

Notice of NON KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt and Appendices A & 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.

Subject Heading:	Sale of Land Adjoining Scotts School House, 2 Bonington Road, Hornchurch RM12 6TH
Decision Maker:	Mark Butler, Assistant Director of Regeneration & Place Shaping.
Cabinet Member:	Cllr. Paul McGeary – Cabinet Member for Housing & Property
ELT Lead:	Neil Stubbings
Report Author and contact details:	Christopher Pasterfield Principal Asset Surveyor Tel: 01708 433 669 E: christopher.pasterfield@havering.gov.uk
Policy context:	Asset Management Plan
Financial summary:	The proposed disposal will generate a capital receipt for the Council, as set out in Appendix C.

Non-key Executive Decision

Relevant Overview & Scrutiny Sub Committee:	Overview & Scrutiny Board
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 - 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

To approve a freehold disposal of the land identified in Appendix B, on the terms set out in Appendix C

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.

Non-key Executive Decision

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

The London Borough of Havering Council (“the Council”) is the freehold owner of the property and at Cabinet on 8th 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.

After discussions with the Planning department it was decided that there was a strong chance of obtaining planning approval for an additional dwelling on land that formed part of the garden.

William H Brown were instructed to market the land separately from the house subject to obtaining planning approval for one dwelling on the basis that this would be more valuable than a larger garden for the house. Following interest from a number of parties, details of the best offer are set out in Exempt Appendix C.

The land shares a drop kerb with the house, which was made double width so that it also gave access to the house and land for parking. New fencing was also installed to separate the property from the school and the adjoining plot.

The planning application is progressing under number P0759.24 and approval was given on 13th June 2025. The land area is shown on a plan attached as Appendix B.

A Red Book valuation has been carried out by Glenny LLP dated 3 February 2025 which estimated the value at £150,000 subject to planning approval - this is shown at Appendix A.

Non-key Executive Decision

OTHER OPTIONS CONSIDERED AND REJECTED

Option: Not to approve the sale of the land.

The house is not required as accommodation for a school caretaker and has been declared surplus to requirements and by selling the land separately the council has increased the capital receipt.

PRE-DECISION CONSULTATION

The following have been consulted over the proposed sale – Legal Services, Planning Services, Finance, Human Resources, Equalities and Social Inclusion, 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: *C Pasterfield*

Date: 31.10.2025

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 £150,000.

FINANCIAL IMPLICATIONS AND RISKS

The disposal of this land will generate a capital receipt for the Council, which will be invested in the retained school. Details of the agreed purchase can be found in the exempt Appendix C.

The only financial risk to this transaction, 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.

Non-key Executive Decision

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 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 Glenny LLP dated 3rd February 2025.

APPENDICES

Appendix A (Exempt) Red Book valuation with update by Glenny LLP.

Appendix B Site location plan

Appendix C (Exempt) William H Brown Terms of Sale

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



Name: Mark Butler
Head of Service title: Assistant Director of Regeneration &Place Shaping
Date: 29/10/2025

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 _____