




RECORD OF OFFICER DELEGATED DECISIONS

TITLE:	Disposal of Land at Fosdyke, Lincolnshire.
DECISION:	<p>To:</p> <ol style="list-style-type: none"> 1. Declare the land outlined red on the plan attached at Appendix 1 surplus to requirements. 2. Advertise the freehold disposal of Fosdyke Cemetery to Fosdyke Parish Council in accordance with the requirements of Section 123 of the Local Government Act, 1972. 3. Subject to no representations being received to the advertisement described at point 2 above, dispose of the land outlined red on the plan attached at Appendix 1 to Fosdyke Parish Council at its unrestricted market value determined by the Council's appointed Registered Valuer. 4. Include an overage clause in any resulting conveyance at the maximum percentage advised by the Council's legal representatives. 5. Recover the Council's legal, valuation and advertising costs in effecting this decision from Fosdyke Parish Council. <p>In the event any representations are received in respect of the advertisement described at point 2 above, this decision will be paused and the representations referred to the Council's Cabinet for consideration and decision as to whether to progress with any disposal.</p>
DECISION MADE BY:	Executive Director, Programme Delivery.
DATE DECISION MADE:	9 th June 2026
REASON FOR DECISION:	<p>Whilst the Council own, manage and maintain Fosdyke Cemetery, holding the asset costs the Borough Council taxpayer significantly more than it generates annually and returns financially (although it does provide a clear 'social' and 'amenity' value). The Parish Council are seeking a transfer of the asset to hold and maintain at its sole liability, for the benefit of Parish and wider residents. As described in the Council's adopted Asset Strategy 2023 – 2028, there is no overriding strategic reason for retaining the asset when the Parish are seeking to assume liability whilst maintaining its current use and purpose.</p>
DETAILS OF ANY ALTERNATIVE OPTIONS CONSIDERED:	<ul style="list-style-type: none"> • Not to dispose of the Cemetery to the Parish Council and retain the land – whilst an option, there is not overriding strategic need, value or purpose in doing so. • Seek to dispose on the open market – whilst there may be market interest, this option is not recommended given the de minimis valuation and the designated planning use of the land.

<p>AUTHORITY FOR DECISION:</p>	<p>Section 7.12 of the Council's prevailing Scheme of Delegation to Officers delegates the decision-making officer 'Disposal of land and building – to agree terms and sell any land or buildings of the council at Market Value up to a value of £50,000 which are declared surplus to requirements in accordance with criteria and procedures agreed from time to time by the Cabinet'.</p> <p>Before exercising an executive decision under this section, the decision-making officer is required to 'Consult with the Portfolio Holder and relevant Ward Members'.</p> <p>The Portfolio Holder and ward members were consulted on 4th June 2026, replying in writing on 9th June 2026, supporting the officer's proposed decision.</p> <p>The Scheme of Delegation to officers extant at the date of taking the decision is available at:</p> <p>https://democracy.boston.gov.uk/documents/s13778/Part%203a%20-%20Section%2012%20-%20Officer%20Scheme%20of%20Delegation%20-%20January%202025.pdf</p>	
<p>SUPPORTING PAPERS:</p>	<p>Valuation note; Council Constitution – Scheme of Delegation to Officers.</p>	
<p>OFFICER/COUNCILLOR INTERESTS DECLARED:</p>	<p>None.</p>	
<p>CONTACT PERSON:</p>	<p>Andy Fisher</p>	<p>Telephone number: 01205 314200</p>
<p>SIGNATURE</p>		<p>Date: 9th June 2026</p>

Notes: When the decision has been made the relevant officer should complete the report within 14 days and send it to Democratic Services for publication on the Council's website in accordance with the Openness of Local Government Regulations 2014.

Land subject to this decision outlined in red.

HM Land Registry
Current title plan

Title number **LL325993**
Ordnance Survey map reference **TF3133SE**
Scale **1:2500**
Administrative area **Lincolnshire : Boston**



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