



SOUTH HOLLAND

DELEGATED DECISION RECORD

This records a key or other decision taken by the Cabinet in accordance with the Council's scheme of Delegations (as set out in Section D of Part 3 of the Council's Constitution).

Unless the Leader and the Chairman of the Performance Monitoring Panel certify that the matter is so urgent that the normal five-day scrutiny delay on action should not apply, then this decision will come into force and may then be implemented on the expiry of five working days after the publication of the decision, unless called in under the call-in procedures as set out in Section D of Part 3 of the Council's Constitution.

Decision Maker	Cabinet
Report Title	Transfer of Open Space to Sutton Bridge Parish Council.
Summary Background	To secure Cabinet approval to transfer land to Sutton Bridge Parish Council using the provisions set out within Circular 06/2003.
Author / Contact Officer	Deputy Chief Executive – Delivery and Assistant Director - General Fund Assets andy.fisher@boston.gov.uk
Ward(s) Affected	Sutton Bridge
Urgent?	No
Key Decision?	No
In Key Decision Plan?	N/A
Date of Decision	20 January 2026
Date Published	21 January 2026
Call-In Expiry	28 January 2026
Exempt Information?	No
Decision (Action Agreed)	<p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Relies on the provisions contained within the Local Government Act 1972 - General Disposal Consent 2003, as conveyed through Circular 06/03 and approves the disposal of the land shaded blue on the plan attached at Appendix 1 for £1, representing an undervalue of £29,999 to Sutton Bridge Parish Council as doing so <i>'is likely to contribute to the achievement of..... the promotion or improvement of social well-being..... of all or any persons resident or present in its area.</i> (Circular 06/03). 2. Delegates authority to the Strategic and Operational Property Manager, General Fund Assets, to conclude the transfer, following any and all advice received from the Council's legal advisors in securing suitable and sufficient restrictive covenants within any resulting conveyance that limit the use of the land shaded blue to car parking for and other uses

	<p>attendant to the use and enjoyment of the adjoining recreational land only, with a 100% overage clause in favour of this or any successor Council being included within any conveyance and triggered by any alternative use the land may be put to, and that;</p> <p>3. Notes that the Strategic & Operational Property Manager, General Fund Assets has effected the process set out by Section 123 (2A) of the Local Government Act, 1972, in respect the land edged red and shaded blue on the plan at Appendix 1 as the necessary precursor when considering the disposal of any land that is or could be considered to be 'open space' under the Act, with no representations being received.</p>
Reason(s)	<p>The recommendations made will enable the Parish Council to take the land into 'local' ownership in order to maintain and enhance the community value and social well-being that it offers residents now and into the future, whilst reducing this Council's costs and liability and protecting its long-term financial position through the inclusion of a 100% overage clause.</p>
Options	<p>1. Not to dispose of the land in this way and continue to maintain the asset at an ongoing cost to SHDC – not recommended.</p> <p>2. Put the land to the open market with a view to securing a capital receipt at or close to the unrestricted market value assessed in accordance with the Act by the Council's appointed Registered Valuer – not recommended in this case as set out within this report.</p>
Further Information	n/a