

**Minutes of a Meeting of the Performance
and Finance Scrutiny Committee held at
Council Chamber, Surrey Heath House,
Knoll Road, Camberley, GU15 3HD on 24
November 2022**

- Cllr Sashi Mylvaganum (Chairman)
+ Cllr Valerie White (Vice Chairman)

+ Cllr Graham Alleway	+ Cllr Edward Hawkins
+ Cllr Cliff Betton	+ Cllr David Lewis
+ Cllr Stuart Black	+ Cllr Liz Noble
- Cllr Vivienne Chapman	+ Cllr Darryl Ratiram
Cllr Paul Deach	+ Cllr Morgan Rise
+ Cllr Sharon Galliford	+ Cllr Victoria Wheeler
	+ Cllr Helen Whitcroft

+ Present

- Apologies for absence presented

Substitutes: Cllr Cliff Betton for Cllr Sashi Mylvaganum
Cllr David Lewis for Cllr Vivienne Chapman

Non Committee Members in Attendance: Cllr Rodney Bates and Cllr Tim FitzGerald

Portfolio Holders in Attendance: Cllr Shaun Garrett, Economic Development & Transformation
Cllr Robin Perry, Finance and Customer Services

Officers Present: Damian Roberts, Chief Executive
Nick Steevens, Strategic Director: Environment & Community

28/PF Declarations of Interest

It was noted for the record that:

- Councillor Liz Noble, had prior to 2018, reviewed the accounts of the third party organisation in question but no longer had dealings with them.
- Councillor Tim Fitzgerald had in the past volunteered for the third party organisation in question.

29/PF Exclusion of Public and Press

RESOLVED that pursuant to Regulation 4 of the Local Authorities (Executive Arrangements) Access to Information) Regulations 2012, members of the public and press be excluded from the meeting for the consideration of item 4: Call in Settlement of Property Dilapidations which involves the likely disclosure of exempt information under the following category of Schedule 12A of the Local Government Act 1972:

- (3) Information relating to the financial or business affairs of any particular person (including the authority holding that information).

30/PF Call In- Settlement of Property Dilapidations

The Committee considered a report setting out a Member Call-in in respect of a decision taken by the Executive on 18th October 2022 to approve a decision to accept a sum of

money as full and final settlement of dilapidation payments owed in respect of a community property which had not been maintained in line with the agreed lease.

The Executive's decision to accept the payment had been called in by Councillors Rise and Whitcroft, who indicated that whilst they agreed in principle with the Executive's decision to accept the proffered monies their concerns primarily focused on the possibility that the funds would be subsumed into the Council's general budget to the detriment of the Borough's children and young people who had been the primary users of the facility in question until it had been deemed to be no longer fit for purpose.

It was noted that the organisation that the building had been leased to was no longer operational and that discussions with the parent organisation had resulted in an agreement that the Council would receive the balance on the account of the disbanded organisation to part cover the expected cost of dilapidations bill. In addition, the parent organisation, who bore no legal responsibility for the cost of the dilapidations, would as a goodwill gesture pay an additional £12,000 to the Council to assist with the dilapidations bill. The Committee was reminded that even with this additional sum the projected costs of refurbishing the building were expected to significantly exceed the money offered.

The Committee expressed concern that whilst the building had been let on a Fully Repairing and Insuring Lease the organisation that the building had been let to had made no visible effort to ensure that the building was kept in a good state of repair over the years. With this in mind, it was agreed that a recommendation would be made to the Executive that the Council's inspection regime for leased properties should be reviewed to ensure that all properties were subject to regular inspections, problems were identified and repairs made in good time.

RESOLVED that the matter be referred back to the Executive for reconsideration and the following points to be made:

- i. The £12,000 offered by the parent organisation should be used solely for the refurbishment of the building. In the event that the Council made a decision, within 12 months of this meeting, not to progress the refurbishment the building then the £12,000 should be ring fenced to be used for projects for young people in the Borough with priority being given to those projects which fell within the ward in which the building was located.
- ii. The Council's inspection regime for leased properties should be reviewed to ensure that all properties were subject to regular inspections.

Chairman