

## Notice of Non-key Executive Decision

### Notice of NON KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt and Appendix 1 is not available for public inspection as it contains or relates to exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972. It is exempt because it refers to financial information/valuation, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

<b>Subject Heading:</b>	<b>Sale of Plot 259, 35 Soden Court, Ratten Close RM12 6FJ</b>  990 year Lease
<b>Decision Maker:</b>	<b>Paul Walker</b> Interim Director – Housing & Property Place Directorate
<b>Cabinet Member:</b>	<b>Councillor Paul McGeary</b> – Cabinet Member for Housing and Property
<b>ELT Lead:</b>	<b>Neil Stubbings</b> Strategic Director of Place <b>Barbara Nicholls</b> Strategic Director of People

**Non-key Executive Decision**

<b>Report Author and contact details:</b>	<p>Amanda Sone Business Support RTB Sales &amp; Marketing</p> <p>Housing Operations and Estate Services London Borough of Havering Town Hall Main Road Romford RM1 3BB</p> <p>☎ 01708 434343   01708 433015 ✉ amanda.sone@haverling.gov.uk</p>
<b>Policy context:</b>	<p>Asset Management Plan and LBH's Housing Build Programme</p>
<b>Financial summary:</b>	<p>The sale of this property will generate additional funds for the HRA</p> <p>The St. Georges park development consists of 18 Shared Ownership units and 4 direct sales.</p> <p>14 of the Shared Ownership Units and 4 direct sales are funded through utilisation of Right to Buy receipts.</p> <p>4 of the Direct Ownership units: 32 Sodden Court, RM12 6FJ 33 Sodden Court, RM12 6FJ 34 Sodden Court, RM12 6FJ 35 Sodden Court, RM12 6FJ</p>
<b>Relevant OSC:</b>	<p>Place Overview and Scrutiny</p>
<b>Is this decision exempt from being called-in?</b>	<p>Yes - exempt from call-in, as it is a Non-key Executive Decision by a Member of Staff</p>

**Non-key Executive Decision**

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

People - Things that matter for residents X

Place - A great place to live, work and enjoy X

Resources - A well run Council that delivers for People and Place. X

**Part A – Report seeking decision**

<b>DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION</b>
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## Non-key Executive Decision

Approval of terms for the proposed sale valued at £370,000 for the recently built 2 bedroom flat in the St Georges Park development at **Plot 259, 35 Soden Court, Ratten Close RM12 6FJ**. This property is one of 4 New Build Private Ownership flats in this development.

An independent Surveyor has confirmed in a report that the market value of this property is £370,000

Recommendation:

That formal authority is hereby given to complete (a) an Agreement for Sale and (b) a 990 year term Private Ownership Lease for residential property at **Plot 259, 35 Soden Court, Ratten Close RM12 6FJ**.

### **AUTHORITY UNDER WHICH DECISION IS MADE**

Powers of Members of the Senior Leadership Team under Part 3 Paragraph 3.3 of the Council's Constitution "General powers"

- (a) To take any steps as necessary for the proper management and administration of allocated portfolios

Powers of Members of the Senior Leadership Team under Part 3, Paragraph 3.3 of the Council's Constitution "Financial Responsibilities":

- (a) To incur expenditure within the revenue and capital budgets for their allocated portfolio as approved by the Council, or as otherwise approved, subject to any variation permitted by the Council's contract and financial procedure rules.

- (b) To oversee the delivery of programmes agreed by Council and cabinet.

- (c) Applicable Policies are:

- Havering Housing Strategy 2014-2017
- Havering Local Plan 2016- 2031
- HRA Business Plan 2023-2052

### **STATEMENT OF THE REASONS FOR THE DECISION**

The sale of **Plot 259, 35 Soden Court, Ratten Close RM12 6FJ** will have the following benefits for The London Borough of Havering and the Housing Revenue Account (HRA):  
Provide additional income to the HRA.

### **OTHER OPTIONS CONSIDERED AND REJECTED**

Option: To not proceed with the sale.

This was rejected as this Council needs to sell this property as soon as possible as a Private Ownership unit, as previously envisaged.

**Non-key Executive Decision**

**PRE-DECISION CONSULTATION**

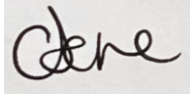
No pre-decision consultation has been carried out additional to usual communications with the Housing Services and Insurance teams.

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

Name: Amanda Sone

Designation: Business Support RTB Sales & Marketing

Signature:

A handwritten signature in black ink, appearing to read 'Amanda Sone', is written over a light grey rectangular background.

Date: 8 May 2024

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

This property is held by the Council for the purposes of part 2 of the Housing Act 1985. The property may only be disposed of with the consent of the Secretary of State (section 32 of the 1985 Act). The Secretary of State has issued the General Housing Consents 2013. The Council may rely on the general consent in paragraph A3.1.1 which permits disposals provided the disposal is at market value.

An independent surveyor has confirmed that the disposal value of the property of £370,000 is its market value.

The Lease has been prepared by Penningtons Manches LLP, in collaboration with The Council, using the GLA/HCA template lease for private ownership houses.

1. The prepared private ownership lease is based on the latest Homes and Communities Agency template; and
2. The Lease contains all the required fundamental clauses, complying with Council of Mortgage Lenders requirements.

The engrossment private ownership lease for **Plot 259, 35 Soden Court, Ratten Close RM12 6FJ** is considered to be GLA compliant and any legal implications and risks that there are, will be mitigated by the usual conveyancing processes.

The Council assume, prior to exchange of contracts and completion of the sale, that all building work is complete to a satisfactory standard, that full planning permission and building regulation approval and an appropriate new build warranty is in place and that these matters have been satisfactorily verified by Housing Services.

### FINANCIAL IMPLICATIONS AND RISKS

The sale of **Plot 259 35 Soden Court, Ratten Close RM12 6FJ** will generate a capital receipt of £370,000.00. The property was independently valued at £370,000.00, details of which can be found in the Exempt Section of the Report, Appendix 1.

There will be some costs incurred in relation to the conveyancing process of this sale, but these will be paid for from existing budgets.

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

No human resources Implications or Risks have been identified.

### EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

The recommendations made in this report do not give rise to any identifiable HR risks or implications that would affect either the Council or its workforce.

**Non-key Executive Decision**

An Equalities Assessment is not considered necessary, the allocation of shared ownership units is in line with the agreed policy.

**ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS**

Property is a new build and recently constructed with energy efficient materials producing a high Energy Performance Level (EPC).

**BACKGROUND PAPERS**

None

**APPENDICIES**

Exempt Appendix 1:  
Hilbery Chaplin Valuation Report for the New Green Development, dated 24<sup>th</sup> July 2023.

**Non-key Executive Decision**

**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**

Signed

A handwritten signature in black ink that reads "P Walker". The letter "P" is large and stylized, with a vertical line extending downwards. The name "Walker" is written in a cursive script to the right of the "P".

Name: **Paul Walker**

Cabinet Portfolio held:

CMT Member title:

Head of Service title: Interim Director – Housing & Property Place Directorate

Other manager title:

Date: **13.05.24**

**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 \_\_\_\_\_