necessary to secure the effective, efficient and timely discharge of preparing for and facilitating the economic, effective, efficient and timely transfer to West Surrey / East Surrey Council of the constituent Council's functions, property, rights and liabilities; and
- 4.1.2 Such budgets and plans as it considers necessary or desirable to facilitate the economic, effective, efficient and timely discharge, on or after 1 April 2027, of the functions that, before that date, are functions of Surrey County Council or the District and Borough Councils in West Surrey / East Surrey.

4.2 In regards to the WSJC only in preparing, reviewing and revising, their Implementation Plan and discharging its functions, the WSJC must have regard to:

- 4.2.1 The Spelthorne Borough Council Best Value Inspection report dated 17 March 2025;
- 4.2.2 The Direction dated 8 May 2025 issued by the Secretary of State for Housing, Communities and Local Government to Spelthorne Borough Council under section 15(5) and (6) of the Local Government Act 1996;

- 4.2.3 The report dated May 2023 following an external assurance review of Woking Borough Council commissioned by the Secretary of State for Levelling Up, Housing and Communities;
 - 4.2.4 The Direction dated 25 May 2023 issued by the Secretary of State for Housing, Communities and Local Government to Woking Borough Council under section 15(5) and (6) of the Local Government Act 1999;
 - 4.2.5 The Woking Borough Council Commissioner's reports dated 31 August 2023, 7 December 2023, 29 May 2024, and 16 December 2024;
 - 4.2.6 Any other Directions issued to Spelthorne Borough Council or Woking Borough Council by the Secretary of State for Housing, Communities and Local Government following the Surrey (Structural Changes) Order 2026 under section 15(5) and (6) of the Local Government Act 1999; and
 - 4.2.7 Any other reports published by Spelthorne Borough Council Commissioners or Woking Borough Council Commissioners, whether before or after the date on which the Surrey (Structural Changes) Order 2026 comes into effect.
- 4.3 Prepare, facilitate and subsequently formulate proposals for the code of conduct to be recommended for adoption by the shadow authority for West Surrey / East Surrey Council at its inaugural meeting. In formulating such proposals, the WSJC / ESJC shall have regard to section 27 of the 2011 Localism Act which provides a duty to promote and maintain high standards of conduct and section 28 of that Act.
- 4.4 Take all preliminary steps to enable the WSJC / ESJC to be able to recommend to the first meeting of the West Surrey / East Surrey Council shadow authority designation of an interim Head of Paid Service, Chief Finance Officer and Monitoring Officer in accordance with sections 4 and 5 of the Local Government and Housing Act 1989.

5.0 Scope and Role of the Joint Committee

In addition to the functions set out in 4.0 above the WSJC / ESJC will have the following scope and role to undertake:

- 5.1 Prepare, facilitate and subsequently formulate proposals for a Members' Allowance Scheme in accordance with the Local Authorities (Members' Allowances)(England) Regulations 2003 for the West Surrey / East Surrey Council shadow authority, to be recommended for adoption to the shadow authority for West Surrey / East Surrey Council at its inaugural meeting.

- 5.2 Agree the process for an independent review of a scheme of Members' Allowances for the West Surrey / East Surrey Council shadow authority, including preparation for the setting up of an Independent Remuneration Panel.
- 5.3 Establish and propose a Calendar of Meetings for the West Surrey / East Surrey Shadow Council for adoption at its inaugural meeting.
- 5.4 Agree proposals for a West Surrey / East Surrey Council shadow authority Constitution, to be recommended to the West Surrey / East Surrey Council shadow authority, to include responsibility for executive/local choice functions, the establishment and terms of reference of various committees including a scrutiny committee and staffing committee, relevant standing orders to include council and executive procedure rules, and a scheme of delegation to be recommended for adoption at the inaugural meeting of the shadow authority.
- 5.5 To oversee the preparation for the smooth transition of all matters civic and ceremonial.
- 5.6 Take all preparatory steps to support the Returning Officers for West Surrey / East Surrey Council in calling the first meeting of the Shadow Authorities.

Only from the date of the Surrey (Structural Changes) Order 2026 coming into force until the fourteenth day after the ordinary day of election of councillors in 2026:

- 5.7 The WSJC / ESJC may, by written notice to the proper officer of each of the constituent councils, require the council referred to in the notice, to take such action relevant to the function of preparing for and facilitating the economic, effective, efficient and timely transfer to West Surrey / East Surrey Council of its functions, property, rights and liabilities, such functions to be discharged via the WSJC / ESJC.

6.0 Implementation Team

- 6.1 As soon as practicable after the establishment of the WSJC / ESJC, it will, with the ESJC / WSJC, form on a voluntary basis a single team of officers, known as the "Implementation Team" for the purpose of assisting the WSJC / ESJC in the discharge of its functions, and if required the West Surrey / East Surrey Council shadow authority.
- 6.2 The members of the Implementation Team shall include officers from both Surrey County Council and from each of the West Surrey / East Surrey Councils.
- 6.3 The Leader of the Implementation Team (to be known as Senior Responsible Officer - **SRO**) shall be the person who is for the time being the Chief Executive of Surrey County Council.
- 6.4 The deputy leaders of the Implementation Team are to be an officer of one of the East Surrey District & Borough Councils and an officer of one of the West Surrey District & Borough Councils.

7.0 Procedures at meetings

7.1 Meetings of the WSJC / ESJC shall be conducted in accordance with the Terms of Procedure.

DRAFT

WEST / EAST SURREY JOINT COMMITTEE

DRAFT TERMS OF PROCEDURE

Proceedings of the WSJC / ESJC

1.0 Appointments

- 1.1 Appointments to the membership of the WSJC / ESJC will be made by each constituent Council in accordance with the membership criteria set out in the terms of reference for the WSJC / ESJC.
- 1.2 If any member of the WSJC / ESJC ceases to be a member of the council that has nominated them, they shall, with immediate effect, cease to be a member of the WSJC / ESJC, and the nominating council shall, as soon as is reasonably practicable, make a further nomination with the seat remaining vacant until such time as it is filled.
- 1.3 Each constituent authority may remove its member(s) and appoint different member(s) as per that authority's Standing Orders and by providing at least 24 hours' notice to the Leader of the Implementation Team (to be known as Senior Responsible Officer - **SRO**).

2.0 Chair and Vice Chair

- 2.1 The WSJC / ESJC shall appoint its own Chair and Vice Chair at its first meeting from amongst its membership.
- 2.2 The Chair shall chair meetings of the WSJC / ESJC, or in their absence, the Vice Chair shall preside at any meeting of the WSJC / ESJC. In the absence of both the Chair and the Vice Chair, the WSJC / ESJC will elect one of its members present to preside at the meeting.

3.0 Quorum

- 3.1 For a meeting of the WSJC / ESJC to be quorate **there must be at least 4 members present and at least two members present must be from the Surrey County Council and at least 2 members present from the West Surrey / East Surrey District and Borough Councils.**
- 3.2 No business will be transacted at a meeting unless or until a quorum exists at that meeting. If at the beginning of the meeting the person presiding declares that a quorum is not present, they shall adjourn the meeting for 15 mins and if there is still no quorum, the meeting shall stand adjourned.

4.0 Voting

- 4.1 The WSJC / ESJC's decision making will operate on the basis of mutual co-operation and consent. A question to be decided by the WSJC / ESJC is to be decided by the majority of those members present and voting at the meeting at which the question is put. Each member shall have one vote.
- 4.2 In the case of an equality of votes, the person presiding at the meeting, whether or not the chair of the committee, has a casting vote, in addition to any other vote the person may have.
- 4.3 Voting at meetings shall be by show of hands or by an electronic system of voting where available.
- 4.4 Where immediately before a vote is taken, if at least 2 members request it, there shall be a recorded vote taken and the minutes of the proceedings of that meeting shall record whether each member present cast their vote for or against the matter or whether they abstained from voting.

5.0 Meetings

- 5.1 The WSJC / ESJC shall meet as required, with a schedule of meetings being agreed at its first meeting.
- 5.2 Additional meetings may be arranged with at least 5 clear working days' notice, at the request of either the Chair, any 4 members of the WSJC / ESJC or the SRO.
- 5.3 Meetings shall be held at such time and location as may be notified to the members of the WSJC / ESJC by the SRO.
- 5.4 Agendas and reports for meetings of the WSJC / ESJC shall be circulated at least five clear working days in advance of any meeting.
- 5.5 The agenda for any meeting shall be agreed by the Chair of the WSJC / ESJC and the SRO.
- 5.6 Meetings of the WSJC / ESJC shall be held in public unless the public are excluded by resolution of the Committee under s100(B) Local Government Act 1972.
- 5.7 The WSJC / ESJC shall, unless the person presiding at the meeting, or the WSJC / ESJC determines otherwise in respect of a meeting, conduct its business in accordance with these procedure rules.

6.0 Substitutes

- 6.1 Nominated substitutes will be allowed on the WSJC / ESJC and each Council when making an appointment to their seats on the WSJC / ESJC may also appoint the same number of substitute member(s) as appointed member(s). For Councils with more than one substitute, any appointed substitute may act in place of any appointed member from that Council. It is for the absent member of the WSJC / ESJC to make arrangements for the substitute to attend.

7.0 Public Engagement

- 7.1 The WSJC / ESJC shall not have provision for public questions nor statements, nor shall it accept petitions from the public.

8.0 Access to Information

- 8.1 Meetings of the WSJC / ESJC will be held in public except where confidential or exempt information, as defined in the Local Government Act 1972, is being discussed. Only members of the WSJC / ESJC and relevant advising officers from the constituent authorities and any person so invited by the Chair, shall be permitted to be present for such items.
- 8.2 These rules do not affect any more specific rights to information contained elsewhere under the law.
- 8.3 Any information requests under the Freedom of Information Act 2000, Environmental Information Regulations 2004 or Data Protection Act 2018 received by the WSJC / ESJC should be directed to the relevant constituent authority for that authority to deal with in the usual way, taking account of the relevant legislation. Where the request relates to information held by two or more constituent authorities, they will liaise with each other before replying to the request.

9.0 Order of Business

- 9.1 The order of business at each meeting of the WSJC / ESJC will be as follows, unless varied by the person presiding:
- 9.1.1 Apologies for absence
 - 9.1.2 Declarations of interests and substitute members
 - 9.1.3 Approval of the minutes of the last meeting
 - 9.1.4 Matters set out in the agenda for the meeting
 - 9.1.5 Matters set out in the agenda for the meeting which, in the opinion of the SRO, are likely to be considered in the absence of the press and public.

10.0 Discharge of Functions

- 10.1 The WSJC / ESJC may arrange for the discharge of their functions by the SRO (who can nominate and authorise to an officer of the Implementation Team) and in doing so will set out clearly any limits upon such delegation.

11.0 Code of Conduct and Interests

- 11.1 Members of WSJC / ESJC are governed by the provisions of their own Council's Codes and Protocols including the code of conduct for members and the provisions regarding interests.

12.0 Minutes

- 12.1 There shall be no discussion made in respect of the minutes, except as to their accuracy. If no such question is raised or if it is raised then as soon as it has been disposed of, the Chair shall sign the minutes of the previous meeting.

13.0 Role of the Chair

- 13.1 A member wishing to speak shall address the Chair and direct their comments to the agenda item being discussed. The Chair shall decide the order in which to take representations from members wishing to speak and shall decide all questions of order. Their ruling upon all such questions or upon matters arising in debate shall be final and shall not be open to discussion.
- 13.2 The Chair shall have the discretion to regulate the behaviour of all individuals present at the meeting in the interests of the efficient conduct of the meeting, including excluding members of the press and public in the event of a disturbance.

14.0 Amendment of these Procedure Rules

- 14.1 These procedure rules may only be amended by majority resolution of the members of the WSJC / ESJC present and voting, following consideration of the SRO's advice.

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Ministry of Housing,
Communities &
Local Government

Ruth Miller

Deputy Director for Local Government
Reorganisation
2 Marsham Street
London
SW1P 4DF

Agenda Item 9
Appendix 2

Chief Executives of Surrey Councils
By email

28 October 2025

Dear Chief Executives,

As you know, the Secretary of State has decided to move forward with implementation of the proposal for two unitary councils, subject to Parliamentary approval.

Accordingly, we will be sharing with you a draft Structural Changes Order which is needed to implement the reorganisation in Surrey. We would welcome your review of the draft Structural Changes Order for any factual amendments, such as incorrect names of councils or wards, by 7 November. This will enable the progress of the legislation to allow for the May 2026 elections.

Please note the layout of the Structural Changes Order may change following internal processes – but not its substance – to make the Order easier to follow. Drafting also needs to be further checked. We also intend sharing the draft informally with clerks to the Parliamentary Joint Committee on Statutory Instruments, for informal scrutiny and feedback from Parliamentary lawyers.

Following this informal scrutiny, we will be in a position to ask Ministers to formally lay the draft instrument before Parliament in early January. It will then go through the Parliamentary process, including formal consideration by the Joint Committee on Statutory Instruments and the Secondary Legislation Scrutiny Committee for the House of Lords, a debate by a Committee of each House, and subject to their agreement obtain approval motions in each House.

As we have previously discussed, the Structural Changes Order establishes the two new councils and abolishes the existing councils in Surrey. It provides the transitional arrangements, with the core of that being elections to ‘shadow’ councils that have preparatory functions, including the preparation of budgets and plan, to enable the assumption of local government functions and powers on 1 April 2027. It also provides duties to implement a Leader and Cabinet model, appoint statutory officers, and adopt codes of conduct and members allowances. Your councils will remain responsible for services in your areas until they are abolished on 1 April 2027.

The Order includes content that Ministers have decided following consideration of information in your proposals or the representations submitted in response to our letter of 10 August.

- The new unitary councils are to be named East Surrey Council and West Surrey Council.
- On transitional arrangements, the Structural Changes Order provides that all existing councils should be involved, so implementation is a shared endeavour, whilst ensuring a lead role for those who understand the proposal being implemented and key services being disaggregated:
 - For each Joint Committee, 50 per cent of the membership are to be Councillors representing the County Council and 50 per cent are to be Councillors representing Districts/Boroughs collectively. The proceedings and identification of the Chair are to be determined by the Joint Committee.
 - For the Implementation Team officers from all existing councils are to be included, with the leader of the team being the Chief Executive of Surrey County Council, and deputies being from a District/Borough Council from each new unitary area.
 - To support the work of the implementation team we would encourage you to consider using your sector advisor, John Metcalfe, to act as an independent critical friend.
- On electoral arrangements, the Structural Changes Order replaces the scheduled County and District elections in May 2026 with all out elections to the new councils:
 - Schedule 1 provides that the wards for the new councils are to be the same as the county council electoral divisions as provided in the Surrey (Electoral Changes) Order 2024. It also provides that these are to be two member wards. We expect the Local Government Boundary Commission for England to undertake an electoral review in time for the subsequent election.
 - A first term of five years with the subsequent election in 2031, after which the standard four year terms will apply. This is in line with recent reorganisations and brings benefits of stability, with Councillors serving most of their first year on the 'shadow' council. From your representations that means the election cycle will align with the majority of elections to parish councils. Where that is not the case, we can, in further legislation, look to align parish elections with the 2031 election, and we will be guided by your views. Following your representations, we are not amending the 2027 parish elections.
 - Returning Officers are to be the Head of Paid Service of Reigate and Banstead Borough Council for East Surrey Council, and the Head of Paid Service of Runnymede Borough Council for West Surrey.

In addition, you will also wish to note that the draft Structural Changes Order:

- Provides at article 17 the new councils in the shadow year the functions to prepare and submit a devolution proposal or consent to a government proposal, to progress the work for a Strategic Authority. We will be engaging with you on the approach to devolution for Surrey.
- Provides at article 23(3) that the West Surrey Joint Committee and shadow authority must have regard to the Spelthorne and Woking Best Value interventions, reports and directions in preparing and reviewing the implementation plan. This is in line with precedent from the Northamptonshire reorganisation.

We hope that seeing the draft Structural Changes Order will enable you to make arrangements in place voluntarily, ahead of the Order being made, to progress local government reorganisation, such as the Joint Committees and the Implementation Team. This will support the preparatory work that can be progressed prior to the Order coming in to force, recognising that the Order will place duties on your councils to cooperate.

In addition to the Structural Changes Order, the Secretary of State is also minded to issue a direction under section 24 of the Local Government and Public Involvement in Health Act. This will require the predecessor councils to obtain consent from the new councils before entering into certain contracts or for certain asset disposals. The purpose of the section 24 direction is to ensure new agreements will be in the best interests of the new councils or the residents of the area, and do not undermine or diminish the benefits or savings anticipated as a result of unitarisation, or which may have an effect on the financial position of the new councils.

We will also be sharing a draft direction and explanatory note for your council to consider and to provide representations upon. In particular, in addition to the application of the direction, I draw your attention to the effective date, which in recent examples, varied, as you can see at [Cumbria, Somerset and North Yorkshire councils: direction - GOV.UK](#). The variation depended on whether there was a continuing council as in Somerset and North Yorkshire or as in Cumbria, two new unitaries, as envisaged for Surrey. Based on the Cumbria precedent we are minded to use 30 June as the effective date to allow the new unitary councils to be in a position to put in place the procedures to consent as needed after the May 2026 elections, but we welcome your views. Also, we are minded that Spelthorne and Woking Borough Councils are not included in the section 24 direction, given the statutory directions already in place giving related functions to Commissioners and the importance of Commissioners being able to continue in their roles unfettered until the abolition of those councils. Again, we welcome your views for 21 November

We will also work with you on the further legislation that we expect will be needed to cover matters such as local government pensions, housing revenue accounts, ceremonial issues, and matters relating to where a council is a member of a body or organisation that needs to be updated. An example is available at [The Local Government \(Structural Changes\) \(Supplementary Provision and Amendment\) Order 2023](#). We envisage this supplementary order would come into force in time for 1 April 2027.

We are committed to continuing to work in partnership with you with a shared objective of delivering new unitary councils in Surrey that serve local residents. We will be in touch to arrange a meeting to further discuss the matters in this letter, which we will also, in the interest of transparency, publish on gov.uk. We are copying this letter to Surrey Leaders and Commissioners.

Yours sincerely,

Ruth Miller

Deputy Director for Local Government Reform and Strategy

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UPDATE TO THE CONSTITUTION

Head of Service:	Jackie King, Chief Executive
Report Author:	Piero Ionta
Wards affected:	(All Wards);
Appendices (attached):	Appendix 1 – Updates to Appendix 2.1 of the current Constitution

Summary

The following report proposes an update to the Council's Scheme of Delegation relevant to its Revenues and Benefits and Public Protection departments.

Recommendation (s)

The Council is asked to:

- (1) **Approve and adopt the updates to the Council's Constitution, as set out within Appendix 1 to this report**

1 Reason for Recommendation

1.1 Following a review of working practices by:

1.1.1 the Director of Corporate Services within his department, in consultation with the Council's Statutory officers and the Chair of the Standards and Constitution Committee, and

1.1.2 the Public Protection Manager within his department,

an update to the Council's Scheme of Delegation is brought to Full Council for its approval.

2 Background

Revenue and Benefits Departments

- 2.1 As part of the annual check with Corporate Leadership Team (CLT) as to the current Live Register of Delegations contained within Appendix 2.1 of the Council's Constitution, a review of the delegations within the Revenue and Benefits Departments was carried out by the respective lead officers for those teams. In light of this, it is recommended that an update to the existing Appendix 2.1 is adopted so as to ensure that these officers are empowered to conduct their daily work with any necessary delegated authority.

Public Protection

- 2.2 At Environment Committee on 14 October 2025, they resolved to:

Ask full Council to nominate and authorise the list of Officer roles in appendix 1 of this report to issue future penalty notices under Regulation 4 of the Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 and any subsequent or successor provisions.

- 2.3 This was resolved following consideration of a report produced following a review of the delegations within the Public Protection Department carried out by the respective lead officer. Following the resolution of the above recommendation, it is recommended that an update to the existing Appendix 2.1 is adopted so as to ensure that these officers are empowered to conduct their daily work with any necessary delegated authority.
- 2.4 Separately following the Royal Assent of the Renters Rights Act (The Renters' Rights Act 2025 received Royal Assent on 27 October 2025. Further provisions of the Act are scheduled to come into force on 27 December 2025), it is recommended that an urgent update to the existing Appendix 2.1 is adopted so as to ensure that officers within the Environmental Health Team are empowered to conduct their daily work with any necessary delegated authority further to these new powers.
- 2.5 The proposed additions to Appendix 2.1 are attached to this report – Appendix 1 - any changes or new provisions are included in red text.

3 Risk Assessment

Legal or other duties

3.1 Equality Impact Assessment

- 3.1.1 None of the proposed changes are believed to trigger the requirement for an Equality Impact Assessment; any impacts are believed to be minimal and positive in nature.

3.2 Crime & Disorder

- 3.2.1 None arising from the contents of this report.

3.3 Safeguarding

3.3.1 None arising from the contents of this report.

3.4 Dependencies

3.4.1 The council's constitution is its primary governance document.
Therefore, much of the council's business and operations depends
on its contents

3.5 Other

3.5.1 None

4 Financial Implications

4.1 **Section 151 Officer's comments:** None arising from the contents of this report

5 Legal Implications

5.1 **Legal Officer's comments:** Any relevant comments are contained within the body of this report.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Effective Council

6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations:** None arising from the contents of this report

6.4 **Sustainability Policy & Community Safety Implications:** None arising from the contents of this report

6.5 **Partnerships:** Not applicable.

6.6 **Local Government Reorganisation Implications:** None arising from the contents of this report.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None

Other papers:

- None

7. Public Protection Scheme of Delegation

No	Title of Post Holder	Legislation	Function Delegated	Date
PPS185	Director of Environment, Housing and Regeneration; Head of Housing & Community; Public Protection Manager; Enforcement Operations Supervisor; Environmental Enforcement Officer; Principal Environmental Health Officer; Environmental Health Officer; Environmental Health Enforcement Officer; Regulatory Services Officer	The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018	Nominate and authorise the list of Officer roles in appendix one of this report to issue fixed penalty notices under regulation 4 of The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 and any subsequent or successor provisions.	14 October 2025 EC
PPS186	Director of Environment, Housing and Regeneration; Head of Housing & Community; Public Protection Manager; Enforcement Operations Supervisor; Environmental Enforcement Officer; Principal Environmental Health Officer; Environmental Health Officer;	The Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018	To issue fixed penalty notices under Regulation 4 of the Littering from Vehicles Outside London (Keepers: Civic Penalties) Regulations 2018 and any subsequent or successor provisions	9 December 2025 FC

	Environmental Health Enforcement Officer; Regulatory Services Officer			
PPS187	Public Protection Manager; Principal Environmental Health Officer, Environmental Health Officer, Regulatory Services Officer	Renters' Rights Act 2025 section 114	Power to require information from a relevant person	9 December 2025 FC
PPS188	Public Protection Manager; Principal Environmental Health Officer, Environmental Health Officer, Regulatory Services Officer	Renters' Rights Act 2025 section 115	Power to require information from any person	9 December 2025 FC
PPS189	Public Protection Manager; Principal Environmental Health Officer, Environmental Health Officer, Regulatory Services Officer	Renters' Rights Act 2025 section 118	Entry without warrant to business premises	9 December 2025 FC
PPS190	Public Protection Manager; Principal Environmental Health Officer, Environmental Health Officer, Regulatory Services Officer	Renters' Rights Act 2025 section 121	Authority to execute a warrant issued under section 120	9 December 2025 FC
PPS191	Public Protection Manager; Principal Environmental Health Officer, Environmental Health Officer, Regulatory	Renters' Rights Act 2025 section 122	Power to require production of documents following entry to premises under s.118 or s.120	9 December 2025 FC

	Services Officer			
PPS192	Public Protection Manager; Principal Environmental Health Officer, Environmental Health Officer, Regulatory Services Officer	Renters' Rights Act 2025 section 123	Power to seize documents following entry to premises under s.118 or s.120	9 December 2025 FC
PPS193	Public Protection Manager; Principal Environmental Health Officer, Environmental Health Officer, Regulatory Services Officer	Renters' Rights Act 2025 section 126	Special authority to enter premises subject to a residential tenancy without warrant	9 December 2025 FC
PPS194	Public Protection Manager; Principal Environmental Health Officer, Environmental Health Officer, Regulatory Services Officer	Renters' Rights Act 2025 section 129	Authority to execute a warrant issued under section 128	9 December 2025 FC
PPS195	Public Protection Manager; Principal Environmental Health Officer, Environmental Health Officer, Regulatory Services Officer	Criminal Justice and Police Act 2001 Part 1 Schedule 1 73W	Powers of seizure conferred by section 122(1)(b) and section 123 of the Renters Rights Act 2025	9 December 2025 FC

11. Corporate Services Scheme of Delegation

No	Title of Post Holder	Function Delegated	Date
CS30	Director Corporate Services, Revenues Manager	<p>All such functions and powers in connection with:-</p> <ul style="list-style-type: none"> The demand, collection, administration, refund and recovery of Council Tax, National Non-domestic rates and Business Improvement District Levy. Including the award of all Council Tax exemptions, discounts and National Non-domestic rate exemptions and reliefs. 	9 December 2025 FC
CS31	Director Corporate Services, Revenues Manager, Systems and Benefits Manager, System Officer, Revenues Team Leader, Senior Recovery Officer, Rating Officer, Revenues Officers, Recovery Officers, Revenue Inspector and Revenues Assistant	<ol style="list-style-type: none"> To issue all necessary notices and statements and sign any documents on behalf of the Council as the billing and collecting authority. To institute or defend proceedings on behalf of the Council before any court in relation to Council Tax, National Non-Domestic Rates and Business Improvement Levy using authorised named officers to represent the council in proceedings. To take all actions and make relevant decisions relating to the write off of Council Tax, National Non-Domestic Rates and Housing Benefit debt and to authorise write off of debts not in excess of £2,500. To take all actions and make relevant decisions relating to the recovery of unpaid Council Tax, National Non-domestic Rates, Business Improvement District Levy and Housing Benefit Overpayments in line with the relevant governing legislation. Authorise the complaint and IT list for court for Council Tax, 	9 December 2025 FC

		<p>Business Improvement Levy and National Non-Domestic rates.</p> <ol style="list-style-type: none"> 6. Determine applications for discretionary reliefs for Non-Domestic Rates. 7. Determine applications for discretionary reliefs and s13a Applications for Council Tax. 8. Represent the Council at Valuation Tribunals. 9. All actions and decisions in relation to the valuation of properties, including valuation and banding list alterations, and connected matters. 10. Completion of all legally required Government returns 	
CS32	Director Corporate Services, Systems and Benefit Manager	<p>All such functions and powers in connection with:-</p> <ul style="list-style-type: none"> • All actions and decisions in relation to the administration and payment of Housing Benefit, Council Tax Support, Council Tax Income Discount, Discretionary Housing Payments and the Discretionary Hardship Fund, and other Benefits including making decisions regarding recovery of overpayments and investigations of fraud. • All actions and decisions in relation to the administration and upkeep of all specialist software used within the Revenues and Benefits Department to fulfil their statutory duty for the authority. 	9 December 2025 FC
CS33	Director Corporate Services, Systems and Benefit Manager, Revenues Manager, Benefits Team	<ol style="list-style-type: none"> 1. To assess and award Housing Benefit, Council tax Support, Council Tax Income Discount, Discretionary Housing Payments and Discretionary Hardship Fund payment 	9 December 2025 FC

	<p>Leader, Systems Officer, Benefit Officers, Benefit Assistant and Technical Assistant</p>	<p>decisions based in line with the governing legislation.</p> <ol style="list-style-type: none"> 2. To institute or defend proceedings on behalf of the Council before any court in relation to Council Tax Support / Council Tax Benefit (for cases relating to periods prior to 1 April 2013) and related Social Security Benefits. 3. Determine appeals against Housing Benefit, Council Tax Support, Council Tax Income Discount Discretionary Housing Payment and Discretionary Hardship Fund payment decisions. 4. Determine the course of action to be taken against fraudulent benefit claimants. 5. Determine non-recoverable overpayments in accordance with Housing Benefit regulations. 6. To take all actions and make relevant decisions relating to the recovery of unpaid Housing Benefit overpayments in line with the relevant governing legislation and to authorise write off of debts not in excess of £2,500. 7. Completion of all legally required Government returns 	
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