

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 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.

Subject Heading:	Subject Property: 41a High Street, Romford, Essex RM1 1JL (the Property) Event: Service of a Positive Section 25 Notice
Decision Maker:	Paul Walker Interim Director of Housing & Property
Cabinet Member:	Councillor Paul McGeary – Cabinet Member for Housing & Property
SLT 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 Road Romford RM1 3BD 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 <u>EXEMPT Appendix A</u> to this Report
Relevant Overview & Scrutiny Sub Committee:	Places OSSC.
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 ()

Non-key Executive Decision

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Background

The property forms part of a secondary retail parade of Local Authority shops fronting High Street and within easy walking distance of the town centre's prime retail pitch. The subject property trades as a tattoo studio.

This property was let on a 10 year term commencing on 29 October 2015 and expiring on 28 October 2025 within the Landlord and Tenant Act 1954.

This report seeks authority to instruct Legal Services to prepare and serve a positive section 25 notice as detailed in the appendices.

Recommendation

It is recommended that the Commercial Property Manager, London Borough of Havering - Property Services instruct Legal Services to prepare and issue a positive section 25 notice as per the details in Exempt 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.

STATEMENT OF THE REASONS FOR THE DECISION

For the reasons detailed in Appendix A it is recommended that the current lease is formally brought to an end with renewal terms detailed in the section 25 notice.

OTHER OPTIONS CONSIDERED AND REJECTED

Option:	Do nothing
Rejected:	There is no good reason not to serve a s25 notice and agree renewal terms with the existing tenant as there likely to be an uplift in rental income and continuity of occupation.

Non-key Executive Decision

PRE-DECISION CONSULTATION

None.

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

Name: Dale Wilkins

Designation: Commercial Property Manager

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

Signature:

Date: Tuesday 16th September 2025

Non-key Executive Decision

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The report seeks authority to serve an s25 notice to initiate renewal and stipulate the terms that the Council would be willing to renew.

A lease protected under the Landlord and Tenant Act 1954 (Act) will not automatically end on the expiry of the term. The lease will continue under section 24(1) of the Act on the same terms unless terminated in accordance with the Act. The recommendation of the report will enable the Council to set out the proposed terms of the new lease and stipulate the date on which the current lease will terminate

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

The new lease will generate additional rental income for the Council during the lease term. VAT is not chargeable on the rent.

The costs associated with drawing up the new lease 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.

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.

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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.

APPENDICES

Exempt Appendix A Landlord's Proposals to serve a Positive section 25 notice

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: 22nd 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 _____