

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

Subject Heading:	Subject Property: Land at 14 Linden Street, Romford, RM7 7DP Event: New Lease
Decision Maker:	Mark Butler - Assistant Director of Regeneration & Place Shaping
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:	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 ()

Non-key Executive Decision

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To note the exercising of delegated authority by the appropriate Property Officer to instruct legal services to prepare and complete a new lease in accordance with the details in 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.

8.6 To dispose of any property of 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.

STATEMENT OF THE REASONS FOR THE DECISION

Background

The demised property consists of a thin strip of land with a storage shed located at the end of a row of residential houses in Linden Street. The property is fenced on all sides apart from the Linden Street side which is where the property is accessed from the road itself.

This property was let on a 21-year term from 11th September 1972 within the Landlord and Tenant Act 1954. The lease expired on the 10th September 1993 and has yet to be renewed.

New lease terms have now agreed with the tenant and therefore this report seeks authority to instruct Legal Services to prepare a new lease agreement.

A valuation report has previously been approved indicating that best valued has been achieved in this instance.

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Recommendations

It is recommended that the Council agrees that the Commercial Property Manager, London Borough of Havering - Property Services to instruct Legal Services to prepare a new lease agreement as per the details in Appendix A.

Decisions

Formal authority is hereby for the Commercial Property Manager, London Borough of Havering - Property Services to instruct Legal Services to prepare a new lease agreement as per the details in Appendix A.

OTHER OPTIONS CONSIDERED AND REJECTED

Option:	Do nothing
Rejected:	There is no good reason not to agree the new lease terms as there will be an uplift in rental income.

PRE-DECISION CONSULTATION

The Commercial Property Manager has been in dialogue with the Trustee of the Scout Association to agree the terms of the new lease.

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

Name: Dale Wilkins
Designation: Commercial Property Manager
Signature:



Date: Friday 23rd January 2026

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Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The recommendation of the report is to grant a new lease in accordance with the terms noted in Appendix A. The lease will be contracted out of the security of tenure provisions of the Landlord and Tenant Act 1954 and therefore, the tenant will not have the automatic right to renew the lease at the end of the term. The tenant will be required to vacate the Property at the end of the term.

Pursuant to s123 of the Local Government Act, Councils can dispose of land in any manner they wish, including the sale of freehold interests, granting a lease or assigning any unexpired term on a lease, and the granting of easements. The only constraint is that a disposal must be for the best consideration reasonably obtainable (except in the case of short tenancies), unless the Secretary of State consents to the disposal. It is noted that the rent secured is in line with the independent valuation obtained for the Property.

Furthermore, 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. This power permits the Council to grant a 10 year lease in accordance with any statutory constraints.

The recommendation of this report is in keeping with these 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.

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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

APPENDICES

Appendix A: Landlord's proposals to grant a new lease.

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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: 23.01.2026

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 _____