

## 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> 53 High Street, Romford RM1 1JL  <b>Event:</b> Notice to Terminate a Tenancy at Will
<b>Decision Maker:</b>	Mark Butler - Assistant Director of Regeneration & Place Shaping
<b>Cabinet Member:</b>	Councillor Paul McGeary – Cabinet Member for Housing & Property
<b>SLT 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 Road Romford RM1 3BD  Tel: 01708 433 669 E: <a href="mailto:dale.wilkins@havering.gov.uk">dale.wilkins@havering.gov.uk</a>
<b>Policy context:</b>	Asset Management Plan
<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>	<b>The decision will be exempt from call in as it is a Non key Decision</b>

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)

## **Non-key Executive Decision**

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**

The above property comprises a ground floor lock up shop unit located in the middle of a shop parade with offices and residential units above. The property currently occupied by Confetti & Couture and is used for the sale and hire of bridal evening and occasional wear a Wedding Dress tuition centre. The tenant took occupation on 8<sup>th</sup> October 2010 initially on a 5 year lease and then a 3 year lease on renewal. The tenant currently occupies the premises on a Tenancy at Will agreement commencing 7<sup>th</sup> October 2018.

Since taking occupation the tenant has been arrears and has repeatedly failed to address the issue.

For the reasons detailed above and as set out in Appendix A, we propose that a Notice to Quit is issued to the tenant as soon as possible giving them one month's notice to vacate. The Tenancy at Will provides for the agreement to be terminated at any time by either party.

The property will be re-marketed as soon as possession is secured.

We currently hold a rent deposit which will be transferred to the rent account with the remaining debt referred to the Council's Enforcement Team to recover.

##### **Recommendations**

It is recommended that the Council agrees that the Commercial Property Manager, London Borough of Havering - Property Services to prepare and issue a notice to quit and remarket the premises as soon as possession is secured as per the details in Appendix A.

##### **Decisions**

Formal authority is hereby for the Commercial Property Manager, London Borough of Havering - Property Services to prepare and issue a notice to quit and remarket the premises as soon as possession is secured as per the details in Appendix A.

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

Havering Council's Constitution Part 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 maintenance programmes, property allocation, security and use, reviews, acquisitions and disposals, and commercial estate management.

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**STATEMENT OF THE REASONS FOR THE DECISION**

For the reasons detailed in Appendix A it is recommended that we obtain vacant possession of the unit and relet on the open market.

**OTHER OPTIONS CONSIDERED AND REJECTED**

Option: To continue with the current tenant

Rejected: Due to the reasons in Appendix A it is advantageous that the Council regain vacant possession of the unit and relet to a more reliable tenant.

**PRE-DECISION CONSULTATION**

None

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

Name: Dale Wilkins

Designation: Commercial Property Manager

Signature:

Date: 22 August 2025

## **Non-key Executive Decision**

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

#### **LEGAL IMPLICATIONS AND RISKS**

Legal to complete.

#### **FINANCIAL IMPLICATIONS AND RISKS**

Please refer to the appendices

#### **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.

#### **BACKGROUND PAPERS**

None

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**APPENDICES**

**Appendix A**      Landlord's Proposals for Notice to Quit - Exempt

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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**

Signed

Name: Mark Butler

Position: Assistant Director of Regeneration & Place Shaping

Date: 22 August 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 \_\_\_\_\_