



Havering
LONDON BOROUGH

Notice of Non-Key Executive Decision

Subject Heading:	Harrow Lodge Primary School – Deed of surrender and new lease
Decision Maker:	Trevor Cook, Assistant Director Education
Cabinet Member:	Councillor Kevin Gill, Cabinet Member for Children
ELT Lead:	Tara Geere, Director of Starting Well
Report Author and contact details:	Pooneeta Mahadeo, School Organisation Manager Pooneeta.Mahadeo@havering.gov.uk Tel. 01708 431092
Policy context:	Academy conversion is governed by the Academies Act 2010 and the Education and Adoption Act 2016, which enable the Secretary of State for Education to require a maintained school to convert to academy status where statutory intervention powers are exercised. In such cases, the Council is required to facilitate the conversion process while continuing to discharge its wider statutory responsibilities, including strategic school place planning, SEND duties and safeguarding.
Financial summary:	There are no direct financial implications arising from this decision. The proposal relates solely to rectifying a legal documentation issue and does not result in additional

Non-key Executive Decision

	revenue or capital expenditure beyond standard legal costs.
Relevant Overview & Scrutiny Sub Committee:	Children & Learning
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>

Non-key Executive Decision

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

Resources - Enabling a resident-focused and resilient Council

Part A – Report seeking decision

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

1. Approve the surrender of the existing registered academy lease for **Harrow Lodge Primary School**, which was granted to the wrong legal entity; and
2. Approve the grant of a new academy lease of the **Harrow Lodge Primary School** site by the London Borough of Havering to **Partnership Learning** (Company Registration Number 08339345), being the correct academy trust.

AUTHORITY UNDER WHICH DECISION IS MADE

Part 3, scheme 3.3.4., paragraph 3.2: To exercise the powers / functions and to carry out the duties of the Council (except where such powers are reserved to the Director of Children's Services and where such powers may not be exercised as a matter of law) under all relevant child care and education legislation including (but not limited to) The Children Act 1989, The Children (Leaving Care) Act 2000, The Special Educational Needs and Disability Act 2001, The Adoption and Children Act 2002, The Nationality Immigration and Asylum Act 2002, The Children Act 2004, , the Education Act 2005, The Education and Skills Act 2008, The Children and Young Persons Act 2008, , The Education Act 2011, and The Children and Families Act 2014 and any other applicable legislation as introduced by central government from time to time.

As notified to the Monitoring Officer in the Sub Delegation from the Director of Children's Services / Director of Starting Well to the Assistant Director, Education Services, dated 7 August 2025.

STATEMENT OF THE REASONS FOR THE DECISION

When Harrow Lodge Primary School converted to academy status in 2018, an academy lease was granted to enable the school to occupy and operate from the site. It has since been identified that the lease was granted to the incorrect company.

To ensure that the academy occupies the site on a sound legal footing, the existing lease must be cancelled and a new lease granted to the correct academy trust. An Executive Decision is required to authorise this action and enable Legal Services to complete the necessary documentation.

Background

Non-key Executive Decision

- Harrow Lodge Primary School converted to academy status on 1 March 2018 – Appendix 1.
- A lease was granted at the time of conversion but was issued to the incorrect company.
- The error was identified through correspondence with the academy trust's legal representatives.
- Legal advice confirms that the appropriate remedy is the cancellation of the existing lease and the grant of a new lease to the correct academy trust.
- A fresh Executive Decision is required due to the passage of time since conversion and to ensure full compliance with governance and statutory requirements.

OTHER OPTIONS CONSIDERED AND REJECTED

None

PRE-DECISION CONSULTATION

The academy trust and their legal representatives have been engaged in discussions regarding the proposed approach and support the cancellation and grant of a new lease. Internal consultation has taken place with Legal Services and relevant officers.

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

Name: Pooneeta Mahadeo

Designation: School Organisation Manager

Signature: P .Mahadeo

Date: 13/05/2026

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The recommendation of this report requires the Council to grant a deed of surrender and enter into a new lease.

Pursuant to Schedule 1 of the Academies Act 2010, the Council is required to facilitate the conversion of maintained schools to academies by transferred the land and buildings used by the school to the incoming academy trust by way of the model 125-year lease.

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.

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

FINANCIAL IMPLICATIONS AND RISKS

There are no direct financial implications arising from this decision.

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

None

EQUALITIES AND SOCIAL INCLUSION IMPLICATIONS AND RISKS

This decision has no equality implications. It relates solely to the correction of legal documentation and does not affect the provision or accessibility of education at the school.

ENVIRONMENTAL AND CLIMATE CHANGE IMPLICATIONS AND RISKS

None

HEALTH AND WELLBEING IMPLICATIONS AND RISKS

None

BACKGROUND PAPERS

APPENDICES

Appendix 1 – Academy order

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

Delete as applicable

Details of decision maker

Signed



Name: Trevor Cook

Cabinet Portfolio held:

CMT Member title:

Head of Service title

Other manager title:

Date: 21/05/2026

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 _____

Non-key Executive Decision