

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 contains 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: 18 High Street, Romford, Essex, RM1 1HR (“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 ()

Part A – Report seeking decision

Non-key Executive 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 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

STATEMENT OF THE REASONS FOR THE DECISION

The Property forms part of a secondary retail parade of local authority shops fronting High Street and within easy walking distance of the town centre's prime retail pitch.

The Property trades as a tuition centre and serves predominantly school age children.

The previous lease expired in 2019 and the Property is currently held on a tenancy at will .

External property consultants were recently instructed to provide valuation advice with new lease terms having now been agreed as detailed in the appendices.

The agreed rent is in excess of the property consultant's valuation advice.

Non-key Executive Decision

Recommendations

It is recommended that Legal Services are instructed to prepare a new lease agreement on terms as set out in the appendices and to complete all legal formalities.

OTHER OPTIONS CONSIDERED AND REJECTED

Option: Do nothing - Not to proceed with the recommendations as detailed.

Rejected A do-nothing option should be rejected. The new lease 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 Property consultants 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 18th March 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 5 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.

Non-key Executive Decision

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 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

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 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.

Non-key Executive Decision

BACKGROUND PAPERS

None

APPENDICES

Appendix A – Heads of Terms

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

Position: Assistant Director of Regeneration & Place Shaping

Date: 18.03.2026

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 _____