

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: 13, Maldon Road, Romford, Essex RM7 0JB (“the Property”) Event: New Lease Agreement
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:	Dale Wilkins Commercial Property Manager Property Services Town Hall Main Street Romford RM1 3AR 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 ()

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Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

To approve the grant of a new lease as per the detail 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.

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

STATEMENT OF THE REASONS FOR THE DECISION

The Property comprises a single story detached steel portal framed industrial building. The Property has been vacant for some time. External agents were recently instructed to market the Property with a tenant now identified with terms agreed as detailed in the appendices.

The new rent is in line with the agents valuation advice and market expectations and therefore satisfies of the Council's duty to obtain best value.

Recommendations

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

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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 premises have been vacant for a considerable period exposing the Council to an empty rates liability. The lease with the new tenant, will generate additional rental income for the Council, during the lease term.

PRE-DECISION CONSULTATION

The Commercial Property Manager has been in dialogue with the agent representing the Council in this matter to agree final lease terms.

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

Name: Dale Wilkins

Designation: Commercial Property Manager



Signature:

Date: Wednesday 25th February 2026

Part B - Assessment of implications and risk

LEGAL IMPLICATIONS AND RISKS

The recommendation of this report requires the Council to grant a lease in accordance with the terms stipulated in Appendix A. The lease has a contractual term of 20 years and is contracted out of sections 24 to 28 of the Landlord and Tenant Act 1954.

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 to best value given the circumstances to ensure that the Council can comply with the duty to obtain best consideration, pursuant s.123 LGA 1972.

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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. The costs associated with drawing up the new agreement will be paid for by the new tenant.

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 – EXEMPT 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: 11.03.2026

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 _____