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Resources and Public Realm Scrutiny Committee

Monday 23 November 2026 at 6.00 pm

Conference Hall - Brent Civic Centre, Engineers Way, Wembley, HA9 0FJ

Please note this will be held as a physical meeting which all Committee members will be required to attend in person.

The meeting will be open for the press and public to attend or alternatively the meeting can be followed via the live webcast. The link to follow proceedings via the live webcast is available HERE

Membership:

Members	**Substitute Members**
Councillors:	Councillors:
A.Patel (Chair)	Labour Group:
I. Ahmed	Bajwa, Ibrahim, McLeish and Souza
Anderson	
Blackman	Conservative Group:
Burn	Kansagra and Mishra
Chowdhury	
Chauhan	Liberal Democrats Group:
Mulaisho	Georgiou and Lorber
Mitchell	
	Green Group:
	Alexandre and Ryan

For further information contact: Rebecca Reid, Governance Officer
Tel: 020 8937 2469 Email: rebecca.reid@brent.gov.uk

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Council meetings and decision making | Brent Council

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Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

(a) **Employment, etc. -** Any employment, office, trade, profession or vocation carried on for profit gain.

(b) **Sponsorship -** Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.

(c) **Contracts -** Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.

(d) **Land -** Any beneficial interest in land which is within the council's area.

(e) **Licences-** Any licence to occupy land in the council's area for a month or longer.

(f) **Corporate tenancies -** Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.

(g) **Securities -** Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

(a) Anybody of which you are a member or in a position of general control or management, and:

- To which you are appointed by the council;
- which exercises functions of a public nature;
- which is directed is to charitable purposes;
- whose principal purposes include the influence of public opinion or policy (including a political party of trade union).

(b) The interests a of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Agenda

Introductions, if appropriate.

Item Page

1 Apologies for absence and clarification of alternate members

2 Declarations of interests

Members are invited to declare at this stage of the meeting, the nature and existence of any relevant disclosable pecuniary or personal interests in the items on this agenda and to specify the item(s) to which they relate.

3 Call-in: Officer Key Decision- Disposal of (freehold Interest) Open Space Land, 280 Watford Road, Northwick Park HA1 3TZ 1 - 36

To consider a call-in which has been received, under Standing Order 14, relating to an Officer Key Decision taken by the Corporate Director Neighbourhoods & Regeneration to dispose of the freehold interest in Open Space Land at 280 Watford Road, Northwick Park.

4 Any other urgent business

Notice of items to be raised under this heading must be given in writing to the Deputy Director of Democratic and Corporate Governance or their representative before the meeting in accordance with Standing Order 60.

Date of the next meeting: Tuesday 26 January 2027



Please remember to set your mobile phone to silent during the meeting.

- The meeting room is accessible by lift and seats will be provided for members of the public. Alternatively, it will be possible to follow proceedings via the live webcast **HERE**

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Brent	**Resources and Public Realm Scrutiny Committee** 23 November 2026
	Report from the Deputy Director Democratic & Corporate Governance

Call-in: Officer Key Decision- Disposal of Open Space Land, 280 Watford Road, Northwick Park HA1 3TZ (freehold interest) following consideration of Consultation Responses

Wards Affected:	Northwick Park
Key or Non-Key Decision:	Not applicable
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Part Exempt – Appendix 1(a) is exempt as it contains information relating to the financial or business affairs of particular persons, including the Council, under Paragraph 3, Part 1, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
List of Appendices:	Three: Appendix 1: Call-In Form Appendix 2: Individual Officer Decision to dispose of Freehold Interest in Open Space Land, 280 Watford Road, Northwick Park Appendix 2(a): Appendix Valuation (Exempt) Appendix 2(b): Appendix 2 - Summary of Lease-Based Controls and Continuing Public-Law Safeguards Appendix 3: Call-In Protocol
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	James Kinsella, Governance & Scrutiny Manager Tel: 020 8937 2063 Email: james.kinsella@brent.gov.uk

1.0 Executive Summary

1.1 This report provides details on a call-in which has been received, under Standing Order 14, relating to an Officer Key Decision taken by the

Corporate Director Neighbourhoods & Regeneration to dispose of the freehold interest in Open Space Land at 280 Watford Road, Northwick Park.

1.2 The call-in has been accepted as valid and therefore needs to be considered by the relevant Scrutiny Committee (in this case Resources & Public Realm) with this report providing details on the decision which has been called-in for review, reasons and alternative action being sought as a result and procedure for dealing with the call-in.

2.0 Recommendation(s)

2.1 That the Committee considers the call-in and agrees to one of the following outcomes:

2.1.1 The Committee does not wish to refer the matter back to the decision maker for reconsideration, at which point the decision is deemed to be confirmed and takes effect immediately following the call-in meeting; or

2.1.2 The Committee refers the decision back to the Corporate Director of Neighbourhoods & Regeneration for reconsideration, in light of any observations made by the Committee.

3.0 Detail

Contribution to Borough Plan Priorities & Strategic Context

3.1 As detailed within the report on which the called-in decision was based (attached as Appendix 2) the proposed disposal is felt to support the Council's Property Strategy 2024-27 'Dispose' theme and the Medium-Term Financial Strategy as well as supporting the ongoing commitment towards a responsible and resilient Council through deliver of the Council's Property Strategy.

3.2 The call-in procedure is also recognised as a key element of the Council's governance arrangements in terms of not only supporting effective and efficient decision making but also in providing an opportunity to hold the executive to account, enhancing the Council's activity and delivery of all strategic priorities within the Borough Plan.

Background

3.3 On 9 February 2026, Cabinet approved a programme of property disposals including the freehold interest in Northwick Park Golf Course and delegated authority to the Corporate Director of Neighbourhoods and Regeneration to publish any required open space notices and to consider objections before a final disposal decision was made.

3.4 Following on from that decision, the Council published the relevant section 123(2A) notices in the Brent & Kilburn Times in March 2026, which resulted in 205 objections and representations being received. Having considered the

objections and representations the Corporate Director Neighbourhoods and Regeneration subsequently approved disposal of the freehold interest in the site as an Officer Key Decision taken and published on 12 October 2026. The report on which the decision was based has been attached as Appendix 2 to this report.

3.5 The decision taken by the Corporate Director Neighbourhoods and Regeneration was as follows:

That having considered the full set of individual objections and representations made available on the decision file, together with the thematic analysis and officer responses set out in Section 4 and the relevant matters summarised in Appendix 2 of the report, including the identified disadvantages and benefits of disposal:

(1) To approve, having considered the objections received in response to the section 123(2A) open space notices, that the Council proceed with the proposed disposal of its freehold reversionary interest at 280 Watford Road, Northwick Park HA1 3TZ.

(2) To authorise officers to proceed with open and competitive marketing of the freehold reversionary interest and to negotiate disposal terms in accordance with the authority delegated by Cabinet on 9 February 2026, subject to independent valuation advice and to legal and title due diligence.

(3) To note that disposing of the freehold interest would not affect the Council's statutory planning powers, the status of any legally established public rights of way, or the requirement that any future change of use or development be determined through the statutory planning system.

(4) To authorise officers, following approval of the final disposal terms by the Corporate Director, to enter into and complete all necessary legal agreements, contracts and ancillary documents required to give effect to the disposal, in accordance with, and subject to, the delegated authority and the safeguards set out in the report.

(5) To note that bespoke restrictive covenants, purchaser obligations or other land-use controls are not presently recommended where their purpose would be to duplicate the statutory planning regime or regulate a future proposal not currently before the Council. Such measures may nevertheless be considered where legal and independent valuation advice confirms that they are necessary, effective, commercially proportionate and consistent with the Council's duty to obtain best consideration. Any overage or other value-protection mechanism should be considered where independent valuation advice demonstrates that it is likely to improve the Council's net return.

(6) To note that, before exchange of contracts, officers will complete all due diligence, consents, procedures and safeguards required by law. Officers

will also undertake such further due diligence on title, lease, highways, planning, valuation and finance as is proportionate and commercially justified, including review of any material issues relating to legally established public rights of way, easements, lease arrears, turnover-rent certification, accrued breaches or outstanding tenant obligations, including repair, maintenance, environmental, access or site-management matters. Where proportionate and commercially justified, officers will ensure that the disposal documentation protects the Council's position in relation to sums properly due, accrued rights, apportionments, overage or other value-protection mechanisms, together with any legally necessary title or statutory safeguards.

3.6 The above decision has subsequently been called-in by five members of the Council (comprised of members from three different political groups), with details of the call-in, including the reasons and alternative action being sought, attached as Appendix 1 to this report.

3.7 Under the call-In procedure, the relevant Scrutiny Committee (in this case Resources & Public Realm) is now required to consider the call-in and decide on the relevant outcome. The procedure for dealing with the call-in and the conduct of the Scrutiny Committee meeting is attached at Appendix 3 of this report, for reference.

4.0 Stakeholder and ward member consultation and engagement

4.1 None specifically applicable to this covering report. The members who have submitted the call-in as well as Lead Cabinet Member have been consulted and advised of the arrangements for consideration of the call-in.

5.0 Financial Considerations

5.1 There are no direct financial considerations arising from this covering report. The financial considerations relating to the called-in decision have been detailed within the report on which the decision taken by the Corporate Director Neighbourhoods & Regeneration (attached as Appendix 2) was based.

6.0 Legal Considerations

6.1 There are no direct legal considerations arising from this covering report. The procedure for dealing with the call-in and options available to the Resources & Public Realm Scrutiny Committee have been set out in Appendix 3 of the report with the legal considerations relating to the called-in decisions having been detailed within the report on which the decision taken by the Corporate Director Neighbourhoods & Regeneration (attached as Appendix 2) was based.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

7.1 There are no direct Equity, Diversity & Inclusion considerations arising from this covering report.

8.0 Climate Change and Environmental Considerations

8.1 There are no direct climate change and environmental considerations arising from this covering report.

9.0 Communication Considerations

9.1 There are no direct communication considerations arising from this covering report.

Report sign off:

Amira Nassr
Deputy Director Democratic and Corporate Governance

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CALL-IN FORM

For the Attention of: Deputy Director Democratic & Corporate Governance

From: Cllr. Keith Perrin

Date: 19th October 2026

Decision: Officer Key Decision taken by Corporate Director Neighbourhoods & Regeneration - Disposal of Open Space Land at 280 Watford Road, Northwick Park HA1 3TZ (freehold interest) - Consideration of Consultation Responses and Final Decision

Date of decision: **12 October 2026**

Five non-cabinet members making request, which must include representatives from more than one political group (Note: all five members do not have to be listed on or sign the same form):

	Name of councillor	**Signature** *(only required if submitted in hard copy)*
1	Keith Perrin	
2	Nisha Vakani	
3	Anton Georgiou	
4	Suresh Kansagra	
5	Mary Mitchell	

Please provide below an explanation as to why you are calling in the decision and if you are calling in all or part of the decision:

(Note: according to the Protocol On Call-in (Part 5 of the Constitution), call-in requests will not be considered valid if they:

- *are used as a means of gaining information/understanding or discussing general concerns with Members and officers. If this could be achieved through the general overview and scrutiny process or by talking to the relevant officer or lead member informally the call-in will not be valid,*
- *duplicate a call-in on the same issue within the previous six months,*
- *are based on reasons already discussed by the relevant Scrutiny Committee prior to the decision being made,*
- *concern a decision of the Cabinet referring a matter to Full Council for consideration.*
- *concern operational management decisions, or*
- *are otherwise considered by the Chief Executive to be frivolous, vexatious or clearly outside the call-in provisions.)*

We are calling in the decision as a whole.

We consider that the decision to proceed with the disposal of the Council's freehold interest at 280 Watford Road requires reconsideration. In particular, we are concerned that the decision-making process does not sufficiently demonstrate that the Council's own commitments regarding significant asset disposals, its adopted Property Strategy, and all relevant financial, contractual, strategic and place-based considerations have been fully addressed before proceeding with disposal.

(1) Evidence based rationale for disposal and consistency with the Council's Property Strategy

The Council's adopted Property Strategy provides for assets to be considered across four strategic themes: Strategic Hold, Actively Manage, Invest and Dispose. The "Dispose" category is described as applying to low-value, high-cost properties with poor growth prospects.

The Strategy further states that asset decisions should be supported by a scoring methodology which balances economic and community benefits and ensures that properties are used to benefit the local areas in which they are situated.

The February 2026 Cabinet disposal report expressly presented the disposal programme as supporting the council's Property Strategy. We are therefore concerned that the decision report does not sufficiently demonstrate how the circumstances of this particular asset has been reconciled with the Strategy's principles concerning active management, income optimisation, community benefit, local context and alternative uses.

We are also concerned that elements of the options appraisal appear to rely on considerations which may apply to the wider disposal programme but do not obviously reflect the circumstances of this particular asset. The disposal report refers, for example, to vacant or underused properties, revenue leakage, ongoing maintenance liabilities and significant capital investment requirements. This decision does not sufficiently demonstrate how those considerations apply to an income-producing asset already occupied under a long lease, or how the particular financial and strategic circumstances of 280 Watford Road were distinguished from the wider disposal programme.

The report refers to 'commercial' appropriateness of the disposal and nowhere refers to the value to residents as Public Open Space, Site of importance for Nature Conservation, with Public Rights of Way, unregistered footpaths within the site including the Capital Ring.

This is particularly relevant because the Property Strategy expressly emphasises local context and place-based leadership rather than property decisions based only on limited asset-management criteria.

We therefore consider that the decision should be reconsidered on the basis of a clear, evidence-based assessment demonstrating why disposal is preferable to retention or alternative use and how the proposed disposal is consistent with the Council's adopted Property Strategy and the commitments subsequently accepted by Cabinet.

(2) Restrictive covenants and the valuation of the site

The land is understood to be subject to restrictive covenants held by the Governors of Harrow School which may affect the permitted use, development potential, marketability and value of the site.

The decision report does not appear to identify these covenants or demonstrate whether they were known to the valuer and considered when the valuation was prepared. The Report

refers to due diligence and title investigation taking place only prior to exchange of contracts (rather than identified for the purpose of valuation options). This appears to defer potentially material title matters until after marketing has commenced and a preferred bidder may have been identified.

This is material to the decision, because if the restrictions imposed by the covenants were not fully reflected in the valuation, the financial assessment relied upon when deciding to dispose of the freehold may not accurately reflect the value, marketability or development potential of the asset.

The existing material identifies restrictions relating to the use of the land for recreation and sports purposes and other limitations on particular uses.

We therefore consider that the decision should be reconsidered once it has been confirmed what restrictive covenants apply, whether they were known to and considered by the valuer and decision-maker, and what impact they have on the valuation and proposed disposal.

(3) Adequacy of the financial comparison between disposal and retention

The existing lease provides the Council with rental income, including base rent and turnover-linked rent.

The lease also appears to contain broad turnover-rent provisions intended to capture income beyond the specifically identified categories, together with controls over subletting. This raises a material question as to whether the Council's current and potential income under the lease has been fully identified before comparing retention with an immediate capital receipt.

Questions have been raised as to whether all income properly falling within the turnover-rent provisions of the lease is currently being captured, including income generated from uses operating across the site.

The Council's Property Strategy itself places importance on improving income management, undertaking rent reviews and fully using available legal mechanisms to ensure compliance with leases.

We are concerned that the decision does not sufficiently demonstrate a full comparison between: 1) the immediate and long-term financial benefits expected from disposal; and 2) the rental income, turnover income, reversionary value and other financial benefits available from retaining the freehold and fully applying the existing lease.

This comparison is material to determining whether disposal represents the best long-term financial outcome for the Council.

Where relevant valuation or rental information is commercially sensitive, this should not prevent appropriate scrutiny. Such information could, where legally permissible, be considered in an exempt or closed session.

The final decision itself anticipates further review, before exchange of contracts, of lease arrears, turnover-rent certification, accrued breaches and outstanding tenant obligations. Those matters may be relevant not merely to the eventual contractual terms of disposal, but to the prior assessment of the financial merits of disposal against retention. We therefore consider that sufficiently complete information on those matters should inform the decision whether to dispose, rather than being determined only after the disposal and marketing decision has already been taken.

(4) Loss of contractual landlord controls and reliance on statutory planning and environmental controls

The existing lease gives the Council a separate private-law layer of control over the site, including controls relating to use, operation of the golf facilities, repair and maintenance, trees and hedgerows, inspection rights, planning applications, assignment and underletting, Public Right of Way safety arrangements and certain community-access provisions.

These controls are expressly additional to the statutory planning and environmental regimes. Disposal of the freehold may therefore result in the permanent loss of contractual controls currently available to the Council as landlord.

We are concerned that insufficient weight has been given to the practical consequences of losing those controls and relying principally on statutory planning and environmental enforcement.

This is particularly relevant in light of the history of concerns raised at the site relating to matters such as planning compliance, landscaping, maintenance, site uses, parking, public access and environmental management.

The purpose of this ground is not to determine each historic concern individually. The issue is whether the decision-maker had sufficient evidence to conclude that reliance on statutory controls alone would provide an adequate level of protection once the Council's additional contractual controls were surrendered.

We therefore consider that the decision should be reconsidered with a clearer assessment of the consequences of losing those landlord controls and whether the remaining statutory mechanisms provide sufficient protection in the particular circumstances of this site.

(5) Outstanding enforcement and remediation matters

The site is subject to outstanding enforcement and remediation matters, including Enforcement Notice E/23/0261 relating to unauthorised works and flood-risk issues. Regardless of whether responsibility for those matters rests with the tenant, they may materially affect the condition and valuation of the asset and should therefore be fully reflected in the valuation and disposal assessment before the Council proceeds further with marketing.

(6) Public Open Space, SINC and the strategic planning context

The site comprises Public Open Space and includes land designated as a Site of Importance for Nature Conservation. It is also Metropolitan Open Land (MOL), afforded particular protection under the London Plan and under Policy PV6 of the draft London Plan.

The site also has a longstanding public and recreational history. It was originally acquired in 1913 by public subscription with the intention of protecting the land from development and was subsequently transferred into public ownership subject to covenants connected with its continued recreational and open-use space. The history is relevant to the site's longstanding community and place-based value.

The Brent Local Plan 2019–2041 contains policies seeking to protect and enhance open space and habitats and to ensure that development is supported by appropriate open-space provision.

Our concern is not that disposal of the freehold automatically removes those planning or environmental designations. Rather, we consider that the decision requires further scrutiny as to whether sufficient weight has been given to the long-term strategic and place-based

implications of disposing of the Council's freehold interest and surrendering the additional contractual controls associated with ownership.

This should include consideration of: 1) the strategic importance of the site as MOL and Public Open Space; 2) its SINC and environmental significance; 3) the level and quality of publicly accessible open space in the surrounding area; 4) the relevant Brent Local Plan policies; and 5) the implications of significant nearby residential development for future demand for open space.

These considerations are also consistent with the Council's Property Strategy, which requires property decisions to take account of local context, community benefit and place-based outcomes. The February report also presents the disposal programme as supporting the Borough Plan priority of a Cleaner, Greener Future. The decision does not sufficiently demonstrate how the potential loss of the Council's additional contractual controls over the environmentally sensitive site has been reconciled with that stated objective.

We therefore consider that the decision should be reconsidered with a clearer assessment of these long-term strategic, environmental and place-based implications alongside the financial case for disposal.

(7) Other factors affecting the valuation methodology

The emerging London Plan raises potentially material questions about the future planning treatment of some areas of Metropolitan Open Land, including certain golf course sites. Any material current or emerging planning policy consideration capable of affecting the future use, development potential or value of the Council's freehold reversion should therefore be reflected in the valuation advice.

The concern is not that the disposal itself removes the site's existing Metropolitan Open Land, Public Open Space or SINC designations. Rather, any change in the planning policy context capable of affecting the site's longer-term development potential could also affect the value of the Council's retained interest and should be properly assessed before disposal.

This is particularly important given that the final decision leaves further due diligence on title, lease, planning, valuation and other material matters until exchange of contracts. Therefore, all material factors capable of affecting the valuation and future potential of the site should be sufficiently established before the council proceeds further with marketing.

Please provide below an outline alternative course of action to the decision being called in:

That the current disposal decision is not implemented and is referred back to the decision-maker for reconsideration.

Pending that reconsideration, the Council should retain its freehold interest and should not proceed further with the disposal process.

A clear, evidence-based rationale for disposal should also be provided, setting out the short-term financial benefits alongside the long-term strategic, regeneration and place-based implications, and demonstrating that retention and alternative-use options have been properly assessed.

The reconsideration should demonstrate how the proposed disposal has been reconciled with the principles and objectives of the Council's adopted Property Strategy and with the

evidence-based approach to significant disposals subsequently accepted by Cabinet, including proper consideration of retention, active management and alternative use.

The reconsideration should also establish the nature and effect of any restrictive covenants affecting the site, including their impact on valuation, marketability, permitted use and future development potential. A clear financial comparison between disposal and retention should be provided, including current and potential rental income, turnover rent, reversionary value and any sums properly due under the existing lease.

Any title, lease, planning, valuation, financial, environmental or tenant-obligation matters capable of materially affecting the rationale for the disposal should be sufficiently established before the Council proceeds further with marketing, rather than being left solely to due diligence before exchange.

The consequences of losing the Council's existing contractual landlord controls should be fully assessed, including whether reliance principally on statutory planning and environmental controls provides sufficient protection for this particular site. The long-term strategic and place-based implications of disposal should also be reassessed, having regard to the site's Public Open Space and SINC status, relevant Brent Local Plan policies and the impact of significant nearby development on future open-space needs.

Where relevant information is commercially sensitive, this should be considered through an appropriate exempt or closed session rather than preventing meaningful scrutiny.

The valuation should take account of any material current or emerging planning considerations affecting the value of the freehold reversion.

Following further assessment, the disposal decision should be taken again on the basis of the complete financial, contractual, valuation, strategic, planning and place-based information available.

Please return this form to a representative of the Deputy Director Democratic & Corporate Governance, by email (from your individual email address) james.kinsella@brent.gov.uk or in hard copy (with signatures) to the Governance Team on the 4th floor, Brent Civic Centre.

Brent	**Officer Key Decision**
	Report from the Corporate Director of Neighbourhoods & Regeneration
	Leader and Cabinet Member for Adult Social Care

Disposal of Open Space Land at 280 Watford Road, Northwick Park HA1 3TZ (freehold interest) - Consideration of Consultation Responses and Final Decision

Wards Affected:	Northwick Park
Key or Non-Key Decision:	Key Decision
Open or Part/Fully Exempt: (If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)	Part Exempt – Appendix 1 is exempt as it contains information relating to the financial or business affairs of particular persons, including the Council, under Paragraph 3, Part 1, Schedule 12A of the Local Government Act 1972, namely: "Information relating to the financial or business affairs of any particular person (including the authority holding that information)"
List of Appendices:	Appendix 1: Valuation - Exempt Appendix 2: Summary of Lease-Based Controls and Continuing Public-Law Safeguards.
Background Papers:	None
Contact Officer(s): (Name, Title, Contact Details)	Name: Denish Patel Job Title: Head of Property Email: denish.patel@brent.gov.uk

1.0 Executive Summary

1.1 This Officer Key Decision report seeks approval for the Corporate Director of Neighbourhoods and Regeneration ("Corporate Director"), in consultation with the relevant Lead Member, to proceed with the disposal of the Council's freehold reversionary interest in the Northwick Park Golf Course at 280 Watford Road, Northwick Park, HA1 3TZ, following the publication of the statutory open space notices and the consideration of objections received under section 123(2A) of the Local Government Act 1972.

1.2 On 9 February 2026, Cabinet approved a programme of property disposals and delegated authority to the Corporate Director of Neighbourhoods and Regeneration to publish any required open space notices and to consider objections before a final disposal decision is made. Northwick Park Golf Course is already subject to a 99-year full repairing and insuring lease from 7 November 2005 to 6 November 2104. The

Council is therefore disposing of its freehold reversionary interest, rather than approving any change of use or development.

1.3 Following publication of the section 123(2A) notices in the Brent & Kilburn Times during the period 19 March 2026 to 26 March 2026, 205 objections and representations were received. These have been reviewed individually and thematically. The main themes raised concerns about loss of open space, health and recreational value, risk of future development, environmental impact, public access and rights of way, transparency, planning policy protection, residential amenity, loss of Council ownership and landlord control, financial governance, and historic public trust. The individual objections and representations have been retained on the decision file and made available to the Corporate Director as part of his consideration of the proposed disposal. They are not appended to this public report because they are voluminous and contain personal data. The thematic analysis summarises the main issues raised but has been prepared from the full objection material.

1.4 Officers have carefully considered all objections and representations. Most objections relate to a possible future redevelopment rather than the legal effect of the proposed transaction. The Council is not granting development rights or disposing of an unoccupied public park: it is selling a reversionary investment already subject to an occupational lease until 2104. The disposal would not, in itself, change the existing golf use, remove Metropolitan Open Land or open-space planning protection, extinguish any legally established public right of way, or grant planning permission. It would transfer the future income, reversion and the Council's landlord status; if the current lessee acquired the freehold and the lease ceased, some lease-based controls could also cease. Those genuine effects have been weighed, but the landlord controls are limited and reactive and are not the statutory mechanism for deciding future land use in the public interest.

1.5 The statutory planning process is the forum in which any future development proposal would be assessed against the development plan, national policy and all material considerations, with statutory publicity, consultation and a reasoned decision. Officers consider that retaining the reversion solely to preserve an additional private-law control would not be proportionate, for the reasons set out in this report and Appendix 2. Having considered the objections and the identified benefits and disadvantages, officers recommend proceeding with an open-market disposal. Bespoke restrictions are not presently recommended where they would duplicate statutory controls or materially reduce marketability and best consideration, but any legally necessary or commercially justified protection will be considered in light of legal and independent valuation advice.

2.0 Recommendation(s)

That the Corporate Director, Neighbourhoods & Regeneration:

2.1 Considers the full set of individual objections and representations made available to the Corporate Director on the decision file, together with the thematic analysis and officer responses set out in Section 4 and the relevant matters summarised in Appendix 2, including the identified disadvantages and benefits of disposal, before determining recommendation 2.2. The individual responses are not reproduced in this public report because of their volume and the personal data they contain.

2.2 Approves, having considered the objections received in response to the section 123(2A) open space notices, that the Council proceed with the proposed disposal of its freehold reversionary interest at 280 Watford Road, Northwick Park HA1 3TZ.

2.3 Authorises officers to proceed with open and competitive marketing of the freehold reversionary interest and to negotiate disposal terms in accordance with the authority delegated by Cabinet on 9 February 2026, subject to independent valuation advice and to legal and title due diligence.

2.4 Notes that disposing of the freehold interest would not affect the Council's statutory planning powers, the status of any legally established public rights of way, or the requirement that any future change of use or development be determined through the statutory planning system.

2.5 Authorises officers, following approval of the final disposal terms by the Corporate Director, to enter into and complete all necessary legal agreements, contracts and ancillary documents required to give effect to the disposal, in accordance with, and subject to, the delegated authority and the safeguards set out in this report.

2.6 Notes that bespoke restrictive covenants, purchaser obligations or other land-use controls are not presently recommended where their purpose would be to duplicate the statutory planning regime or regulate a future proposal not currently before the Council. Such measures may nevertheless be considered where legal and independent valuation advice confirms that they are necessary, effective, commercially proportionate and consistent with the Council's duty to obtain best consideration. Any overage or other value-protection mechanism should be considered where independent valuation advice demonstrates that it is likely to improve the Council's net return.

2.7 Notes that, before exchange of contracts, officers will complete all due diligence, consents, procedures and safeguards required by law. Officers will also undertake such further due diligence on title, lease, highways, planning, valuation and finance as is proportionate and commercially justified, including review of any material issues relating to legally established public rights of way, easements, lease arrears, turnover-rent certification, accrued breaches or outstanding tenant obligations, including repair, maintenance, environmental, access or site-management matters. Where proportionate and commercially justified, officers will ensure that the disposal documentation protects the Council's position in relation to sums properly due, accrued rights, apportionments, overage or other value-protection mechanisms, together with any legally necessary title or statutory safeguards.

3.0 Detail

3.1 Contribution to Borough Plan Priorities & Strategic Context

3.1.1 The proposed disposal supports the Council's Property Strategy 2024-27 'Dispose' theme and the Medium-Term Financial Strategy by releasing value from a non-operational, non-strategic property interest, reducing long-dated financial exposure and generating a capital receipt for the General Fund. It also supports the Borough Plan priority of a responsible and resilient Council by managing resources prudently and ensuring that assets either support service delivery or are rationalised where retention is not justified.

3.2 Background

3.2.1 The Cabinet report dated 9 February 2026 approved, in principle, the disposal of three Council property interests, including the freehold interest in Northwick Park Golf

Course. Cabinet delegated authority to the Corporate Director of Neighbourhoods and Regeneration, in consultation with the relevant Lead Member, to determine the disposal strategy and final terms, subject to best consideration and to statutory open space procedures where applicable.

3.2.2 The Council owns the freehold reversion of Northwick Park Golf Course. Playgolf (Northwick Park) Limited occupies the site under a 99-year full repairing and insuring lease, running from 7 November 2005 to 6 November 2104. The demised premises comprise the golf course, driving range and a two-storey building. The permitted use is for golf and driving-range activities, with controlled rights to underlet retail units.

3.2.3 The Council receives base rent, turnover-linked rent where relevant thresholds are exceeded, and income from permitted underletting. Although retention offers potential long-term rental growth, the income is spread over approximately 80 years and remains exposed to operator performance, collection risk, macroeconomic conditions, and change within a specialist leisure market. That risk is not theoretical: a previous sub-operator, Big Shots, invested significantly in the facility but ceased trading within a relatively short period. Disposal would convert the long-dated, risk-exposed income and reversion into a capital receipt on completion, transferring future operator and sector risk to the purchaser.

3.2.4 Northwick Park Golf Course forms part of Metropolitan Open Land and has been treated as open space in the statutory disposal process. Disposal of the reversion would not alter the Metropolitan Open Land boundary or open-space planning status, change the existing lawful use, grant planning permission, or authorise physical development. The freehold would be sold subject to all legally established public rights of way, easements, and other third-party rights. Any claimed permissive or informal routes will be distinguished from legally established rights through title and highways due diligence; the existence of an unproven or informal route is not, of itself, a reason to retain the entire freehold interest.

3.2.5 The Council retains a limited set of landlord rights under the lease. The most significant is the ability to enforce the permitted-use restriction independently of planning control. The lease also includes repair and maintenance obligations, certain preferential access arrangements, and qualified controls over assignment and underletting. These rights are acknowledged and have value, but their practical scope should not be overstated: the tenant already has possession and day-to-day operational control; repair covenants primarily protect the landlord's investment; controls over assignment and underletting are qualified; and enforcement is reactive and depends on the Council choosing to take contractual action.

3.2.6 If the freehold is sold to a third-party purchaser, the landlord’s rights under the lease would ordinarily pass with the reversion, and the tenant would remain bound by the lease, although enforcement decisions would be made by the new landlord. If the current lessee acquires the freehold and the lease is surrendered or merges, lease-based user, repair, access and management controls may cease. The principal public controls over future land use, development, highways, ecology, environmental impact and amenity arise under statute and policy and remain with the relevant public authorities irrespective of ownership.

Evaluation process

3.2.7 The objections have been collated, reviewed and grouped thematically. Many individual objections raise more than one issue, so the frequencies are not mutually exclusive. Officers have distinguished between: (a) the legal and financial consequences of selling the reversion; and (b) concerns about a possible future

planning proposal. Concerns about future development form part of the public-interest context and have been considered, while recognising that the decision under section 123 is whether to dispose of the investment interest after considering objections, not whether any future development should receive planning permission.

3.2.8 Future planning applications must be determined through the statutory planning system, in accordance with the development plan unless material considerations indicate otherwise. That process applies published local, London and national policies, provides for public consultation and requires a reasoned decision on planning merits. The Council's private capacity as landlord provides an additional contractual layer of control but is not equivalent to the public-law planning process. Retaining the freehold would preserve that additional control, together with the associated long-term financial exposure; those considerations are weighed in this report without determining the merits of any future proposal.

3.2.9 Officers acknowledge that disposing of the freehold reversion requires balancing the retention of the Council's existing landlord controls with the financial, strategic and risk-management benefits of disposal. The existing lease provides the Council with a private-law layer of control over elements of the site, including controls over use, the operation of the golf facilities, repair and maintenance, trees and hedgerows, inspection rights, planning-application consent requirements, assignment and underletting, public-right-of-way safety arrangements and certain community-access provisions. These controls are separate from and additional to the statutory planning and environmental regimes.

3.2.10 If the freehold is sold to a third-party purchaser, the lease would ordinarily continue, and the landlord's rights would pass with the reversion, although the Council would no longer control how those rights are exercised. If the freehold is acquired by the current lessee and the lease is surrendered or merges into the freehold, some or all of those lease-based controls may cease to be enforceable. This is a genuine consequence of disposal and has been taken into account.

3.2.11 However, the lease covenants do not determine the land's Metropolitan Open Land status, open-space planning status, any applicable Site of Importance for Nature Conservation (SINC) or other ecological designation, public-rights-of-way status, or wider statutory environmental controls. Disposal would not, in itself, grant planning permission, authorise development, remove the MOL designation, alter the land's planning status, extinguish any legally established public right of way, or disapply environmental legislation. Any future change of use, redevelopment or operational intensification would remain subject to the statutory planning, highways, environmental, biodiversity, drainage, flood-risk and regulatory regimes applicable at that time. Officers have also specifically considered ward member concerns regarding the future management and maintenance of the site, including whether a deed of covenant, restrictive covenant or other title-based stewardship mechanism should be imposed on disposal. A broad obligation requiring future owners to manage and maintain the MOL site is not recommended as a default condition because it would not reliably replicate the existing lease regime, could require the Council to retain an ongoing monitoring and enforcement role, may constrain future lawful uses if circumstances or planning policy change, and could adversely affect marketability, competition and best consideration. Instead, before exchange of contracts, officers will review any material and evidenced lease breaches relating to repair, maintenance, environmental management, access, public rights of way or site condition, and consider whether these should be remedied, reserved, assigned, apportioned or reflected in the disposal terms. Any targeted stewardship, maintenance or title

mechanism will only be included where legal and valuation advice confirms that it is effective, commercially proportionate, sufficiently flexible, and does not materially reduce the Council's net return.

3.2.12 Officers have considered whether the Council could replicate the existing lease controls in the freehold disposal documentation. Legal advice is that there is no viable mechanism to comprehensively reproduce the lease regime in a freehold sale. Many of the existing lease obligations are positive obligations requiring active management, maintenance, operational compliance, inspection, consent and enforcement. Positive obligations do not generally run with freehold land to bind successors in title in the same way as lease covenants. Attempting to recreate them would require complex additional structures, be uncertain in enforceability, require the Council to retain an ongoing monitoring and enforcement role, and would likely reduce purchaser interest, marketability, and value. It would also be inconsistent with the purpose of disposing of the Council's investment reversion. Officers therefore do not recommend seeking to reproduce the lease control regime through the freehold disposal documents.

3.2.13 Having weighed these matters, officers consider that the potential loss or transfer of certain contractual landlord controls does not outweigh the rationale for disposal. The principal long-term public protections for the site stem from the statutory planning and environmental framework, including MOL policy protections, any applicable ecological designation or biodiversity policy protections, public rights-of-way legislation, and wider environmental controls. Disposal enables the Council to convert a long-dated, risk-exposed income stream and reversion into an immediate capital receipt, while any future development or change of use remains subject to statutory control.

4.0 Stakeholder and ward member consultation and engagement

4.1 In accordance with the delegation approved by Cabinet and with section 123(2A) of the Local Government Act 1972, public notices were published and objections invited before a final decision on disposal. A total of 205 objections and representations were received. The individual objections and representations, together with the objection log, have been made available to the Corporate Director as part of the decision file. They are not appended to this public report because they are voluminous and contain personal data. The thematic analysis below has been prepared from the full objection material and does not replace the Corporate Director's consideration of the underlying representations.

4.1A On 18 August 2026, the Corporate Director of Neighbourhoods and Regeneration undertook an accompanied site walkabout with Property officers to view the site context and matters relevant to the disposal decision. The walkabout included the Watford Road frontage, access arrangements, the driving range building, public rights of way crossing and adjoining the golf course, boundary and path maintenance issues, Japanese knotweed treatment, and known site-management matters including the planning regularisation discussions relating to the artificial driving range surface. The visit informed the officer assessment of site condition, access and management concerns, but did not constitute a planning assessment and does not predetermine any future planning application.

4.1B The recommendation represents the officers' assessment following review of the objections and other relevant considerations. The Corporate Director must independently and conscientiously consider the objections, the identified benefits and disadvantages of disposal, the alternative of retaining the freehold, and the legal, financial and property implications before reaching a decision. The officer recommendation does not bind or predetermine that decision.

4.2 The objections have been reviewed thematically. Frequencies are approximate and exceed the number of objections because many responses raise more than one issue.

Rank	Objection theme and stated impact	Approx. frequency	Officer assessment, weight and conclusion
1	Concern that selling the freehold will privatise or remove protected open space, weaken long-term green-space protection, enable closure of the golf use or amount to a first step towards development.	188	**Actual effect:** The transaction is a sale of the Council's freehold reversion, not a disposal of vacant possession or approval of development. The site is already occupied under a 99-year lease until 2104 and will continue to be used under that lease unless lawfully changed. Sale does not itself close the golf course, remove land from Metropolitan Open Land, alter an open-space planning designation or authorise physical works. **Continuing protection:** Metropolitan Open Land and open-space policies apply to the land irrespective of ownership. Section 123(2A) requires notice and conscientious consideration of objections, but it expressly operates within a statutory regime that permits open-space disposal; it does not create a presumption that the Council must retain every freehold. **Landlord-control point:** The current user covenant is an additional private control. It would pass to a third-party freeholder while the lease remains, or may cease if the lessee acquires the freehold and the lease ends. That consequence has been weighed. However, retaining the reversion solely to preserve a private veto would duplicate the planning framework and keep the Council exposed to a long-dated investment risk. **Conclusion:** The objection does not demonstrate that sale will cause loss of open space. The public protection lies principally in the continuing planning designation. No new bespoke land-use covenant is recommended because it would add little to that protection while reducing competition and best consideration. This theme does not outweigh the case for disposal.
2	Concern that disposal will reduce opportunities for exercise, golf, walking, social contact, affordable recreation and the physical and mental-health benefits associated with the site and surrounding green space.	157	**Current position:** The disposal does not close the existing golf facility, change the golf use or remove a Council service. The site is already operated privately under a long lease and is not an unrestricted municipal park. Its recreational and landscape contribution is acknowledged, but the immediate operational position is unchanged by a transfer of the reversion. **Future effects:** If a future proposal sought to reduce or alter recreational provision, its effects on open space, health, equality, amenity and community infrastructure would be relevant to the planning and equality assessments at that time. Those matters cannot be determined in the abstract in the absence of a scheme. **Lease benefits:** The lease contains certain preferential access arrangements. They would ordinarily remain if a third party becomes landlord, but could cease if the lessee acquires the freehold and the lease ends. This is a genuine but limited loss. It is not a statutory or commissioned Council service, and there is no evidence that the sale itself withdraws current access or provision. **Conclusion:** Retaining a substantial non-strategic reversion until 2104, or imposing a value-depressing new covenant, is not proportionate solely to preserve a non-statutory lease arrangement. The continuing use and planning safeguards mean this theme does not outweigh the financial and strategic benefits of disposal.
3	Concern that a purchaser, particularly the existing lessee, could pursue housing, commercial development, intensification or another non-golf use once the Council no longer controls the freehold.	145	**No development decision:** The disposal grants no planning permission, creates no planning allocation and does not predetermine a future application. Metropolitan Open Land retains strong policy protection. A purchaser would acquire the same constrained land and would need to obtain all necessary permissions for any material change. **Proper decision-making forum:** Under section 38(6) of the Planning and Compulsory Purchase Act 2004, future applications must be decided in accordance with the development plan unless material considerations indicate otherwise. The planning process applies published local, London and national policies, invites public representations and requires a reasoned decision. It is the proper and transparent mechanism for deciding whether redevelopment is acceptable in the public interest. **Landlord distinction:** The existing user covenant gives the Council a separate private-law control. If the lease continues under a third-party freeholder, that control transfers; if the lessee acquires the freehold and the lease ends, it may be lost. That loss is acknowledged. However, a landlord decision is not required to follow the statutory planning balance, public consultation, policy tests or reasoned decision-making required of the local planning authority. The possibility of an unidentified future proposal does not, in officers' view, justify retaining the freehold solely to preserve the Council's landlord control. This decision concerns the Council's position as landowner and does not determine the planning merits of any future proposal, which would be considered separately through the statutory planning process. **Conclusion:** The possibility of a future application is not a reason to retain the investment reversion. Any future proposal should succeed or fail through the statutory planning process. New restrictions duplicating planning control are not

Rank	Objection theme and stated impact	Approx. frequency	Officer assessment, weight and conclusion
			recommended as a default response because they may fetter future lawful decision-making, reduce purchaser competition and depress market value. This theme does not outweigh disposal.
4	Concern that the sale could lead to damage to biodiversity, wildlife, trees, ancient hedgerows, landscape character, drainage, flood resilience, air quality or the wider environmental function of Metropolitan Open Land.	131	**Immediate effect:** A transfer of ownership causes no excavation, tree removal, habitat loss, drainage change or other physical environmental impact. The existing operator remains responsible for the site under the lease and the planning designation remains unchanged. **Continuing controls:** Any future works would be subject to the relevant planning, environmental, tree, drainage, flood-risk, biodiversity and pollution regimes. These public-law controls apply irrespective of ownership and are the appropriate mechanisms for assessing environmental harm against published standards. **Lease-control point:** The lease may contain positive maintenance or management obligations concerning hedgerows, fencing and the condition of the premises. If the lease ends following a sale to the lessee, some may cease. That is accepted, but those provisions are reactive contractual protections and do not amount to comprehensive public environmental regulation. Their retention is not necessary to preserve MOL status or statutory environmental controls. **Conclusion:** Statutory planning, environmental and related regulatory controls will continue to apply irrespective of ownership, although any lease-based controls may depend on whether the lease remains in place. New proprietary restrictions are not justified merely to duplicate statutory controls or regulate an unidentified future scheme, particularly where they would depress value. This objection does not provide a reason to retain the freehold.
5	Concern that sale will lead to the closure, obstruction, diversion or loss of public footpaths and walking links, including routes connecting Watford Road, St Cuthbert's Church and Northwick Park, or reduce informal public access.	116	**Established rights:** A legally established public right of way or statutory highway binds successors in title and is not extinguished merely because the freehold is sold. Any diversion or extinguishment requires the appropriate statutory process. The disposal will therefore be subject to all legally established rights, easements and highways. **Nature of present access:** The golf course is already privately operated and is not generally available as unrestricted public parkland. Public access must be distinguished between statutory rights, private easements, contractual routes and permissive or informal use. Ownership by the Council does not convert every walked route into a permanent public right. **Due diligence and landlord controls:** The definitive map, title, relevant orders and route alignments will be checked. If a path is only permissive or dependent on a lease covenant, it may not have equivalent statutory protection and a sale to the lessee could remove a contractual enforcement route. That limited possibility is acknowledged, but unproven or informal access claims do not justify retaining the whole reversion. **Conclusion:** The sale will be subject to the existing lease and any legally established rights affecting the land, as confirmed through title and highways due diligence. No new restriction is recommended to preserve informal or permissive routes where no legal right is established, as this would affect value without a demonstrated legal need. This theme does not outweigh disposal.
6	Concern that consultation was inadequate; that the notice gave insufficient information about the purchaser, intended use, valuation and consequences; that objections will be disregarded; or that commercially sensitive material will be withheld.	110	**Statutory process:** The section 123(2A) process requires the proposed disposal to be advertised and objections to be considered before a final decision. The notices were followed by 205 objections and representations, which have been collated in an objection log and reviewed thematically. The individual objections and representations, together with the objection log, have been made available to the Corporate Director as part of the decision file. The individual objections are not appended to this public report because they are voluminous and contain personal data. The process is genuine, but it is not a referendum and the number of objections does not create a veto. **Information available:** There is no selected purchaser or development scheme because the interest is to be openly marketed after the disposal decision. It would be misleading to assess or consult on a hypothetical planning proposal that does not exist. The report explains the lease, the planning status, the landlord-control implications, the financial rationale and the legal effect of sale. **Transparency safeguards:** Independent valuation, open marketing and legal due diligence will be undertaken. Commercial information may be exempt from public disclosure only where the statutory test is met, while the decision-maker must receive sufficient information to make an informed decision. Any future planning application will have its own statutory publicity and consultation process. **Conclusion:** The objections have materially informed this report, including the express treatment of landlord controls and access. After consideration, officers remain entitled to recommend disposal. No consultation defect has been identified that requires the process to stop.
7	Concern that disposal is incompatible with Metropolitan Open Land, public-open-space, Local Plan, London Plan or national policy protections, or that protected status itself requires continued public ownership.	104	**Ownership and policy:** Planning designations regulate land, not the identity of its owner. Sale does not amend the Local Plan or London Plan, alter the Metropolitan Open Land boundary or amount to approval of inappropriate development. Any boundary change would require the proper plan-making process. **Strength of planning protection:** London Plan Policy G3 affords Metropolitan Open Land the same status and level of protection as Green Belt. A future proposal would face the relevant development-plan and national-policy tests and be assessed on evidence at that time. The Council cannot lawfully promise either approval or refusal as part of a land sale.

Rank	Objection theme and stated impact	Approx. frequency	Officer assessment, weight and conclusion
			Why landlord control is not required: The current lease covenant is an extra private layer, but it is neither the source nor the guarantor of MOL protection. Public land-use decisions should be taken by the local planning authority under published policies and statutory procedures, not by the Council as commercial landlord on potentially unrelated considerations. Retaining ownership for that purpose would be duplicative and inflexible. **Conclusion:** The planning constraints may affect market value and development prospects, but they do not prohibit sale. Because they continue to bind every purchaser, no additional covenant is required to preserve them. This theme supports careful planning disclosure, not retention of the freehold.
8	Concern that future development or intensified operation could increase traffic, parking, highway danger, noise, air pollution, overlooking, anti-social behaviour, pressure on infrastructure or harm residential amenity.	71	**No present impact:** The disposal approves no development, intensification, building works or operational change. The current lease and golf operation remain in place unless changed through the relevant legal and planning processes. **Future assessment:** Traffic, access, parking, highway safety, noise, air quality, design, overlooking, amenity, infrastructure and cumulative effects are standard material considerations for a future planning application. Highways, environmental-health, licensing, statutory-nuisance and other regulatory powers would remain available where applicable. **Lease-control point:** Some lease provisions may assist with repair, management or use and may cease if the lessee acquires the freehold and the lease ends. They do not, however, provide a comprehensive or policy-led assessment of the impacts listed by objectors. There is currently no scheme against which those impacts can be measured. **Conclusion:** These concerns are relevant to a future planning or regulatory process, not a reason to retain the reversion now. Using a landlord covenant to block a proposal found acceptable under the statutory planning balance would be neither necessary nor transparent. This theme does not outweigh disposal.
9	Concern about permanent loss of Council ownership, rental income and the 2104 reversion, and loss of the Council's ability to enforce the golf-use covenant, repair and maintenance duties, preferential-access arrangements, underletting controls and other lease provisions.	31	**What is given up:** The Council will give up the rent and review mechanisms, potential turnover and underletting income, the 2104 reversion and its own discretion to enforce the lease. If a third party buys, the lease normally continues and the rights pass to that purchaser. If the lessee buys and the lease is surrendered or merges, the lease controls may cease. This is a genuine and irreversible consequence and has been expressly considered. **Practical weight of the controls:** The permitted-use covenant is the strongest additional private-law control. It may provide a separate landlord remedy, but it is not the statutory mechanism for determining whether any future change of use or development is acceptable in the public interest. Repair duties principally protect the landlord's investment; assignment and underletting controls are qualified; preferential-access provisions are contractual; and all enforcement is reactive. The Council does not direct daily operations, investment decisions or business strategy. The site is already committed to private occupation under the existing lease until 2104. **What remains and why it matters:** Planning, MOL policy, highways, environmental and public-health powers remain. Those powers do not reproduce every lease remedy, but they are the proper public mechanisms for controlling land use and external impacts. Retaining a private veto solely to supplement planning would preserve a limited control at the cost of continued exposure to approximately 80 years of operator, market, collection and liquidity risk. **Ward Member maintenance concern:** Ward Member concerns regarding maintenance and site management have been specifically considered. Officers do not recommend a broad replacement maintenance covenant as a default disposal condition because it may be uncertain in enforceability, require continuing Council monitoring, constrain future planning-compliant uses, and reduce marketability or best consideration. Before exchange, officers will review any material and evidenced lease breaches relating to repair, maintenance, environmental management, access, public rights of way or site condition, and consider whether these should be remedied, reserved, assigned, apportioned or reflected in the disposal terms. **Conclusion:** The loss of landlord status is acknowledged and has been given weight. However, officers consider that, when balanced against the immediate capital receipt, the transfer of long-term operator and market risk, the non-operational nature of the asset and the continuing statutory safeguards, it does not outweigh the case for disposal. No new restrictions are recommended as a default; overage should be used only where independent valuation advice indicates that it is likely to improve the Council's net return.
10	Concern that the freehold will be undervalued; that inflation-linked rent, turnover rent, arrears or backdated sums will be lost; that the existing lessee may gain an advantage; or that the Council will not obtain best consideration transparently.	21	**Valuation basis:** The value is not the current annual rent multiplied by the remaining years. Independent valuation will capitalise and discount the lease income, review provisions, turnover and underletting potential, covenant strength, operator and sector risk, liquidity, remaining term and the 2104 reversion. The planning and title constraints will also be reflected. **Market test:** The interest will be openly and competitively marketed, allowing the existing lessee and third parties to compete. The final decision on terms must be supported by valuation evidence and demonstrate the best consideration reasonably obtainable. **Income assurance:** Before completion the rent ledger and turnover-certification position will be reconciled, potential arrears or backdated entitlement investigated, and any properly due sums collected, reserved, assigned or reflected in the price and contract. The sale must not inadvertently waive an existing claim. **Conclusion:** These are transaction-assurance requirements, not reasons to retain the asset indefinitely. Additional restrictive covenants can reduce price and competition and will not be imposed merely to address speculative development concerns. Subject to valuation, due diligence and market testing, the financial case favours disposal.

Rank	Objection theme and stated impact	Approx. frequency	Officer assessment, weight and conclusion
11	Concern that historic acquisition, long public ownership, recreational use or past statements mean the Council holds the land on trust for residents, owes a permanent stewardship duty or has created a legitimate expectation that the freehold will never be sold.	19	**Legal framework:** Parliament has expressly provided a process by which councils may dispose of open-space land after advertisement and consideration of objections. Historic ownership and community use are relevant, but do not by themselves create a permanent prohibition on sale. Any binding statutory trust, restrictive covenant, dedication or acquisition condition must arise from the legal evidence, not assumption. **Due diligence:** Legal Services will confirm the acquisition and holding powers, title restrictions, any appropriation and any statutory trust. Where section 123(2B) applies, the legal effect of a compliant disposal will be addressed. The objections have not identified a planning designation or public right of way that would disappear solely because ownership changes. **Stewardship balance:** Responsible stewardship includes protecting genuine legal and public interests, but also obtaining best consideration and avoiding the indefinite retention of non-strategic, risk-exposed assets where public functions can be protected through statute. The Council already granted occupation until 2104; retaining the reversion does not amount to active public operation of the site. **Conclusion:** Subject to confirmation of the title and trust position, no historic or legitimate-expectation issue has been identified that legally prevents disposal. Planning protections and established rights remain. This theme does not outweigh the financial, strategic and asset-management case for sale.

4.3 The number and substance of objections have been given substantial weight, but the section 123(2A) process is not a referendum and does not create a veto over disposal. A large proportion of representations concern the possibility of future development. No development proposal is before the Council, and no change to the current golf use, Metropolitan Open Land status, or legally established public rights of way results from this decision. The disadvantages of disposal are genuine and potentially irreversible: the Council would surrender the yearly income and the 2104 reversion, cease to be the landlord and lose direct control over enforcement of the lease; if the lessee acquires the freehold and the lease ceases, some contractual controls may also cease. Officers have weighed those effects against the existing long lease, the tenant's operational control, the duration and risk of the income stream, and the continuing statutory controls. The site is designated as Metropolitan Open Land, not Green Belt. Accordingly, "grey belt" considerations applicable to Green Belt land do not apply. Metropolitan Open Land remains subject to strong policy protection and should be protected from inappropriate development.

4.4 The detailed assessment in the table above has informed the officers' recommendation. Officers have not identified a legal prohibition on sale, an immediate loss of the existing use, or a public-interest outcome that requires continued Council ownership. Officers acknowledge that continued Council ownership would preserve the income, the 2104 reversion and direct landlord controls described in this report. However, in officers' assessment, and subject to the outstanding legal and valuation confirmations required before exchange, those considerations do not outweigh the case for disposal through open and competitive marketing. The Corporate Director is invited to reach an independent view after considering the objections and the full balance of benefits and disadvantages. Additional bespoke restrictions are not recommended as a default response, but may be used where legally necessary or where legal and valuation advice confirms that they are effective, proportionate and consistent with best consideration.

4.5 Officers have also considered the objection that the Council may be disposing of a strategically important long-term land interest before future planning policy, market conditions or land values change. That concern is acknowledged. Retaining the freehold would preserve the Council's right to future rental income, the 2104 reversion and direct landlord control while the lease subsists. However, any future development value is uncertain and cannot be assumed, particularly given the site's MOL, open-space and ecological constraints. Retention would also leave the Council exposed to approximately 80 years of operator performance risk, collection risk, specialist leisure-market risk, liquidity risk and uncertainty over the value of the reversion at lease expiry.

4.6 Independent valuation advice and open-market testing will be used to assess the value of the freehold reversion. Officers will also consider whether an overage or value-protection mechanism should be included where independent valuation advice indicates that it is commercially justified and likely to improve the Council's net return. Any such mechanism must be structured so as not to fetter the statutory planning process or materially undermine best consideration.

5.0 Financial Considerations

5.1 The proposed disposal of Northwick Park Golf Course will generate a capital receipt for the Council. Capital receipts can be used to finance capital investments, reducing the dependence on borrowing and lowering interest costs for the Council.

5.2 The disposal also directly addresses a recommendation from the external audit for the Council to identify surplus assets for disposal.

5.3 Up-to-date independent market valuations or guides will be obtained prior to marketing to support the Council's duty to secure the best consideration reasonably obtainable and to maximise the net capital receipt. Indicative receipts, subject to valuation and marketing, are shown in confidential Appendix 1. The assessment will take account of the full value of the interest, including the lease income, review and turnover provisions, covenant strength, special-purchaser considerations, title and planning constraints, marketability and the 2104 reversion.

5.3A The valuation and marketing process may, where relevant, take into account potential special-purchaser value, lease merger or surrender assumptions, planning and title constraints, market liquidity, and the effect of any proposed restrictions on best consideration and the Council's net return. Officers may also consider overage, clawback or other value-protection mechanisms where these are legally effective, commercially proportionate and supported by valuation advice, but no such mechanism is assumed or required at this stage.

5.4 The golf course currently generates revenue. Although it will generate a capital receipt and reduce interest costs, the disposal will put pressure on the commercial property budget. A growth bid will be submitted to cover this projected budget gap.

5.5 The costs of sale, including valuation, marketing, legal and survey fees, and agent commission (usually 1–2% of the sale price), will be paid from the capital receipt, subject to the statutory 4% limit on allowable disposal costs. A one-off contingency of £15,000 has been included in the financial modelling.

6.0 Legal Considerations

6.1 Northwick Park Golf Course forms part of Metropolitan Open Land (MOL). There are various statutory definitions of 'open space'. Under section 20 of the Open Spaces Act 1906, "open space" is defined as "any land, whether enclosed or not, on which there are no buildings or of which not more than one-twentieth part is covered with buildings, and the whole or the remainder of which is laid out as a garden or is used for purposes of recreation, or lies waste and unoccupied". Additionally, "open space" is defined slightly differently in section 336(1) of the Town and Country Planning Act 1990 (TCPA 1990) as any land laid out as a public garden, or used for the purposes of public recreation, or land which is a disused burial ground. MOL is considered a type of open space within London, as it falls within the definition of open space under section 336 of the TCPA 1990. It is predominantly undeveloped land, except for buildings or structures that are ancillary to the open space. The London Plan explicitly recognises MOL as protected open space and supports its preservation and protection from developments that could adversely impact its openness.

6.2 As with all general-fund land held by the Council, any land disposal must comply with the legal requirements set out in paragraph 6.4 below. There are additional legal requirements for the disposal of open-space land.

6.3 Additionally, section 123(2B) of the Local Government Act 1972 (LGA 1972) provides that if the Council disposes of land held under certain statutory trusts, such as for public recreation or as open spaces under the Public Health Act 1875 or the Open Spaces Act 1906, the land will be freed from the trust upon disposal, provided the advertising and objection requirements under section 123(2A) are met.

6.4 Under Section 123 of the LGA 1972, the Council has a statutory duty to obtain the best consideration reasonably obtainable when disposing of land. If a proposed disposal (whether the land is open space or otherwise) is considered to be at an undervalue, it must comply with the LGA 1972: General Disposal Consent (England) 2003, which permits such disposals only where the undervalue does not exceed £2 million and where the disposal contributes to the promotion or improvement of the economic, social, or environmental wellbeing of the area. Disposals falling outside these criteria would require specific consent from the Secretary of State. Any disposal at less than best consideration must also comply with UK subsidy control rules. This is because disposing of publicly owned land at less than best consideration would constitute a subsidy to the purchaser. Before any disposal of land, the Council must exercise options for establishing market value using benchmarking and/or other standard valuation methodologies. To justify the price at which the land is sold, the Council must be able to provide evidence showing that its decision to carry out the transaction was based on an economic evaluation comparable to that which a rational market economy operator would have considered.

6.5 Where the land to be disposed of constitutes or forms part of public open space, the Council must comply with Section 123(2A) of the LGA 1972. This includes MOL, as it falls within the definition of open space under section 336 of the TCPA 1990. This requires the publication of public notices in a local newspaper for two consecutive weeks and the consideration of any objections received before a final decision is made.

6.6 Officers have collated and reviewed all objections received in response to the section 123(2A) notices. The individual objections and representations have been retained on the decision file and made available to the Corporate Director. The objections have been analysed thematically, and the material planning, property, financial, environmental, access, equality and governance issues raised have been set out in this report and Appendix 2. The decision-maker must conscientiously consider those objections before deciding whether to proceed with disposal. Officers are satisfied that the statutory process has been followed and that the legal requirements for disposing of the land have been met, subject to final legal due diligence before exchange.

6.7 For the avoidance of doubt, compliance with section 123(2A) of the Local Government Act 1972 is a statutory procedural requirement before disposing of land consisting of, or forming part of, open space. The process requires advertisement and conscientious consideration of objections; it does not, in itself, grant planning permission, amend the Local Plan, remove MOL designation, alter any applicable SINC or other ecological designation, or extinguish legally established public rights of way. Those matters are governed by separate statutory and policy regimes.

6.8 The section 123(2A) notices were published in the Brent & Kilburn Times during the period 19 March 2026 to 26 March 2026. Legal Services are satisfied that the statutory requirement to advertise the proposed disposal for two consecutive weeks has been met. The Corporate Director must conscientiously consider the objections before making any final disposal decision.

6.9 The disposal will be subject to the usual due diligence and conveyancing processes, including title investigation prior to exchange of contracts. At present, all applicable statutory requirements have been complied with. If during the course of the usual due diligence investigations and conveyancing process, any additional decision, consent, consultation or procedural step is identified, the disposal must not proceed until that requirement has been satisfied and properly recorded.

6.10 Legal Services will review the Council's title to the land prior to exchange to determine whether the land was acquired or is held under any statutory trust. The legal effect of section 123(2B), if applicable, and any consequential requirements will be confirmed before exchange and reflected in the decision and transaction records.

7.0 Equity, Diversity & Inclusion (EDI) Considerations

7.1 The disposal does not, in itself, change the golf use, close the facility, remove a public right of way, or displace a Council service. The site is already operated privately under a long lease rather than as an unrestricted Council park. The health, recreation and wellbeing benefits identified by objectors are acknowledged, but they do not depend on the Council retaining the investment reversion. Any future proposal that could affect those benefits would be considered under the planning and equality frameworks applicable at that time.

7.2 Objections were received, raising concerns that the disposal could result in the loss of discounted access currently available to certain user groups. The existing lease contains a covenant requiring the tenant to offer discounted access to members of a defined "Special Group". However, the covenant does not prescribe a minimum discount level, the extent of availability, or other measurable benefits, and affords the tenant significant discretion in its implementation, including the times when discounts are available. It is acknowledged that, should the lease cease to exist, the covenant would no longer be enforceable. Consequently, any current concessionary arrangements could be altered in the future. However, the covenant does not secure a defined or quantifiable level of community benefit, and the extent of any discount is already largely determined by the tenant. As a result, whilst the disposal may remove the mechanism through which the covenant is currently secured, it is not possible to conclude that the disposal would result in the loss of a specific or measurable level of discounted provision. These objections have therefore been noted and taken into account as part of the overall consideration of the disposal.

8.0 Climate Change and Environmental Considerations

8.1 The Council's interest is a freehold reversion subject to a long lease, and the site is not an operational Council asset. The disposal would not, in itself, authorise works, redevelopment, tree removal, habitat loss or a change of use. Any future works or change in operation would remain subject to the relevant planning, environmental, biodiversity, drainage, flood-risk, building-control and regulatory regimes.

8.2 Future redevelopment or refurbishment of the site will be the purchaser's responsibility, with environmental performance and emissions managed through the planning and building control process, including compliance with EPC/MEES standards and broader sustainability policies.

8.3 Known environmental constraints, including ground conditions, potential contamination, trees and ecology, drainage, and flood risk, will be disclosed to prospective purchasers. Following completion, responsibility will transfer to the purchaser to the extent provided by law and the transaction documents; any historic, statutory, contractual or retained liability will be addressed through legal due diligence and the disposal documentation.

8.4 Open-space considerations and known biodiversity features will be reflected in the marketing information. Any targeted purchaser obligation will be included only where legal and valuation advice confirms that it is necessary, effective, commercially proportionate and consistent with best consideration.

8.5 Officers acknowledge the site's ecological significance and the concerns raised by objectors about its biodiversity, trees, hedgerows, habitats and wider environmental function. If the site is designated as a Site of Importance for Nature Conservation, that designation remains a material planning consideration and applies irrespective of ownership. Disposal of the freehold does not remove that designation or authorise any works affecting habitats, trees, biodiversity or ecological features.

8.6 The existing lease contains contractual obligations for the maintenance and management of the premises, including provisions relating to trees, hedgerows and environmental stewardship. These provisions provide a supplementary landlord-control mechanism while the lease subsists. If the Council disposes of the freehold, those controls may transfer to a new landlord, or, if the lessee acquires the freehold and the lease merges or is surrendered, may cease to be enforceable. That consequence has been considered. However, any applicable SINC or other ecological designation, the MOL designation, planning controls, biodiversity policies, public rights-of-way protections, and wider environmental legislation remain in place irrespective of freehold ownership.

8.7 The marketing information and legal pack will disclose known environmental, ecological, open-space, public rights-of-way and planning constraints. Any future purchaser will acquire the land subject to those constraints, and any future development or material change in operation will be subject to the statutory planning and environmental regimes in force at that time.

9.0 Human Resources/Property Considerations (if appropriate)

9.1 Northwick Park Golf Course is already subject to a long lease until 2104 and is not an operational asset required for Council service delivery. Possession, daily operations, investment decisions and commercial risk rest with the tenant. The Council's interest is an investment reversion comprising income, the future reversion and a limited set of landlord remedies.

9.2 The preferred disposal approach is to market the freehold reversion openly and competitively, without new bespoke restrictions that duplicate planning policy or materially reduce marketability and value. The disposal will be subject to the existing lease and to any legally established public rights of way, easements and title obligations. If the existing lessee acquires the freehold and the lease is surrendered or merged, lease-based controls may cease; this consequence has been considered in this report.

9.3 Prior to exchange of contracts, officers will ensure that the disposal file records the basis for assessing best consideration, including independent valuation advice, market-testing strategy, treatment of lease income, turnover-rent arrangements, underletting income, reversionary value, planning constraints, title constraints, environmental constraints, and any potential special-purchaser interest.

9.4 The approach to reviewing rent, turnover-rent certification, arrears and other accrued tenant obligations is set out at paragraph 9.7 below.

9.5 Bidders will be required to state whether their offer assumes continuation of the existing lease, surrender, merger, variation, or any other restructuring of the leasehold arrangements. This will enable officers and valuers to compare offers on a like-for-like basis and to understand the implications for lease-based controls, income, reversionary value, and best consideration.

9.6 Officers will consider whether overage, clawback, targeted restrictive covenants, or other value-protection mechanisms are appropriate. Such mechanisms will be recommended only if they are legally effective, commercially proportionate, consistent with the Council's statutory duties, and supported by valuation advice demonstrating that they do not materially prejudice best consideration or the Council's net return.

9.7 Officers acknowledge that concerns have been raised about historic income and other sums potentially due under the lease, including turnover rent, reviewed rent, underletting income, arrears and related accounting information. Before exchange or completion, the Council will review the rent account, the turnover-rent certification position, underletting arrangements and any other accrued tenant obligations. Where sums are properly due and legally recoverable, officers will seek to collect, reserve, assign, apportion or reflect them in the disposal price and contract documentation, as appropriate. Legal advice will be sought on any limitation, evidential or enforceability issues, recognising that some historic matters may be time-barred, uncertain, disproportionate or uneconomic to pursue. The objective will be to regularise outstanding matters as far as reasonably practicable, while balancing the recovery of historic sums against the wider Best Value case for disposal, including the need to secure best consideration, avoid disproportionate delay or litigation risk, and realise the broader financial and strategic benefits of the transaction.

10.0 Communication Considerations

10.1 Ward Members and the relevant Lead Member will be briefed before marketing. Subject to Legal Services' confirmation of the acquisition, holding, trust and title position, no specific Secretary of State consent is expected to be required. The disposal opportunity will be publicised on the Council's website and promoted through suitably appointed property agents using an open and competitive marketing process appropriate to the interest.

related documents:

Cabinet report dated 9 February 2026 and Confidential Appendices: Approval for the Disposal of Council-Owned Commercial Properties.

Report sign-off:

Jehan Weerasinghe
Corporate Director of Neighbourhoods & Regeneration

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Appendix 2: Summary of Lease-Based Controls and Continuing Public-Law Safeguards.

Lease-based control currently held by the Council	Potential effect of freehold disposal	Public-law safeguards remaining
Restricted use covenant limiting use to golf, driving range and ancillary leisure uses	Passes to a third-party freeholder if the lease continues; may cease if the lessee acquires the freehold and the lease merges or is surrendered	MOL/open-space planning policies remain. Any material change of use or redevelopment would require planning assessment
Obligation to keep golf facilities open to the public during normal playing hours	Council loses direct enforcement; obligation may cease if lease ends	Disposal does not itself close the facility. Any future change affecting recreation/access would be considered through planning and equalities frameworks where applicable
Landlord consent for planning applications/planning agreements	Council loses contractual gatekeeping role	Ownership does not confer planning permission. Any application remains subject to the statutory planning process
Structural alteration controls	Council loses lease-based consent role	Planning, building control, highways and other statutory regimes remain where triggered
Repair and maintenance obligations	Council loses direct contractual route to require repair/maintenance if lease controls cease	Statutory nuisance, environmental health, planning enforcement and other regulatory powers remain where applicable, though they are not a direct substitute for repair covenants
Tree and hedgerow protection covenants	May transfer or cease depending on purchaser/lease structure	TPOs, conservation area controls, biodiversity policy, protected species legislation and planning controls remain where applicable
Inspection, monitoring and step-in rights	Council loses direct landlord oversight and enforcement rights	Statutory regulators and the local planning authority retain public-law powers where legislation is breached
Public Right of Way / access-related provisions	Lease-based safety and operational provisions may transfer or cease	Legally established public rights of way are not extinguished by sale and can only be diverted/stopped up through statutory process
Assignment and underletting controls	Council loses influence over leasehold occupiers/operators	Future occupiers remain subject to planning, licensing, environmental and other statutory controls

Lease-based control currently held by the Council	Potential effect of freehold disposal	Public-law safeguards remaining
Special Group discount covenant	May cease if lease ends; no direct statutory equivalent	Any future loss of measurable community provision would be considered where relevant under planning/equalities frameworks, but the covenant itself is contractual

The lease provides a real but limited private-law layer of control. Disposal may result in the transfer or, in some circumstances, the loss of those landlord controls. However, the principal protections for MOL, open space, biodiversity, public rights of way, highways and environmental matters arise from statutory and planning regimes that continue to apply irrespective of ownership. The Corporate Director is required to consider the potential loss or transfer of contractual landlord controls alongside the objections and the financial, strategic and asset-management case for disposal before deciding whether the disposal should proceed.

PROTOCOL ON CALL-IN

1. INTRODUCTION

1.1 The basic premise of call-in is that it is a failsafe mechanism enabling non executive Councillors to make the Cabinet, Cabinet Committee, Cabinet Member or an officer making a key decision, re-consider a particular decision if it is of major concern or in Members' eyes profoundly flawed.

1.2 The statutory guidance on call-in states that there needs to be an appropriate balance between effectively holding the executive to account, being able to question decisions prior to them being implemented and allowing effective, efficient decision making. It also balances the need to make the process accessible and the need to ensure that call-in procedures are not abused or used to delay or slow down the decision making process.

1.3 As call-in can inevitably result in a delay to the implementation of decisions it should not be used for party political purposes to seek to further discuss a decision that some members do not agree with. Equally, the rights of non executive members to call-in a decision and exercise their right to question the decision, the decision maker and consider alternative options needs to be respected.

1.4 This protocol is designed to provide a locally agreed framework within which call-in can operate, a clear set of criteria against which an otherwise valid call-in request can be judged and a format for the effective conduct of the meeting considering the call in.

2. WHAT IS A CALL-IN?

2.1 A decision made by the council's Cabinet or a Cabinet committee, or a key decision by an officer, can be called in for review before it is implemented. Decisions can be called in by five non-executive members representing more than one political group or by the Scrutiny Committee. If a Cabinet decision is called-in, that decision cannot normally be implemented until it has been considered by a scrutiny committee. An urgency procedure is in place in Standing Orders for any decision that cannot afford to be delayed.

2.2 The Scrutiny Committee is required to meet within 15 working days of the date on which a call-in is accepted as valid. The Committee may decide to refer the matter back to the Cabinet or other decision maker, along with the reasons why the Committee thinks it should be reconsidered. The Cabinet or other decision maker will then decide whether to implement the original decision or review the decision based on the views of the Scrutiny Committee. Alternatively the Committee can decide that the matter should not be referred back to the Cabinet or other decision maker in which case the original decision will be implemented.

3. THE CALL-IN PROCESS

3.1 A call in request must be submitted in accordance with the requirements of Standing Order 14 within 5 days of the relevant decision being made or in the case of a key decision made by officers within 5 days of the date on which the record of the decision is made publicly available in accordance with the Access to Information Rules. When submitting the call in request members must either complete the call-in form available [LINK]) or include in their written request all the information required by the form. In particular this includes:

- an explanation as to why they are calling in the decision and if they are calling in all or part of the decision(s).

- an outline of the suggested alternative course of action.

3.2 When a call-in request is submitted to the Deputy Director of Democratic Services which meets the requirements of Standing Order 14(b)((i) – iv) the Deputy Director of Democratic Services will refer it to the Chief Executive, who, in consultation with the Deputy Director Democratic Services (the council's designated Scrutiny Officer) and the Corporate Director of Law & Governance, will decide whether or not an otherwise valid call-in conforms with the following requirements of this protocol. The call-in request will be assessed against the following criteria:

- Is the call-in process being used as a means of gaining information / understanding or discussing general concerns with Members and officers? If this could be achieved through the general overview and scrutiny process or by talking to the relevant officer or lead member informally the call-in will not be valid,

- Does the call-in duplicate a recent call-in on the same issue? If the call-in duplicates another call-in made within the previous 6 months it will not be valid,

- Have the reasons for calling in the decision already been discussed by the Scrutiny Committee? If the reasons for calling in the decision have been discussed by the Scrutiny Committee prior to the decision being made the call-in will not be valid,

- Call-in of a decision of the Cabinet referring a matter to Full Council for consideration will not be valid,

- Call in of operational management decisions taken by officers will not be valid

- If the call in request is considered by the Chief Executive to be frivolous, vexatious or clearly outside the call-in provisions it may be deemed invalid.

Prior to deciding the validity the Corporate Director of Law & Governance and the Deputy Director Democratic Services may seek clarification from the members concerned.

4. THE CONDUCT OF THE CALL-IN MEETING

4.1 Scrutiny Committees are official committees of the council and meet in public.

4.2 The purpose of a call-in meeting is for non-executive members to examine and consider the decision made by the Cabinet, Cabinet Committee, or officers (in respect of key decisions) and for members of the committee to make suggestions and recommendations they consider appropriate to the decision maker. The Scrutiny Committee meeting provides an opportunity for members to seek clarification of the methodology used in enabling a decision to be made, as well as explore work undertaken by officers culminating in the matter coming before the decision maker .

4.3 The relevant Cabinet Portfolio Holder and Chief Officer (or his/her representative) will be invited to attend the scrutiny committee meeting to explain the reasons for the decision, respond to the issues raised in the call-in request and answer questions at the meeting.

4.4 It is the chair of the scrutiny committee's responsibility to manage the meeting effectively by applying standing orders, maintaining good discipline and fostering a culture of respect. All contributions to the meeting should go through the chair and the chair should ensure that no purely personal disagreements or comments are allowed to continue.

4.5 To ensure that the meeting is effective the procedure at the meeting (subject to the Chair's discretion) shall be as follows:

(a) The chair will ask a representative of the members who called in the decision to set out the reasons for the call in for up to 5 minutes. In the event that different members have identified different reasons the chair may in their discretion as more than one member to speak in which case the available time shall be shared equally between the members.

(b) The chair will consider whether to permit any member of the public who has made a request to address the meeting to do so, the rules relating to members of the public addressing a meeting as set out in Standing Orders apply. Members of the public can be allowed to speak for 2 minutes. If a number of requests to speak have been received then the chair should seek to limit the number of contributions to avoid hearing the same points repeated and should seek advice from the Deputy Director Democratic Services about how this should be managed.

(c) All of the members of the public who it has been agreed will address the meeting will be heard prior to the lead member and any relevant officers being asked to respond to the issues raised by the call-in.

(d) The lead member shall then be invited to respond to the issues raised in the call in.

(e) The chair will then invite members of the committee to question the lead member and officers and discuss the issues. Members who are not members of the committee but wish to ask a question can be invited to do so.

(f) Having considered the call-in invite members of the committee are required to come to one of the following conclusions:

- That the matter should be referred back to the decision maker for reconsideration with reasons for its request and what the committee wants the decision maker to do.

- That it does not object to the decision and the decision can be implemented.

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