

# Surrey Heath Borough Council

## Executive

17 January 2023

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### Outcome of Executive Decisions Called-In and Considered by the Performance & Finance Scrutiny Committee

**Portfolio Holder:** Cllr Shaun Garrett – Economic Development & Transformation  
**Head of Service:** Gavin Ramtohal – Head of Legal & Democratic Services  
**Report Author:** Katharine Simpson – Senior Democratic Services Officer  
**Key Decision:** No  
**Wards Affected:** Parkside; Town and St Michaels

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#### Summary and purpose

To consider the recommendations of the Performance & Finance Scrutiny Committee in respect of:

- (i) The Settlement of Property Dilapidations; and
- (ii) Proposed additional contributions to Collectively Camberley BID

#### Recommendation

The Executive is advised to consider the recommendations of the Performance & Finance Scrutiny Committee and consider whether to adopt its recommendations in respect of Property Dilapidations and additional contributions to Collectively Camberley Business Improvement District.

#### 1. Background and Supporting Information

- 1.1 The Performance & Finance Scrutiny Committee has considered two call-ins since November 2022, on 24 November 2022 and 5 January 2023, and its recommendations are set out below.

##### Call-In - Property Dilapidations

- 1.2 At its meeting on 24 November 2022, the Performance & Finance Scrutiny Committee considered a decision of the Executive made in October 2022 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.
- 1.3 The Committee considered the matter and made the following recommendation to the Executive:

**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.

### **Call-In - additional funding for Collectively Camberley BID**

- 1.4 At its meeting on 5 January 2023, the Performance & Finance Scrutiny Committee considered a decision of the Executive made in November 2022 to make additional funding available to Collectively Camberley Limited, the administering body for the Camberley Business Improvement District (BID) outside of the statutorily set BID levy, to facilitate the delivery of additional events in Camberley town centre.
- 1.5 The Committee considered the matter and made the following recommendation to the Executive:

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

- i. That the decision to add a supplementary estimate of £5,000 to the current capital programme to provide a capital grant to Collectively Camberley Limited be progressed.
- ii. That the decision to provide an additional one off grant of £55,000 to Collectively Camberley Limited through a supplementary estimate be deferred to enable detailed business cases to be prepared for each of the proposed events before a final decision was taken on whether each event would receive financial support from the Council.
- iii. That the Police and any other relevant partner agencies in Camberley be consulted on the proposals before they are progressed.

## **2. Reasons for Recommendation**

- 2.1 The recommendation is in line with the requirements for responding to the Call-In of Executive decisions, as set out in the Local Government Act 2000 and the Council's Scrutiny Committee Procedure Rules.

### **3. Proposal and Alternative Options**

- 3.1 The Executive is asked to consider the recommendations of the Performance & Finance Scrutiny Committee, as set out at paragraphs 1.3 and 1.5, and agree whether to support the recommendations from the Scrutiny Committee or uphold its original decisions.

### **4. Resource Implications**

- 4.1 Any resource implications were addressed in the original report to the Executive meetings.

### **5. Section 151 Officer Comments:**

- 5.1 The Section 151 Officer's comments were included in the original reports to the Executive, as referred to in the background papers below.

### **6. Legal and Governance Issues**

- 6.1 The right for non-executive councillors to 'call-in' decisions of the Executive is provided for in the Local Government Act 2000 and is one of the tools available for non-executive councillors to hold the Executive to account for the decisions it makes.
- 6.2 Calling in the decision prevents the decision taking immediate effect to ensure that the Council's Overview and Scrutiny function has had an opportunity to question the Executive Member(s) and relevant Officers to find out more about the rationale behind the decision taken to assess alternative options.

### **7. Monitoring Officer Comments:**

- 7.1 The Monitoring Officer's comments were included in the original reports to the Executive, as referred to in the background papers below.

### **Annexes**

Annex A – minutes of the meeting of the Performance & Finance Scrutiny Committee held on 24 November 2022

Annex B – minutes of the meeting of the Performance & Finance Scrutiny Committee held on 5 January 2023

### **Background Papers**

Report to Executive – 18 October 2022 (exempt)

<https://surreyheath.moderngov.co.uk/ieListDocuments.aspx?CId=127&MIId=3894&Ver=4>

Report to Performance & Finance Scrutiny Committee – 24 November 2022 (exempt)

<https://surreyheath.moderngov.co.uk/ieListDocuments.aspx?CId=309&MIId=4072&Ver=4>

Report to Executive – 15 November 2022

<https://surreyheath.moderngov.co.uk/ieListDocuments.aspx?CId=127&MId=3895&Ver=4>

Report to Performance & Finance Scrutiny Committee – 5 January 2023

<https://surreyheath.moderngov.co.uk/ieListDocuments.aspx?CId=309&MId=4076&Ver=4>