

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: 305 Havering Road, Romford RM1 4BZ ("the Property") Event: Garden Licence
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@havering.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 the Council agrees that Property Services instructs the Council's Legal Department to draw up a new licence as per the details in Appendix A.

Decisions

Formal authority is hereby given to instruct Property Services to instruct the Council's Legal Department to draw up a new licence as per the details in Appendix A.

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

This residential property is currently being purchased and part of the rear garden that is used by the Property is Council owned land. As garden licences are personable and not transferable on sale, the new owner requires a new rear garden licence. The agreement will allow the owner to use the rear garden that is Council owned land.

OTHER OPTIONS CONSIDERED AND REJECTED

Option:	Not to grant a new garden licence
Rejected:	There is no reason not to grant a new garden licence to the new owner of 305 Havering Road
Option:	To sell the land to the house purchaser
Rejected:	The purchaser has opted for a licence rather than purchasing the land as the process to purchase the land is likely to take longer. The purchaser may look to purchase the land in the future.

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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 initials, written over a light gray grid background.

Date: 5 August 2026

Part B - Assessment of implications and risks

LEGAL IMPLICATIONS AND RISKS

The report seeks approval to grant a licence to use the land to the rear of the Property in accordance with Appendix A. The licence will be personal to the owner and allow the licensee to use the land for the purpose noted in Appendix A. The agreement can be terminated by either the Council or licensee at any time provided that three months prior written notice is given to the other.

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

This report is seeking approval to issue a garden licence to the new occupant of 305 Havering Road.

The licensee is to pay the Council's legal and surveyor fees, so there is no cost to the Council in this transaction.

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 Proposals for a New Rear Garden Licence - 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: Interim Assistant Director of Regeneration & Place Shaping

Date: 7 August 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 _____