

## Notice of NON KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt and Appendix A is not available for public inspection as it contain) or relates to exempt information within the meaning of paragraph 2 of Schedule 12A to the Local Government Act 1972. It is exempt because it refers to financial and business affairs of the Tenant and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

<b>Subject Heading:</b>	<p><b>Subject Property:</b> Bretons Upper, Rainham Road, Hornchurch, RM13 7LP</p> <p><b>Event:</b> 1 April 2025 Licence Fee Review</p>
<b>Decision Maker:</b>	Mark Butler - Assistant Director of Regeneration & Place Shaping
<b>Cabinet Member:</b>	Councillor Paul McGeary – Cabinet Member for Housing and Property
<b>SLT Lead:</b>	Neil Stubbings - Strategic Director of Place
<b>Report Author and contact details:</b>	<p>London Borough of Havering (LBH)            Luke Kubik            Estates Surveyor            Property Services            Town Hall            Main Road            Romford            RM1 3BD</p> <p>Tel: 01708 434 176            E: <a href="mailto:luke.kubik@havering.gov.uk">luke.kubik@havering.gov.uk</a></p>
<b>Policy context:</b>	Asset Management Plan

### Non-key Executive Decision

<b>Financial summary:</b>	The financial aspects for the transaction are detailed in the <u>EXEMPT Appendix A</u> to this Report
<b>Relevant Overview &amp; Scrutiny Sub Committee:</b>	Place
<b>Is this decision exempt from being called-in?</b>	The decision will be exempt from call in as it is a Non key Decision

### **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 (x)

## **Part A – Report seeking decision**

### **DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION**

#### **Background**

Part of Bretons Park Recreation Centre is used on a licence basis by The Trustees of the Bretons Model Flying Club (“the Licensee”). The licence commenced on 1 April 1997 and continues until revoked or terminated.

The licence allows for the licence fee to be reviewed every year and there is a licence fee review due on 1 April 2025.

The licence fee has been historically increased in line with RPI. It is proposed to increase the licence fee at the 1 April 2025 review by way of an RPI increase as detailed in as in Appendix A

#### **Recommendations**

It is recommended that in order to complete the 2025 fee review, the Estates Surveyor, London Borough of Havering - Property Services is to produce a licence fee review memorandum to be signed by the Licensee and the Assistant Director of Regeneration & Place Shaping, London Borough of Havering. The Estates Surveyor is to then issue a completion statement to instruct the collection of the increased fee.

#### **Decisions**

Formal authority is hereby given to complete the 2025 fee review, the Estates Surveyor, London Borough of Havering - Property Services is to produce a licence fee review memorandum to be signed by the Licensee and the Assistant Director of Regeneration & Place Shaping, London Borough of Havering. The Estates Surveyor is to then issue a completion statement to instruct the collection of the increased fee.

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

Havering Council’s Constitution Part 3.3.5 (2<sup>nd</sup> April 2024 - current)

8.1 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 maintenance programmes, property allocation, security and use, reviews, acquisitions and disposals (freehold and leasehold), and commercial estate management.

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

### **Non-key Executive Decision**

The licence provides for a licence fee review as per Appendix 1. The licence fee has been historically reviewed in line with RPI.

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

Option: Not to review the licence fee.

Rejected: There is no reason not to review the licence fee as the licence allows for the fee to be reviewed

### **PRE-DECISION CONSULTATION**

None

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

Name: Luke Kubik

Designation: Estates Surveyor

Signature:

A handwritten signature in black ink, appearing to be 'LK' or similar initials, written over a light blue grid background.

Date: 7 May 2025

## **Part B - Assessment of implications and risks**

### **LEGAL IMPLICATIONS AND RISKS**

The recommendation of this report requires the council to increase the licence fee in accordance with clause 7 of the licence.

The council has a general power of competence under Section 1 of the Localism Act 2011, which gives the power to do anything an individual can do, subject to any statutory constraints on the council's powers ("the General Power"). The recommendation in this report is in keeping with the General Power.

### **FINANCIAL IMPLICATIONS AND RISKS**

The licence fee review will generate additional rental income for Property Services, during the twelve months of the agreement. VAT is not chargeable on the licence fee.

### **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.

### **Non-key Executive Decision**

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.

### **BACKGROUND PAPERS**

None

### **APPENDICES**

**Appendix A** - Landlord's Proposals for the April 2025 Licence Fee Review - Exempt

**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 

Name: Mark Butler

Position: Assistant Director of Regeneration & Place Shaping

Date: 09.05.2025

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