

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 contains 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 Information relating to the financial or business affairs of any particular person (including the authority holding that information). and the public interest in maintaining the exemption outweighs the public interest in disclosing the information

Subject Heading:	Subject Property: Land at North Street, Hornchurch ("the Property") Event: Rent Review – 25th March 2026
Decision Maker:	Mark Hopson - Assistant Director of Regeneration & Place Shaping
Cabinet Member:	Robert Whitton - Cabinet Member for Regeneration
SLT Lead:	Neil Stubbings - Strategic Director of Place
Report Author and contact details:	London Borough of Havering (LBH) Luke Kubik Estates Surveyor Property Services Town Hall Main Road Romford RM1 3BD Tel: 01708 434 176 E: luke.kubik@haverling.gov.uk
Policy context:	Asset Management Plan

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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

DETAIL OF THE DECISION REQUESTED AND RECOMMENDED ACTION

Recommendations

It is recommended that in order to complete the 25th March 2026 rent review the Assistant Director of Regeneration & Place Shaping, London Borough of Havering is to countersign the rent review memorandum. The Estates Surveyor, Property Services is to then issue a completion statement to instruct the collection of the increased rent.

Decisions

Formal authority is hereby given to complete the 25th March 2026 rent review by the Assistant Director of Regeneration & Place Shaping, London Borough of Havering countersigning the rent review memorandum. The Estates Surveyor, Property Services is to then issue a completion statement to instruct the collection of the increased rent.

AUTHORITY UNDER WHICH DECISION IS MADE

Havering Council's Constitution Part 3.3 scheme 3.3.5 (2nd 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.

STATEMENT OF THE REASONS FOR THE DECISION

The Property is leased to the tenant on a 5 year lease commencing on 25 March 2023 that is not protected by the Landlord & Tenant Act 1954. The property is used as a car park

The leases provides for the rent to be reviewed in line with CPI on the third anniversary of the term start date as described in Appendix A. The lease stipulates a minimum and maximum rent allowed at review and the calculation to be used.

A valuation report has been produced confirming the increased rent by way of CPI and confirms it is above the minimum rent and does not exceed the maximum rent.

The tenant has signed the rent review memorandum confirming their agreement to the CPI rent increase.

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OTHER OPTIONS CONSIDERED AND REJECTED

Option: Not to review the rent.

Rejected: There is no reason to not review the rent as the lease allows the rent to be increased by way of a CPI increase and the tenant has agreed to the increase by signing the rent review memorandum.

PRE-DECISION CONSULTATION

None

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

Name: Luke Kubik

Designation: Estates Surveyor

Signature:

A handwritten signature in black ink, appearing to be 'LK' or similar, on a light background.

Date: 12 June 2026

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The Second Schedule of the lease permits the Council to uplift the rent in accordance with the terms as stipulated in Appendix A.

The rent review uplift will be implemented internally by the Council's Property Services team and recorded by way of a rent review memorandum and a completion statement.

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 General Power"). The recommendation in this report is in keeping with the General Power.

FINANCIAL IMPLICATIONS AND RISKS

The rental review will generate additional rental income for the Council during the lease term. VAT is not chargeable on the rent. This will help to alleviate the pressure on the commercial rent income budget.

The tenant has signed the rent review memorandum, so the risk of the tenant withdrawing from the lease due to the rental increase is minimal.

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

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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 and on this occasion this isn't required.

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 Proposal for Review of the Rent - 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



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Signed

Name: Mark Hopson

Position: Assistant Director of Regeneration & Place Shaping

Date: 01 July 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 _____