

	Cabinet 15 October 2018
	Report from the Director of Performance, Policy & Partnerships
Report from Resources and Public Realm Scrutiny Committee	

Wards Affected:	All
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
No. of Appendices:	One: <ul style="list-style-type: none"> Report by Resources and Public Realm Scrutiny Committee
Background Papers:	N/A
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	Peter Gadsdon Director of Performance, Policy and Partnerships Email: peter.gadsdon@brent.gov.uk Tel: 020 8937 6095 Mark Cairns Policy and Scrutiny Manager Email: mark.cairns@brent.gov.uk Tel: 020 8937 1476

1.0 Purpose of the Report

- 1.1 This attached paper includes recommendations from the Resources and Public Realm Scrutiny Committee relating to the potential sale of Wembley Stadium, the allocation of Community Infrastructure Levy.

2.0 Recommendations

- 2.1 That Cabinet consider the following recommendations made by the Resources and Public Realm Scrutiny Committee:
- If the sale of Wembley Stadium goes ahead, the London Borough of Brent should write to the Valuation Office at the point the stadium passes to the new owners to ask that its business rates valuation is reconsidered. If the stadium is to be used purely to generate private

profit the full amount possible should be returned to the taxpayers of London (through the London business rates pilot pool).

- The Cabinet always give due consideration of geographical spread when allocated Strategic CIL monies to projects in future.

3.0 Detail

3.1 The paper details discussions between the Chair of the Resources and Public Realm Scrutiny Committee and officers regarding a recent urgent executive decision of which he was notified, relating to funding of the planned Olympic Way improvements in light of the potential sale of Wembley Stadium to a private company or individual. Due to the possibility that the stadium's ownership by a not-for-profit trust may have influenced previous decisions on its rateable value, the committee feels this should be reviewed if the ownership changes. It is also keen to ensure that the benefit of Strategic CIL investment benefits the whole borough.

3.2 The paper also contains responses from officers in relation to the committee's recommendations, noting that they can be implemented, whilst also highlighting that a change to the rateable value is unlikely unless there has been a material change affecting the assessment.

4.0 Legal implications

4.1 The Valuation Office Agency (VOA) is responsible for measuring and valuing the rateable value of non-domestic properties. The valuation is assessed based upon certain statutory assumptions contained in the Local Government Finance Act 1988 (the 1988 Act).

4.2 Regulation 4 of the Domestic Ratings (Alteration of Lists and Appeals) (England) Valuation Regulations 2009 (the Regulations), set out the circumstances in which a person or body can make representation to the VOA to change or challenge the valuation.

4.3 A proposal can be made where it can be shown (amongst other things) that the rateable value shown in the valuation list is inaccurate by reason of a material change which occurred on or after the day on which the ratings list is compiled.

4.4 The circumstances under which the Council would make a proposal to challenge the current ratings (change of ownership) may not be deemed as a material change as defined by paragraph 2(7) of Schedule 6 of the 1988 Act by the VOA.

4.5 Community Infrastructure Levy Regulations 2010 (as amended) allow the Council to apply the Community Infrastructure Levy (CIL) to funding infrastructure in its area. The flexibility of the Levy gives the Council the opportunity to choose what infrastructure that the CIL monies might be used in order to support development in its area.

4.6 The Regulations do not specifically place an obligation on the Council to ensure that the CIL monies are spread geographically.

5.0 Financial implications

5.1 There are no financial implications. Comments from the council's Finance service are included in the report.

6.0 Equality implications

6.1 There are no equality implications.

Report sign off:

PETER GADSDON

Director of Performance, Policy and Partnerships