

Notice of Non-Key Executive Decision

This Executive Decision Report is part exempt, and Appendix A is not available for public inspection as they contain or relates to exempt information within the meaning of paragraph 3 of Schedule 12A to the Local Government Act 1972. It is exempt because it refers to:

Paragraph 3 - Information relating to the financial or business affairs of any particular person including the authority holding that information; and It is in the public interest to withhold the information as the public interest in maintaining the exemption outweighs the public interest in disclosing the information as disclosing the information could prejudice the Council's position and this is not in the public interest.

Subject Heading:	Havering London - Charitable Status Application
Decision Maker:	Andrew BlakeHerbert – Chief Executive
Cabinet Member:	Councillor Gillian Ford
ELT Lead:	Patrick Odling-Smee, Director of Living Well
Report Author and contact details:	Manny Manoharan, 01708 432132, Manny.Manoharan@havering.gov.uk
Policy context:	People – things that matter to residents
Financial summary:	There will be nominal fees involved with applying for charitable status, however if the application is successful this opens up many other funding opportunities that as a company limited by guarantee cannot be applied for

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Relevant Overview & Scrutiny Sub Committee:	People Overview & scrutiny Committee
Is this decision exempt from being called-in?	<i>The decision will be exempt from call in as it is a Non key Decision</i>

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The subject matter of this report deals with the following Council Objectives

People - Supporting our residents to stay safe and well X

Place - A great place to live, work and enjoy X

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

The Strategic Director of People, in consultation with the Deputy Director of Legal Services, is recommended to agree to:

1. Submit an application to the Charity Commission to convert Havering London Limited into a charitable company limited by guarantee
 - to amend Havering London Limited's articles of association to reflect its charitable status

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AUTHORITY UNDER WHICH DECISION IS MADE

Part 3.3.2 Powers of the Chief Executive.

5.2 To have authority over all other Officers of the Council so far as is necessary for the efficient management and execution of the Council's business, functions and services except where Officers are exercising specific responsibilities imposed upon them by statute. This shall include the right to allocate, reallocate and direct all Officers as the Chief Executive shall deem necessary.

5.3 To exercise the powers delegated to any Officer pursuant to this Scheme (so far as the law allows).

STATEMENT OF THE REASONS FOR THE DECISION

The decision seeks to grant Havering London Limited the authority to submit applications for charitable status and to make the necessary amendments to its Articles of Association to comply with charity law requirements. The company is already established as a Council-owned entity, and the Council has existing authority to register it as a charity; this decision will formalise the ability to take the next steps in that process.

Obtaining charitable status will enable Havering London Limited to access a wider range of funding opportunities, including grants and donations that are exclusively available to registered charities. This additional funding potential will directly support the development, delivery, and long-term sustainability of cultural, creative, and placemaking initiatives across Havering, enhancing community engagement, social cohesion, and the local cultural offer.

The governance of the company, including Council nominations to the Charity Board, will continue to be managed in line with the Council's Constitution, ensuring appropriate oversight and accountability. The proposed amendments to the Articles of Association, **set out at Exempt Appendix A**, are primarily procedural. They ensure that the company's governing documents comply with charity regulatory requirements

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while preserving the Council's ability to influence and oversee charitable activities effectively

Overall, granting this authority will allow Havering London Limited to fully realise its charitable ambitions, strengthen its financial resilience, and contribute meaningfully to the borough's cultural and community objectives.

OTHER OPTIONS CONSIDERED AND REJECTED

- Do nothing: Retaining HL solely as a Council-controlled company limited by guarantee was rejected as it would continue to limit access to charitable funding streams.
- Deliver activity directly within the Council: This option was rejected due to capacity constraints and the Council's ineligibility for many external cultural funding programmes.

PRE-DECISION CONSULTATION

An options appraisal was undertaken and reported to Cabinet. Internal consultation took place with Legal and Finance officers prior to the Cabinet decision.

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

Name: Manny Manoharran

Designation: Head of Culture, Leisure, Heritage and Libraries

Signature:

Date: 18/12/2025

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Council has a general power of competence under section 1 of the Localism Act 2011 to do anything an individual may generally do subject to any statutory limitations. The Council has the power under this section to agree to the proposals in the recommendations.

FINANCIAL IMPLICATIONS AND RISKS

There are no direct financial risks associated with submitting the application. Charitable status will enhance eligibility for external funding and may provide financial benefits through tax reliefs if registration is successful.

HUMAN RESOURCES IMPLICATIONS AND RISKS (AND ACCOMMODATION IMPLICATIONS WHERE RELEVANT)

There are no direct human resources implications arising from this decision.

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 EHIA (Equality and Health Impact Assessment) is usually carried out and on this occasion is not required

In this instance, an EHIA is not required because the work relates specifically to the specialist appraisal of the Grade II listed Bretons buildings. The appraisal is a technical and professional exercise and it will not result in any direct or immediate impacts on staff, residents or service users.

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The Council seeks to ensure equality, inclusion, and dignity for all in all situations.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

There are no environmental or climate change implications arising from this decision.

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

There are no direct health and wellbeing risks associated with this decision. Increased cultural activity may have positive indirect impacts on community wellbeing.

BACKGROUND PAPERS

Cabinet 11 June 2025 - Havering London - Charitable Status Application

APPENDICES

Appendix A The proposed amendments to the **Articles of Association** are attached at **Exempt**

Appendix B An options appraisal has been carried out by external lawyers and is attached at **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: Andrew Blake-Herbert

Title: Chief Executive

Date: 17 March 2026

Lodging this notice

The signed decision notice must be delivered to Committee Services, in the Town Hall.

For use by Committee Administration

This notice was lodged with me on _____

Signed _____