
Item Called-in following an Executive Decision: York House – Freehold Disposal

Committee considering report:	Overview and Scrutiny Management Commission
Date of Committee:	29 November 2022
Portfolio Member:	Councillor Ross Mackinnon
Report Author:	Gordon Oliver
Forward Plan Ref:	EX4279

1 Purpose of the Report

- 1.1 This report presents the call-in request submitted on 10 November 2022 for the Overview and Scrutiny Management Commission to review the Executive's decision (EX4279) of 3 November 2022 concerning the freehold disposal of York House.
- 1.2 The call-in has been submitted in accordance with Sections 5.3 and 6.4 of the Council's Constitution.

2 Recommendation

- 2.1 In accordance with the call-in request dated 10 November 2022, it is recommended that Members of the Overview and Scrutiny Management Commission review the Executive's decision (EX4279) of 3 November 2022 concerning the freehold disposal of York House.
- 2.2 Having reviewed the Executive decision, the Overview and Scrutiny Management Commission should either:
 - (a) Confirm the Executive decision; or
 - (b) Propose amendments and refer the matter back to Executive for further consideration

3 Supporting Information

Executive Decision

- 3.1 The York House report was presented for consideration by the Executive on 3 November 2022. The report recommended that the Executive resolve to delegate to the Executive Director Resources and the Executive Portfolio Holder for Finance and Economic Development, the disposal of the freehold of York House on the open market (either through a marketing agent or auction).

3.2 Executive resolved to approve the above recommendations.

Call-in of the Decision

3.3 In accordance with the Council's Constitution six Elected Members (Councillors Lee Dillon, Alan Macro, Jeff Brooks, Tony Vickers, Erik Pattendon and Adrian Abbs) called in the Executive Decision (EX4279) on the basis that Members wished to be sure:

- (1) They are properly informed of the business cases put forward for the re-purposing of the property and the reasons they failed suitable testing - this information is missing from the report;
- (2) Re-purposing the building has been fully explored and that the course of action decided upon provides the best value for money to the Council;
- (3) This is the optimum time to achieve the maximum capital receipt for the property, considering the property market has fallen back in recent months and is forecast to dip further in the months ahead;
- (4) Marketing undertaken was robust and extensive and any reasons why some interest in the property was not progressed;
- (5) The capital receipt would be suitably enhanced if there were investment in the property ahead of marketing it;
- (6) All ideas for the use of the property put forward by Council departments, including the Education Department, have been properly considered before the decision was made;
- (7) All other possible uses have been fully considered and, if they have, the report should show that.
- (8) An investigation has taken place as to why the property was allowed to deteriorate to such an extent and so that members understand why this happened and whether its upkeep has now become too expensive because of neglect.

3.4 The Members of the Council who submitted the call-in request proposed that the following alternative course of action should be considered:

- (1) Fully considering alternative uses for the property, including retaining and repurposing the property - for example, short-term housing or as a HMO;
- (2) Improving the property ahead of marketing it;
- (3) Maintaining it and marketing it later in the expectation of the market returning to growth.

3.5 The call-in request confirmed that the decision is not considered to be contrary to the policy framework, neither is it considered to be contrary to or not wholly in accordance with the budget.

Role of the Overview and Scrutiny Management Commission

- 3.6 The role of the Overview and Scrutiny and Management Commission is to review the Executive's decision.
- 3.7 The Commission will produce a report with its findings to the next meeting of the Executive (i.e. the meeting following the call-in request) unless there are exceptional circumstances why this cannot be achieved. In these circumstances the Chairman of the Commission and the Leader of the Council will agree a revised timetable.
- 3.8 The report will either confirm the original decision or propose amendments to it in any way it thinks fit and shall give reasons for its final decision. If the Commission upholds the Executive decision, that decision shall take immediate effect.
- 3.9 It should be noted that any matter which has been the subject of a call-in request may not be the subject of a further call-in request

4 Appendices

Appendix A: York House – Freehold Disposal Report (Executive, 3 November 2022)

Background Papers:

None

Subject to Call-In:

Yes: ☐ No: ☒

- | | |
|--|-------------------------------------|
| The item is due to be referred to Council for final approval | <input type="checkbox"/> |
| Delays in implementation could have serious financial implications for the Council | <input type="checkbox"/> |
| Delays in implementation could compromise the Council's position | <input type="checkbox"/> |
| Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months | <input checked="" type="checkbox"/> |
| Item is Urgent Key Decision | <input type="checkbox"/> |
| Report is to note only | <input type="checkbox"/> |

Wards affected: Newbury Wash Common

Officer details:

Name: Gordon Oliver
Job Title: Principal Policy Officer
Tel No: 01635 519486
E-mail: gordon.oliver1@wetberks.gov.uk

Document Control

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Change History

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1			
2			