

Notice of NON KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt and Appendices A and is not available for public inspection as it contains to exempt information within the meaning of paragraph 7 of Schedule 12A to the Local Government Act 1972. It is exempt because it refers to financial and business affairs of the incumbent Tenant, and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Subject Heading:	Subject Property: Land to the front of 118 Rainham Road, Rainham RM13 7RJ Event: New Licence
Decision Maker:	Mark Butler – Assistant Director of Regeneration and Place Shaping
Cabinet Member:	Councillor Paul McGeary – Cabinet Member for Housing and Property
ELT Lead:	Neil Stubbings - Strategic Director of Place
Report Author and contact details:	London Borough of Havering (LBH) Dale Wilkins Commercial Property Manager Property Services Town Hall Main Street Romford RM1 3AR Tel: 01708 433 669 E: dale.wilkins@havering.gov.uk
Policy context:	Asset Management Plan
Financial summary:	The financial aspects for the transaction are detailed in the EXEMPT Appendix A to this Report
Relevant Overview & Scrutiny Sub Committee:	Place
Is this decision exempt from being called-in?	The decision will be exempt from call in as it is a Non key Decision

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

To grant a licence for use as garden land.

AUTHORITY UNDER WHICH DECISION IS MADE

Havering Council's Constitution Part 3.3.5 (2nd 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.

STATEMENT OF THE REASONS FOR THE DECISION

Background

The decision is to authorise the grant of a licence agreement for a small parcel of land fronting 118 Rainham Road, Rainham RM13 7RJ known as the "Land" as detailed in the appendices .

The Land comprises a small parcel of land of approximately 10.6m² located directly in front and within the curtilage of the 118 Rainham Road which was recently sold to new owners. This report proposes to grant a new licence to the new owner to enable the Land to be used as part of the private garden of their property

The Land was retained by the Council from a historical right to buy for a road widening project but was not used in the final scheme. The licence fee was set at 5p and with no change ever being sought.

Proposal

It is recommended that the Council agrees to the proposal and the commercial property manager, Property Services instructs Legal Services to prepare a new licence agreement as set out in the appendices

OTHER OPTIONS CONSIDERED AND REJECTED

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Option: Not to implement the recommendation.

Rejected: This option should be rejected, there is no reason not to implement the recommendation detailed in this report.

PRE-DECISION CONSULTATION

None

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

Name: Dale Wilkins

Designation: Commercial Property Manager



Signature:
2025

Date: Tuesday 5th August

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The report seeks authority to grant a licence to use the Land as part of the owner's private garden in accordance with Appendix A. The licence does not create an interest in land and the Council will remain the freeholder of the Land.

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 recommendation in this report is in keeping with the aforementioned powers.

FINANCIAL IMPLICATIONS AND RISKS

None

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

No human resources implications and risks have been identified.

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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

APPENDICIES

Plan of site
Photograph of site
Previous licence agreement

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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



Name: Mark Butler

Position: Assistant Director of Regeneration and Place Shaping

Date: 9th 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 _____