

## Notice of NON KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt and Appendices A is not available for public inspection as it contain) or relates to exempt information within the meaning of paragraph 1 and 3 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>	<b>Subject Property:</b> 38 High Street, Romford, RM1 1HR  Event: Management Agreement for The London Borough of Havering's Children Services - (Leaving Care Team) (LBHCS)
<b>Decision Maker:</b>	Mark Butler – Assistant Director of Regeneration and Place Shaping
<b>Cabinet Member:</b>	Councillor Paul McGeary – Cabinet Member for Housing and Property
<b>ELT Lead:</b>	Neil Stubbings - Strategic Director of Place
<b>Report Author and contact details:</b>	London Borough of Havering (LBH) Dale Wilkins Commercial Property Manager Property Services Town Hall Main Street Romford RM1 3AR Tel: 01708 433 669 E: <a href="mailto:dale.wilkins@oneSource.co.uk">dale.wilkins@oneSource.co.uk</a>
<b>Policy context:</b>	Asset Management Plan
<b>Financial summary:</b>	The financial aspects for the transaction are detailed in the EXEMPT Appendix A to this Report
<b>Relevant Overview &amp; Scrutiny Sub Committee:</b>	Place
<b>Is this decision exempt from being called-in?</b>	<b>The decision will be exempt from call in as it is a Non key Decision</b>

## Non-key Executive 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. ( )

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

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

##### **Background**

This decision authorises a Management Agreement for 38 High Street, Romford, RM1 1HR to The London Borough of Havering's Children Services - (Leaving Care Team) (LBHCS). The occupation fee covers a period of twelve months from 25th March 2025 – 24th March 2026.

The revised rent has been calculated with reference to the Retail Price Index as detailed in the appendices.

It is recommended that our Journal is updated as soon as possible in order that the Management Agreement can be completed to facilitate the collection of rent.

The Management Agreement will be concluded internally by way of journal entries.

General Management terms are outlined in exempt Appendix 1

Rent Calculations is attached in Appendix 2

##### **Recommendations**

It is recommended that the Commercial Property Manager - Property Services to take all necessary action to prepare a new Management Agreement and to legally complete the matter.

##### **Decisions**

The Council hereby authorises the Commercial Property Manager - Property Services, to take all necessary action to prepare a new Management Agreement and to legally complete the matter.

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

Havering Council's Constitution Part 3.3, Scheme 3.3.5 (2 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

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

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

8.6 To dispose of any property or asset of the Council provided that the value of the property or asset is less than £1,000,000. The delegation is subject to the following requirements: complying with the Code of Practice on the Disposal of Surplus Property in cases where the Cabinet has already approved the principle but not the terms of a property disposal without the invitation of competitive bids, the provisionally agreed terms of any disposal exceeding £1,000,000 shall be reported to Cabinet for approval before the transaction is concluded

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

To grant a Management Agreement of the premises.

This decision authorises the granting of a Management Agreement of the said premises as per Appendix 1 attached.

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

Option: Not to renew the Management Agreement.

Rejected: There is no reason not to renew the Management Agreement.

### **PRE-DECISION CONSULTATION**

None

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

Name: Dale Wilkins

A handwritten signature in black ink, appearing to read 'Dale Wilkins', with a long horizontal flourish extending to the right.

Signature:

Designation: Commercial Property Manager

Date: Thursday 15<sup>th</sup> May 2025

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

### **LEGAL IMPLICATIONS AND RISK**

Section 1 of the Localism Act 2011 gives the Council a general power of competence to do anything an individual can do, subject to any statutory constraints on the Council's powers. The recommendations in this report are in keeping with this power. Also the Council is empowered to authorise a Management Agreement for 38 High Street, Romford, RM1 1HR to The London Borough of Havering's Children Services - (Leaving Care Team) (LBHCS) for a period of twelve months from 25th March 2025 – 24th March 2026 for an occupation fee of £21,108.50 for the said period of twelve months from 25th March 2025 – 24th March 2026 under the powers granted by section 111 of the Local Government Act 1972 which enables the council to carry out any activity that is calculated to facilitate, or is conducive or incidental to, the discharge of any of its functions. The proposed grant of the Management Agreement for 38 High Street, Romford, RM1 1HR to Havering's Children Services - (Leaving Care Team) (LBHCS) accords with The London Borough of Havering general power of disposal enshrined in section 123 of the Local Government Act 1972. The legislation gives all local authorities in England and Wales the power to dispose of land in any manner it wishes provided the land is disposed of for the best consideration that can reasonably be obtained. In deciding whether a disposal meets the requirements of Section 123 of the Local Government Act 1972 and that the best consideration reasonably obtainable is being achieved, it is generally accepted that disposal by way of an open market process or on the basis of an open market valuation will satisfy the best consideration test.

### **FINANCIAL IMPLICATIONS AND RISKS**

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

The costs associated with the new agreement will be paid for from existing budgets.

### **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.

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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 EHIA (Equality and Health Impact Assessment) is usually carried out and on this occasion this is not required/attached

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.

### **BACKGROUND PAPERS**

### **APPENDICES**

Agreed renewal terms

**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**

Decision Agreed

**Details of decision maker**

Signed 

Name: Mark Butler

Position: Assistant Director of Regeneration and Place Shaping

Date: 5<sup>th</sup> June 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 \_\_\_\_\_