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.