

Notice of NON KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt and Appendix A and is not available for public inspection as it contains to exempt information within the meaning of paragraph 7 of Schedule 12A to the Local Government Act 1972. It is exempt because it refers to financial and business affairs of the incumbent Tenant, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Subject Heading:	Subject Property: Brenda Blakemore Community Centre, Davies Close, Rainham, Essex RM13 9LJ Event: Rent Review
Decision Maker:	Mark Butler - Assistant Director of Regeneration & Place Shaping
Cabinet Member:	Councillor Paul McGeary – Cabinet Member for Housing and Property
ELT Lead:	Neil Stubbings - Strategic Director of Place
Report Author and contact details:	London Borough of Havering (LBH) Dale Wilkins Commercial Property Manager Property Services Town Hall Main Street Romford RM1 3AR Tel: 01708 433 669 E: dale.wilkins@oneSource.co.uk
Policy context:	Asset Management Plan
Financial summary:	The financial aspects for the transaction are detailed in the EXEMPT Appendix A to this Report
Relevant Overview & Scrutiny Sub Committee:	Place
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

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The subject matter of this report deals with the following Council Objectives

- People - Things that matter for residents ()
- Place - A great place to live, work and enjoy (x)
- Resources - A well run Council that delivers for People and Place. ()

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Background

This submission proposes to document a rent review with effect from 30th January 2024.

The property is held by The Trustees of The Rainham and Wennington Community Association under a 15 year lease with effect from 30th January 2014.

The lease provides for the rent to be reviewed every 5 years employing the following formula

$$A \times \frac{B}{C}$$

Where A = the current passing rent; B = the figure of the Retail Price Index for the month immediately preceding the relevant review date; and C = the figure of the Retail Price Index for the month immediately preceding the previous review date or in the case of the first review the rent commencement date

Recommendations

It is recommended that –

The Council agrees to review the rent in accordance with the terms of the lease and that the Commercial Property Manager, Property Services, takes the appropriate action to serve the appropriate rent review memorandum for tenant signature and formally complete this matter.

Decisions

Formal authority is hereby granted for the Commercial Property Manager, Property Services, to review the rent in accordance with the terms of the lease and take the appropriate action to and serve a rent review memorandum for tenant signature and formally complete this matter.

AUTHORITY UNDER WHICH DECISION IS MADE

Havering Council's Constitution Part 3 (Aug 2017 - current)

3.9.3 Asset Management Functions

(i) Property Strategy Functions

- (i) To conduct preliminary negotiations, negotiate, agree and conclude all property matters including the making and settling of rating appeals on council property and property valuations for all purposes.
- (ix) To be the Council's designated corporate property officer, responsible for the strategic management of the Council's property portfolio, including corporate strategy and asset management, procurement of property and property services, planned and preventative

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maintenance programmes, property allocation and use, reviews, acquisitions and disposals, and commercial estate management.

STATEMENT OF THE REASONS FOR THE DECISION

This decision is to authorise this event and conclude the rent review.

OTHER OPTIONS CONSIDERED AND REJECTED

Option: Not to implement the rent review.

Rejected: This option should be rejected, the lease provides for the rent to be reviewed and will secure additional income to The Council.

PRE-DECISION CONSULTATION

The Commercial Property Manager has been already been in dialogue with the Tenant.

NAME AND JOB TITLE OF STAFF MEMBER ADVISING THE DECISION-MAKER

Name: Dale Wilkins

Designation: Commercial Property Manager



Signature:

Date: 18th March 2024

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Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The rent review procedure is entirely governed by the terms of the existing lease. This is a minor matter that will be completed and a Completion Statement issued by Property Services.

FINANCIAL IMPLICATIONS AND RISKS

Additional income to The Council
No risk identified

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

No human resources implications and risks have been identified.

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the Council, when exercising its functions, to have 'due regard' to:

- (i) The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- (ii) The need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;
- (iii) Foster good relations between those who have protected characteristics and those who do not.

Note: 'Protected characteristics' are age, sex, race, disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The Council is committed to all of the above in the provision, procurement and commissioning of its services, and the employment of its workforce. In addition, the Council is also committed to improving the quality of life and wellbeing for all Havering residents in respect of socio-economics and health determinants.

An EqHIA (Equality and Health Impact Assessment) is usually carried out when a proposed or planned activity is likely to affect staff, service users, or other residents.

The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

There are no equalities and social inclusion implications and risks associated with this decision.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

No Environmental and Climate Change implications identified.

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BACKGROUND PAPERS

Tenancy at Will
Draft Notice to Quit

APPENDICES

Exempt Appendix A - Lease details including details of current and proposed rental income

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Part C – Record of decision

I have made this executive decision in accordance with authority delegated to me by the Leader of the Council and in compliance with the requirements of the Constitution.

Decision

Proposal agreed

Details of decision maker



Name: Mark Butler

Position: Assistant Director of Regeneration & Place Shaping

Date: 5th April 2024

Lodging this notice

The signed decision notice must be delivered to Democratic Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____