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The Man Who Signed It, Chaired It, and Wouldn’t Explain It: Six Months of Silence Over Rainbow’s £500,000 Bill

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Six months after Epsom and Ewell Borough Council quietly authorised the use of its reserves to cover a dilapidations bill of up to £500,000 at the Rainbow Leisure Centre, the six basic questions this paper put to the Councillor who approved that decision remain unanswered. Not because the council disputes the facts. Not because litigation prevents comment. But because, first, it said the matter was commercially sensitive; then, once an election was called, it said the law forbade a response; and now that the election is over, it has offered residents a statement about gym upgrades instead.

The common thread through every stage of this story is one councillor: **Neil Dallen** (RA Town), Chair of the Strategy and Resources Committee, who signed off the original urgent decision, chaired the meeting where questions about it were cut off, and has twice found a procedural reason not to say how the bill arose.

A smooth handover, on paper

Rainbow Leisure Centre transferred from its operator of 22 years, GLL, to Places Leisure on 1 October 2025. The council’s own account, recorded in the Urgent Decision document later obtained by this paper, describes an unremarkable changeover: no break in service, a deal offering “significantly more income than the Council had been receiving,” and a pre-handover check by an external consultant intended to confirm the building “would be handed back in good condition.” That check, the document specifies, “was not an invasive analysis.”

Within weeks, Places identified a long list of problems: faults in fire alarms, lifts, seating, glazing, sanitaryware, ventilation, damp, possible roof cracks, and machinery officers now describe as at “end of life.” Some were flagged as health and safety risks requiring immediate action.

December: a £500,000 estimate, marked not for publication

On 17 December 2025, under the reference DEC 158, the council took an Urgent Decision — a mechanism used when a matter cannot wait for the ordinary committee cycle — authorising its Section 151 officer to finalise dilapidations negotiations with Places. The document, marked “OFFICIAL SENSITIVE – NOT FOR PUBLICATION” and exempted under paragraph 3 of Schedule 12A to the Local Government Act 1972, put the likely cost at up to £500,000, to be met initially from the council’s dilapidations reserve and recovered from GLL only “in due course” — with the same document conceding the council “must accept that it will not be able to recover the Places claim in its entirety.” Cllr Dallen was consulted as committee chair and recorded his view in two words: “Happy to support.”

The decision stayed confidential until this paper obtained and published it in January.

January to March: leak, backlash, and the first stonewall

The story prompted sharp criticism from opposition councillors, who accused the ruling Residents’ Association of secrecy and complacency. The council’s public response — attributed to Dallen and Cllr **Clive Woodbridge** (RA Ewell Village)— framed the transfer as “an exciting new chapter” and declined to discuss “terms and financial arrangements” as commercially sensitive. GLL, for its part, maintained it had fixed everything flagged by the pre-handover survey and handed the building back to the required standard.

This paper submitted a Freedom of Information request on 13 January seeking the lease’s inspection clauses, any log of landlord inspections or condition surveys since 2003, records identifying the backlog and its cost, and evidence of when councillors were first told. The council took over two months to respond, and released only a handful of lease clauses.

At the Strategy and Resources Committee on 27 January, Cllr **Chris Ames** (Labour Court) pressed Dallen, as chair, on why the decision had been kept confidential and whether a public-interest test had ever been carried out. Dallen confirmed he had supported both the decision and its confidential status, then closed the matter down: “It is my meeting… I have made a decision there is going to be no further comments.”

The survey that two accounts can’t both describe

A letter to this paper from Cllrs Ames and **James Lawrence** (Independent College), following the Audit and Scrutiny Committee’s March meeting, surfaced a direct conflict in how the council has characterised the pre-handover survey. The Assistant Director for Corporate Services told that committee that consultants Carter Jonas had been commissioned to

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carry out “a very detailed survey of the whole leisure centre.” But in June 2025, recommending the Places contract to the Strategy and Resources Committee, the same officer described the exercise as a stock condition report commissioned merely to “inform the procurement process,” on the basis that the council “has been very satisfied” with how the centre had been run and that it was, “overall,” in good condition.

Both descriptions cannot comfortably be true of the same piece of work — and neither sits easily with the Urgent Decision document’s own characterisation of the survey as “not an invasive analysis.” This paper has been unable to establish which account is accurate, because the council has refused to release the survey itself, citing legal professional privilege.

April and May: an election as a shield

As the 7th May East Surrey Unitary Council elections approached — in which Dallen was himself a candidate — the council declined to answer a detailed list of questions this paper put to him on 24 March, citing Section 2 of the Local Government Act 1986, which bars councils from publishing material designed to influence political support. Independent expert opinion obtained by this paper, from **Nathan Elver**y, former Chief Executive of Croydon Council, concluded the questions posed were “factual in character” and that a response “would not constitute political publicity within the meaning of the Act” — the council, he noted, was “not being asked to promote a political position; it is being asked to account for its stewardship of public funds.” Cllr **Hannah Dalton** (RA Stoneleigh) relied on the same provision to avoid unrelated questions about a separate governance matter.

A subsequent FOI request established that the decision to invoke Section 2 in Dallen’s case involved the Chief Executive, the Monitoring Officer, senior communications officers, and Dallen himself — yet the council said it held no record of the legal or governance advice behind that decision. The guidance document it pointed to as its basis, meanwhile, explicitly permits councils to continue normal business and to publish factual information during an election period.

Dallen finally responded on 18 May, twelve days after polling. The response answered none of the substantive questions this paper had posed two months earlier about how the dilapidations arose; it repeated that “details relating to terms and financial arrangements are commercially sensitive.”

June: privilege claimed, release refused

On 18 June the council upheld its refusal to disclose the 2025 inspection report or any related backlog, dilapidation or financial exposure documents, now citing Section 42 of the Freedom of Information Act — legal professional privilege — on the basis that litigation was “a live issue” and the council was “already talking to our lawyers.” This paper’s request for internal review had argued the exemption was being applied as a blanket, rather than document by document, and that routine inspection and survey material does not become privileged merely because litigation is later contemplated. The council’s review upheld the original refusal in full. This paper is now preparing a complaint to the Information Commissioner’s Office.

29 June to 6 July: the same six questions, and no answers

With the election well behind it, this paper wrote to Dallen again on 29 June, posing six direct questions: did GLL hide the dilapidations; did the handover survey fail to report them accurately; is the scale of the dilapidations agreed by the council; did they arise in the gap between survey and occupation; is there another explanation; and which parties are under consideration for legal action. The council’s communications team acknowledged the request that evening and asked for a deadline — a response was received on 6 July, attributed to Dallen. It addressed none of the six questions. It described the transfer as “the beginning of an exciting new chapter,” referenced planned investment in the gym, studios and changing rooms, and reiterated that financial arrangements remain commercially sensitive.

Ames states: “”The holes in the administration’s story are so big they do not need an expert survey to locate them. It is obvious that it used the urgent decision process to cover up its own incompetence and negligence and that it has continued the cover-up ever since. When the issue comes before the Audit and Scrutiny Committee next week, I expect the administration to use every trick in the book – plus a few new ones – to hide the truth from residents, but I and other councillors are determined not to let this happen.”

Where this stands

Four explanations remain on the table for how a “very detailed” — or, on the council’s alternative account, non-invasive — pre-handover survey and an uneventful transfer became a £500,000 liability within three months: that GLL was not straight about the building’s condition; that the council failed to inspect or enforce its rights as landlord across more than two decades; that the survey’s scope was too narrow to catch what mattered; or that Places has overstated what it found. Each implicates a different party, and each is precisely why the underlying documents matter.

What is not contested is the pattern: a councillor who authorised the spending, chaired the meeting where it was challenged, and has since given two different procedural reasons — commercial sensitivity, then election law — for not answering the same six questions about how it happened.

Residents who ultimately fund the shortfall are still waiting for a plain account of why.

Sam Jones – Reporter



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