

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 of Schedule 12A to the Local Government Act 1972. It is exempt because it refers to information relating to any individual and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Subject Heading:	Subject Property: Warren Hall, Mirfield Close, Romford, RM3 8RW ("the Property") Event: Tenancy at Will
Decision Maker:	Mark Butler - Assistant Director of Regeneration & Place Shaping
Cabinet Member:	Councillor Paul McGeary – Cabinet Member for Housing and Property
SLT Lead:	Neil Stubbings - Strategic Director of Place
Report Author and contact details:	London Borough of Havering (LBH) Luke Kubik Estates Surveyor Property Services Town Hall Main Road Romford RM1 3BD Tel: 01708 434 176 E: luke.kubik@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

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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

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 (x)

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To issue a Tenancy at Will in order to regularise the tenant's occupation of the property, pending the signing of a new lease.

AUTHORITY UNDER WHICH DECISION IS MADE

Havering Council's Constitution Part 3.3 scheme 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 Property has been occupied as a Scout Hall since 2002. The holding trustees of the original lease are no longer in occupation of the Property and the Council is required to regularise the occupation of the Property by way of a tenancy at will.

A new lease will be negotiated with the tenant once their occupancy is regularised.

OTHER OPTIONS CONSIDERED AND REJECTED

Option:	Not to produce a tenancy at will
Rejected:	Not regularising the tenant occupation by way of a tenancy at will could mean that the tenant gains rights under the Landlord & Tenant 1954 Act.

PRE-DECISION CONSULTATION

None

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

Name: Luke Kubik

Designation: Estates Surveyor

Signature:

A handwritten signature in black ink, appearing to be 'LK' or 'Luke Kubik', written on a light background.

Date: 17 October 2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The recommendation of this report requires the Council to grant a tenancy at will in accordance with the terms stipulated in Appendix A.

The tenancy at will is a short term arrangement to regularise the tenant's occupation of the Property. Either tenant or the Council can terminate the agreement at any time.

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.

FINANCIAL IMPLICATIONS AND RISKS

The tenancy at will regularises the tenants occupation of the Property. There is no change to the rental income at this stage.

The costs associated with drawing up 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.

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 and on this occasion this isn't 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

No Environmental and Climate Change implications identified.

BACKGROUND PAPERS

None

APPENDICES

Appendix A	Landlord's Proposals for A Non-Opposing Section 25 Notice - 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: 04/11/2025

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 _____

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Exempt Appendix A

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LANDLORD'S PROPOSALS FOR A NON-OPPOSING SECTION 25 NOTICE

Existing Terms

Subject Property	Warren Hall, Mirfield Close, Romford, RM3 8RW
Cost Code	A46570
Lessee	Trustees of the 1 st Harold Hill Scout Group
Lease Commencement	29 January 2002
Lease Term	10 Years
Current Passing Rent	£500
Rent Review	On the fifth anniversary of the term start date the rent shall be reviewed and thereafter shall be at such rate per annum as may be agreed between the parties hereto which rent shall be determined in accordance with the following formula that is to say such rent shall be 1/3rd of the rent (but not less than the current passing rent payable hereunder)
Break Option	N/A
Repairs	FRI
1954 Act Protected	Yes
Permitted Use	As a Scout Hall
Special Clauses	Sale and serving of alcohol is not allowed

Tenancy at Will Summary

Subject Property	Warren Hall, Mirfield Close, Romford, RM3 8RW
Name of Lessee	Trustees of the 1 st Harold Hill Scout Group
Tenants Address	Warren Hall, Mirfield Close, Romford, RM3 8RW
Commencement Date	Date of Completion
Proposed Rent	£500
Rent Review	On the fifth anniversary of the term start date to the higher of the open market rent or RPI compounded increases
Permitted Use	As a Scout Hall
Special Clauses	Sale and serving of alcohol is not allowed

NOT FOR PUBLICATION