



REPORT TO:	Executive Board
DATE:	6 July 2022
SUBJECT:	Disposal of Public Open Space – Feedback from Statutory Consultation.
PURPOSE:	To ensure that any feedback received from the consultation is presented to the Executive for consideration at its meeting.
KEY DECISION:	N/A
PORTFOLIO HOLDER:	Councillor Richard Fry, Executive Member for Finance
REPORT AUTHOR:	Andy Fisher, Assistant Director – General Fund Assets
WARD(S) AFFECTED:	North Holme District Louth and Winthorpe District Skegness.
EXEMPT REPORT?	No.

SUMMARY

At its meeting on 12 May 2022, Council determined that subject to contract, due process and consideration of any consultation feedback by the Executive, the Council dispose of the land outlined in red at Figure 1.

That statutory consultation did not conclude until the agenda for its meeting on 6 July had been published so feedback from that process will be presented directly at the meeting.

RECOMMENDATIONS

That:

1. Executive Board consider any feedback presented to it and determine whether it continues with a disposal subject to contract and due process.

REASONS FOR RECOMMENDATIONS

Feedback from the statutory consultation process followed must be considered by the Executive and it should consider whether any disposal should proceed.

OTHER OPTIONS CONSIDERED

Not to consider any feedback received – not appropriate as consideration of any resulting feedback is a requirement of Section 123 (2A) of the Local Government Act, 1972.

1. BACKGROUND

- 1.1. At its meeting on 12 May 2022, Council determined that subject to contract, due process and consideration of any consultation feedback by the Executive, the Council dispose of the land outlined in red at Figure 1.

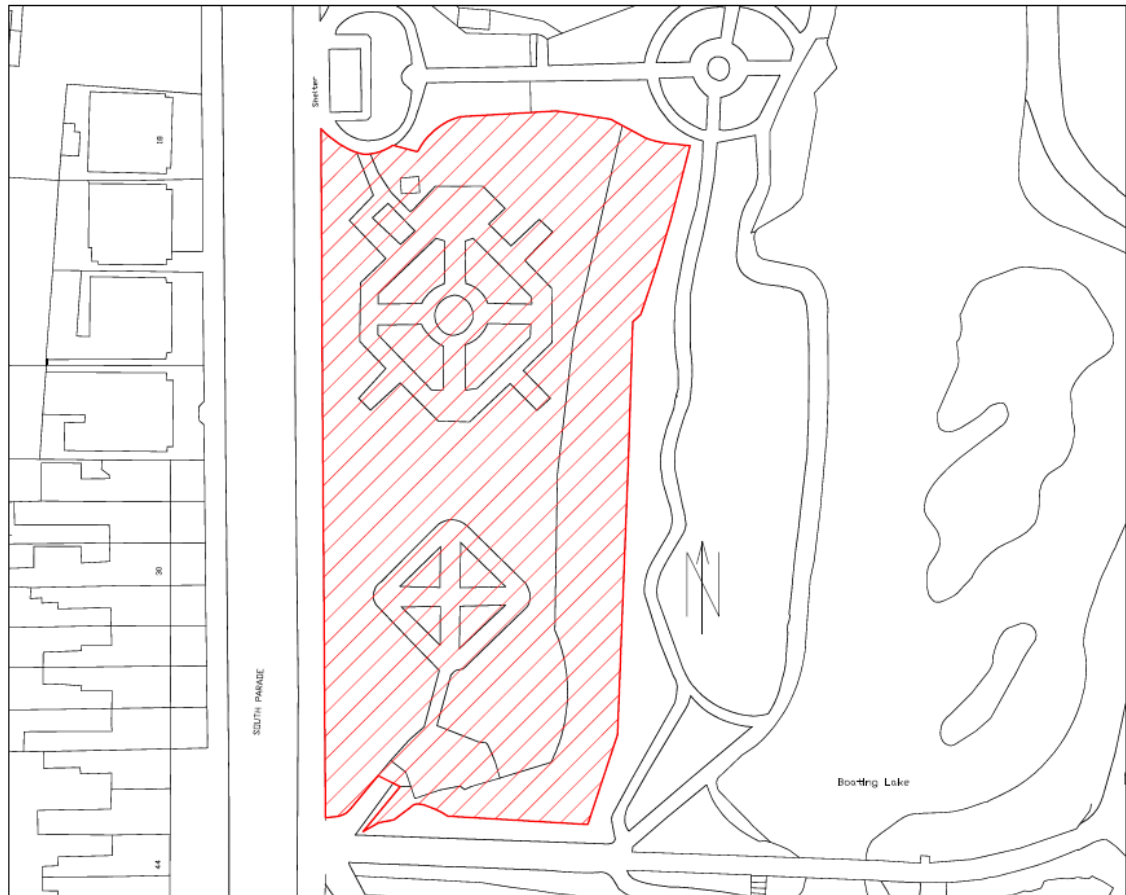
2. REPORT

- 2.1. The land outlined in red in Figure 1 has been declared surplus by the Council with its disposal being subject to the requirements of Section 123 (2A) of the Local Government Act 1972 that prescribes that:

“A principal council may not dispose under subsection (1) above of any land consisting or forming part of an open space unless before disposing of the land they cause notice of their intention to do so, specifying the land in question, to be advertised in two consecutive weeks in a newspaper circulating in the area in which the land is situated, and consider any objections to the proposed disposal which may be made to them”.

The land was duly advertised on 15 June 2022 and 22 June 2022 however, this report was published prior to the close of consultation on 29 June 2022 so feedback will be presented directly to the Executive for its consideration at its meeting on 6 July 2022.

FIGURE 1 – Land at Skegness identified for disposal



3. CONCLUSION

- 3.1. Following consideration of any feedback presented, it is recommended that Executive Board consider any feedback received and determine whether the Council continues with a disposal subject to contract and due process.

EXPECTED BENEFITS TO THE PARTNERSHIP

Disposal will support economic growth within East Lindsey.

IMPLICATIONS

SOUTH AND EAST LINCOLNSHIRE COUNCIL'S PARTNERSHIP

Disposal will support economic growth within East Lindsey.

CORPORATE PRIORITIES

Moving to disposal will:

- create an environment that help businesses to survive and grow.

STAFFING

None.

CONSTITUTIONAL AND LEGAL IMPLICATIONS

It is critical that the Council follows due process in seeking the disposal of the land set out at Figure 1.

DATA PROTECTION

None

FINANCIAL

Any resulting disposal will generate a receipt for the Council that it can reinvest.

RISK MANAGEMENT

All risks will be managed in accordance with the Council's risk framework with robust legal advice having been sought about the process followed to date.

STAKEHOLDER / CONSULTATION / TIMESCALES

Disposal of the land was considered by Full Council on 12 May 2022. Disposal will remain subject to contract and due process.

REPUTATION

Although due process and issue of a Public Notice for two consecutive week seeking comments on the Council's intention to dispose of the Public Open Space has been effected, there is always the risk of adverse opinion being returned.

CONTRACTS

No existing contracts will be materially affected if the recommendations are agreed.

CRIME AND DISORDER

None

EQUALITY AND DIVERSITY/ HUMAN RIGHTS/ SAFEGUARDING

None

HEALTH AND WELL BEING

None

CLIMATE CHANGE AND ENVIRONMENTAL IMPLICATIONS

Any resultant development will be controlled by planning and building control processes which will consider and control a number of climate and environmental implications.

LINKS TO 12 MISSIONS IN THE LEVELLING UP WHITE PAPER

MISSIONS	
This paper contributes to the follow Missions outlined in the Government's Levelling Up White paper.	
Living Standards	Any resulting development and employment created will have a positive effect upon those securing employment.
Research and Development	None
Transport Infrastructure	None
Digital Connectivity	None
Education	None
Skills	Any resulting development will support construction related skills training.
Health	Any resulting employment should support physical and mental health.
Wellbeing	Any resulting employment should support employees and their families' general wellbeing.
Pride in Place	Any resulting development has the potential to support an increased sense of place and act as a catalyst for further investment and enhancement.
Housing	None.
Crime	None
Local Leadership	None

ACRONYMS

None

APPENDICES

None

BACKGROUND PAPERS

No background papers as defined in Section 100D of the Local Government Act 1972 were used in the production of this report.

CHRONOLOGICAL HISTORY OF THIS REPORT

The principle of this report was considered by Full Council on 12 May 2022.

REPORT APPROVAL

Report author:

Andy Fisher, Assistant Director – General Fund Assets

Signed off by:	Adrian Sibley – Deputy Chief Executive – Programme Delivery
Approved for publication:	Councillor Richard Fry – Executive Member for Finance