

EAST LINDSEY DISTRICT COUNCIL EXECUTIVE DECISION NOTICE

1. Decision to be taken: Following an application form from West Ashby Parish Council, regarding The memorial Lawn Mareham Le Fen Horncastle to be registered as an asset of community value under the Localism Act 2011 the decision by East Lindsey District Council is for the property not to be listed on the register of assets of community value.

2. This is a:

PORTFOLIO HOLDER SUPPORTED OFFICER DECISION

Note: This form should not be used for Key Decisions

3. The following is the decision making body or person:

OFFICER Duncan Hollingworth

4. Financial implications from this decision have been communicated to the Portfolio Holder for Finance and the Leader? None

5. The decision was taken on: 17/03/23

Note: - the above date to be completed by Democratic Services upon publication

6. Contact Officer and details: Duncan Hollingworth (Buildings and Property) Tel 01507 601111 e-mail Duncan.Hollingworth@e-lindsey.gov.uk

7. List of documents submitted for consideration in relation to the matter in respect of which the decision is to be made :

Application form from Memorial Lawn Preservation Society - Chair Phillip Roberts (Unincorporated Group)

8. Where the documents are held and where they can be obtained from (except exempt items) when they become available:

Property Services Department, East Lindsey District Council, The Hub and Willow House Mareham Road Horncastle.

9. The reason for the decision and other alternative options considered and rejected:

The first test under Section 88 (1) of the act is.

- (a) *There must be an actual current use of the building or other land that is not ancillary use and which furthers the social well-being or social interests of the local community.*

(b) It must be realistic to think that there can continue to be a non-ancillary use of the building or land which will further the social well-being or social interests of the local community.

From the application received and supporting information, there is no actual current use and therefore the first test under Section 88 (1) of the act is not met.

The second test under Section 88 (2) of the act is

(a) There is a time in the recent past when an actual use of the building or other land that is not ancillary use and which furthers the social well-being or social interests of the local community.

(b) It is realistic to think that there is a time in the next five years when there could be non-ancillary use of the building or other land that would further (whether or not in the same way as before) the social well-being or social interests of the community.

From the information supplied there has been no use in the recent past therefore part (a) is not met.

However under part (b) there may be a use in the next five years from the submission made about how the area could be used, however it is believed that this is not realistic as the area has failed Section 88 (1) of the act.

Therefore, having taken all representations into account, it is recommended that The Memorial Field Mareham Le Fen is NOT listed as an Asset of Community Value.

10. Declaration of any conflicts of interest of the decision making body or the individual: None
11. Provide a note of any subsequent dispensations granted by the Head of Paid service: None

12. Financial Implications of this Decision:-

Estimated cost:- None

Funded from:- N/A

N.B. Please enter names below, signatures will be retained as a hard copy and will not be published therefore should be provided on page 3 of this form:

13. This decision has been signed off by:

Head of Paid Service/S151 Officer or person presiding
(insert name – signatures should be provided overleaf on page 3)

Rob Barlow

Lead Officer Duncan Hollingworth

Portfolio Holder Cllr Richard Fry
