

UPDATE ON SIGNING PROBATE/ADMINISTRATION PAPERS

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Wards affected: Nonsuch Ward;
Urgent Decision?(yes/no) No
If yes, reason urgent decision required:
Appendices (attached):

Summary

This report provides an update to the Committee regarding the signing of probate/administration papers in relation to a gift to Nonsuch Park.

Recommendation (s)

The Committee is asked to:

- (1) Note the contents of this report

1 Reason for Recommendation

- 1.1 This report provides an update on the progress of this item.

2 Background

- 2.1 At the Nonsuch Park Joint Management Committee on 24 March 2025, the committee agreed to nominate and authorise the Chief Executive of Epsom & Ewell Borough Council and Clerk to the Nonsuch Park Joint Management Committee to act in all applications for Probate/administration of estate purposes and sign all papers in connection with such applications.
- 2.2 The Committee also agreed to nominate and authorise the Chief Executive of Epsom & Ewell Borough Council and Clerk to the Nonsuch Park Joint Management Committee to act in the application for Probate/administration and sign all papers in connection with the application set out in Exempt Appendix 1.

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3 Progress on Probate/Administration

- 3.1 On 4 December 2025, the High Court of Justice (England and Wales), Probate Division, granted Letters of Administration (with Will annexed) to the Chief Executive of Epsom & Ewell Borough Council.
- 3.2 Following a proportionate procurement exercise, external solicitors have been appointed to act on behalf of the Chief Executive in administering the estate, including arrangements for the disposal of the property which forms part of the residuary estate. The residue of the estate has been bequeathed to Nonsuch Park once the payment due under the Will of the deceased are dealt with.
- 3.3 Upon completion of the sale, the Chief Executive will ensure that the provisions of the Will are implemented in accordance with the deceased's wishes.

4 Risk Assessment

Legal or other duties

4.1 Equality Impact Assessment

- 4.1.1 The matters set out in this report relate to the administration of an estate and do not introduce any changes to service delivery or public access. An equality impact assessment is not required.

4.2 Crime & Disorder

- 4.2.1 None for the purpose of this report.

4.3 Safeguarding

- 4.3.1 None for the purpose of this report.

4.4 Dependencies

- 4.4.1 The progression of the matter is dependent upon the completion of the estate administration process and associated legal procedures.

4.5 Other

- 4.5.1 The matter is being managed in accordance with the relevant legal and governance requirements. Any significant developments will be reported to the Committee as appropriate.

5 Financial Implications

- 5.1 Any reasonable legal and professional costs arising from the administration of the estate, including matters associated with the receipt of legacies or gifts, will be met from the estate prior to distribution of any net proceeds.

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- 5.2 **Section 151 Officer's comments:** Once the net proceeds are received, these will be applied strictly in accordance with the terms of the Will. At this stage, no financial pressures or risks for the Council have been identified.

6 Legal Implications

6.1 The Chief Executive is acting under the authority granted by the Letters of Administration. External legal advisors have been appointed to support the administration of the estate and to ensure compliance with relevant statutory and governance requirements.

6.2 **Legal Officer's comments:** None other than as set out in the report above.

7 Policies, Plans & Partnerships

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

- Effective Council

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

7.3 **Climate & Environmental Impact of recommendations:** None

7.4 **Sustainability Policy & Community Safety Implications:** None

7.5 **Partnerships:** None

7.6 **Local Government Reorganisation Implications:** None

8 Background papers

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

Previous reports:

- Report to the Nonsuch Park Joint Management Committee 24 March 2025: Signing Probate/Administration Papers

Other papers:

- None