

## Notice of NON KEY Executive Decision containing exempt information

This Executive Decision Report is part exempt and Appendices 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

<b>Subject Heading:</b>	<b>Subject Property:</b> Langtons House – Liana’s Café and adjacent storage unit (“the Property”)  <b>Event:</b> New Lease Agreement
<b>Decision Maker:</b>	Mark Butler - Assistant Director of Regeneration & Place Shaping
<b>Cabinet Member:</b>	Councillor Paul McGeary – Cabinet Member for Housing & Property
<b>SLT Lead:</b>	Neil Stubbings - Strategic Director of Place
<b>Report Author and contact details:</b>	Dale Wilkins Commercial Property Manager Property Services Town Hall Main Street Romford RM1 3AR Tel: 01708 433 669 E: <a href="mailto:dale.wilkins@havering.gov.uk">dale.wilkins@havering.gov.uk</a>
<b>Policy context:</b>	Asset Management Plan
<b>Financial summary:</b>	The financial aspects for the transaction are detailed in the <u>EXEMPT Appendix A</u> to this Report
<b>Relevant Overview &amp; Scrutiny Sub Committee:</b>	Place
<b>Is this decision exempt from being called-in?</b>	<b>The decision will be exempt from call in as it is a Non key Decision</b>

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**

To approve the grant of a new lease agreement as per the detailed below and in Appendix A

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

Havering Council's Constitution Part 3.3.5 (2 April 2024 - current)

##### **Specific powers of the Strategic Director of Place**

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.

The above powers are the subject of a sub-delegation to the Assistant Director, Regeneration & Place Shaping

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

The property comprises a single story detached brick-built building located within the grounds of Langtons House. The building is divided into two with one half let to Liana's Tea Shop Ltd and the other comprising a storage area which is now surplus to Council requirements.

The incumbent currently occupies the Tea Shop on a Tenancy at Will agreement but has recently confirmed that they do not wish to renew their lease and wishes to retire and vacate the unit.

Local agents were instructed to market the entire property with a tenant now identified the terms of which are detailed in the appendices.

A date to vacate the property will be finalised with the incumbent tenant once the terms of the new lease have been finalised.

##### **Recommendations**

It is recommended that the Council agrees to Property Services instructing Legal Services to prepare a new lease agreement as set out in the appendices.

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

Option:	Do nothing - Not to proceed with the recommendations detailed above.
Rejected	A do-nothing option should be rejected. The incumbent tenant does not want to renew their lease agreement and will at some point vacate the property

### **Non-key Executive Decision**

leaving the Council with a void property. Proceeding with the recommendation will ensure that continuity of trading whilst also providing the Council with an increase in income given that the entire building will now be let.

### **PRE-DECISION CONSULTATION**

The Commercial Property Manager has been in dialogue with the incumbent tenant, Assistant Director Customer, Bereavement & Registration, The Parks Department and indirectly with the agent via our appointed agents.

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

Name: Dale Wilkins

Designation: Commercial Property Manager



Signature:

Date: Thursday 4<sup>th</sup> December 2025

### **Part B - Assessment of implications and risk**

### **LEGAL IMPLICATIONS AND RISKS**

The recommendation of this report requires the Council to grant a new lease in accordance with the terms stipulated in Appendix A. The lease has a contractual term of 10 years and is afforded security of tenure.

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.

Section 123 of the Local Government Act 1972 ("LGA 1972") allows principal Councils to dispose of land as they wish for the best consideration that can reasonably be obtained unless with the consent of the Secretary of State or by way of a short-term tenancy. It is noted that the rent was negotiated in keeping with the valuation report to ensure that the Council can comply with the duty to obtain best consideration, pursuant s.123 LGA 1972.

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

### **FINANCIAL IMPLICATIONS AND RISKS**

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The lease with the new tenant, will generate additional rental income for the Council, during the lease term. 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.

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

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**APPENDICES**

**Appendix A – Heads of Terms**

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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: 05/12/2025

**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 \_\_\_\_\_