

## Notice of NON KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt and Appendices A, B & C are not available for public inspection as they may contain or relate to exempt information within the meaning of paragraph 3 of Schedule 12 A to the Local Government Act 1972. They are exempt because they refer to information relating to the financial or business affairs of any particular person (including the authority holding that information) and the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

<b>Subject Heading:</b>	Sale of Scotts School House, 2 Bonington Road, Hornchurch RM12 6TH.
<b>Decision Maker:</b>	Paul Walker Interim Director of Housing & Property.
<b>Cabinet Member:</b>	Cllr. Graham Williamson Cabinet Lead for Development & Regeneration.
<b>ELT Lead:</b>	Neil Stubbings Strategic Director of Place.
<b>Report Author and contact details:</b>	London Borough of Havering (LBH) Christopher Pasterfield Principal Asset Surveyor Property Services Town Hall Main Street Romford RM1 3AR Tel: 01708 433 669  <b>E:</b> <a href="mailto:christopher.pasterfield@havering.gov.uk">christopher.pasterfield@havering.gov.uk</a>

**Non-key Executive Decision**

<b>Policy context:</b>	Asset Management Plan
<b>Financial summary:</b>	The purchasers are paying £455,000 for the house and reimbursing the Council £1,000 towards the cost of a new drop kerb.
<b>Relevant Overview &amp; Scrutiny Sub Committee:</b>	Places OSSC.
<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.

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

People - Supporting our residents to stay safe and well

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

Resources - Enabling a resident-focused and resilient Council **X**

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

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

#### **Background**

The London Borough of Havering Council (“the Council”) is the freehold owner of the property and at Cabinet on 8<sup>th</sup> February 2023 it was resolved under 54. PROPERTY DISPOSALS – The Cabinet agreed the following:

1. Declared the following assets as surplus to the Council’s operational requirements:
  - Scotts Primary School House, 2 Bonington Road, Hornchurch RM12 4SU.

Along with a number of other assets.

6. Delegated authority to the Director of Asset Management in consultation with the Deputy Director of Legal and Democratic Services to conduct all appropriate steps to progress and conclude the 2022/23 asset disposals in a manner that satisfies all legal/regulatory requirements. This delegation to include the terms for any interim lease-back of operational assets and/or subsequent buy-back of assets not subsequently progressed by Mercury Land Holdings.

William H Brown were instructed to market the property excluding the garden area to the side which was retained for separate sale. Following a period of marketing some low offers in the region of £420-430,000 were received from builder/developers but then an offer was received from a Mr & Mrs O & M Jollands of £455,000 who were in a position to proceed.

The house had a parking space in the rear garden which was accessible from a road inside the school. This would not be acceptable once the house was in private ownership and therefore a drop kerb was installed at the front to give access to a parking space in the front garden. This was installed by the Council’s highways department who also relocated a lamppost and street sign. The drop kerb was made double width so that it also gave access to the adjoin land being retained for parking. New fencing was also installed to separate the property from the school and the adjoining plot.

A Red Book valuation has been carried out by Andrew Chater & Co, chartered surveyors, and this has shown a value of £455,000. In addition the purchaser has agreed to pay £1,000 towards the Council’s costs.

NB Whilst Cabinet granted specific authority to the Director of Asset Management to dispose of the property pursuant to the decision of 8 February 2023, the disposal is progressing under the scheme of officer delegations, which contain sufficient authority.

#### **Recommendations**

It is recommended that:

1. The Council sell the house, shown in Exempt Appendix C, for £455,000, as set out in this report.

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

#### **Havering Council's Constitution**

#### **Scheme 3.3.5**

#### **Specific Powers of the Strategic Director of Place.**

#### 8. Property

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.

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:

- (a) complying with the Code of Practice on the Disposal of Surplus Property.
- (b) 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.
- (c) in cases that have not been the subject of competitive bids but are below £1,000,000 in value, the provisionally agreed terms of disposal shall be reported to the Strategic Director of Resources, before the transaction is concluded.
- (d) complying with relevant Council policy on property transactions
- (e) referring a matter for Member decision where it is proposed to recommend other than the best financial bid.

The above powers are the subject of a formal sub-delegation from the Strategic Director of Place, to the Director of Housing & Property and subsequently to the Assistant Director of Regeneration & Place Shaping.

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

To enable the Council to receive a capital receipt of £455,000.

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

Option: Not to approve the sale of the house.

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The house is not required as accommodation for a school caretaker and has been declared surplus to requirements.

**PRE-DECISION CONSULTATION**

The following have been consulted over the proposed sale – Legal Services, Property Services and Highways for the drop kerb.

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

Name: Christopher Pasterfield

Designation: Principal Asset Surveyor

Signature:



Date: 17<sup>th</sup> September 2025.

## Part B - Assessment of implications and risks

### LEGAL IMPLICATIONS AND RISKS

1. 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 recommendations in this report are in keeping with the General Power.
2. The Council also has the powers under Section 123(1) of the Local Government Act 1972 to dispose of land in any manner it wishes, subject to subsection 123(2) which provides that land should not be disposed of for less than best consideration on a transfer of the freehold or lease of more than 7 years. The 'best consideration' has been achieved by obtaining a market appraisal in which the Red Book Valuation has shown a value of £455,000.

### FINANCIAL IMPLICATIONS AND RISKS

The Council will receive a capital receipt of £455,000. The only financial risk is if the buyer withdraws prior to exchange of contracts and the property has to be re-marketed making some legal fees abortive.

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

None.

### 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

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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 is not required.

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**

None.

### **BACKGROUND PAPERS**

Red Book valuation by Andrew Chater & Co dated 7<sup>th</sup> February 2025.

### **APPENDICES**

- |                   |  |
|-------------------|--|
| <b>Appendix A</b> | <b>Red Book valuation with update by Andrew Chater &amp; Co.</b> |
| <b>Appendix B</b> | <b>William H Brown Terms of Sale.</b>                            |
| <b>Appendix C</b> | <b>Plan sps 430a.</b>  |

**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:



Paul Walker  
Interim Director of Housing & Property

Date: 17<sup>th</sup> September 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 \_\_\_\_\_