



Thriving Council Committee

**Thursday, 24 September
2026**

**Subject: Community Asset Transfer – Proposed Freehold Transfer of S187
- The Levelling's (Hickman Bacon Memorial Park)
Gainsborough to Gainsborough Town Council**

Report by:

Director of Environment and Cultural Services

Contact Officer:

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Executive Summary:

The purpose of this report is to seek approval for the freehold transfer of site S187 The Levelling's to Gainsborough Town Council. The Levelling's is a public recreational asset associated with the Hickman Bacon Memorial Park which provides children's play park facilities, skate ramps, football pitch and dog walking area

Appendices to Report

- Nil

RECOMMENDATION(S):

(a) The committee approves, in principle, the transfer of the freehold interest in The Levelling's (Hickman Bacon Memorial Park), Gainsborough to Gainsborough Town Council at nil or nominal consideration, subject to completion of the necessary legal, valuation and property checks.

(b) That the transfer be completed subject to appropriate covenants, restrictions and conditions securing the continued recreation/community use of the land and compliance with any requirements arising from the 1951 Deed of Gift.

(c) The authority be delegated to the appropriate Director, in consultation with the Monitoring Officer/Section 151 Officer, to finalise the transfer documentation and deal with any consequential matters, subject to agreed terms.

1. Introduction

- 1.1 Gainsborough Town Council has submitted an application seeking transfer of the District Council's freehold interest in Site S187 - The Levelling's, Love Lane, Gainsborough, a public recreational asset associated with the Hickman Bacon Memorial Park. The application identifies the District Council's freehold title as LL298664 and seeks transfer of the freehold at nil or nominal consideration.
- 1.2 The historic Deed Packet identifies a Deed of Gift dated 26 January 1951 between Sir Edmund Castell Bacon and the Urban District Council of Gainsborough. The land was given as a memorial to the late Sir Hickman Beckett Bacon and was subject to use as parks, pleasure grounds, playing fields and recreation grounds, including associated entertainment and refreshments.
- 1.3 Historic correspondence also records an intention for Gainsborough Town Council to assume management and control of the park. The Town Council's current Community Asset Transfer application states that it has managed the site under lease since 1998. It therefore already undertakes the day-to-day management and financial responsibility for the asset.
- 1.4 The application demonstrates an established track record of managing and investing in the site. The Town Council has secured approximately £100,000 of external funding for improvements to the children's play areas and has funded a new footpath within the dog-walking area from its precept.
- 1.5 The Town Council proposes to retain The Levelling's as public open space, including its play areas and football pitch, for recreation, community events and informal leisure. No change of use or restriction of public access is proposed.
- 1.6 Officers consider that the application demonstrates an established ability to manage and financially sustain the asset and provides a strong basis for transfer under the Council's Community Asset Transfer Policy, subject to confirmation of the legal title, Deed of Gift restrictions, valuation and other necessary due diligence.
- 1.7 This report considers the application by Gainsborough Town Council for the transfer of the District Council's freehold interest in S187 - The Levelling's, Gainsborough.
- 1.8 The proposal is being considered under the Council's Community Asset Transfer Policy and has been informed by the Town Council's application and the findings from the review of the historic Deed Packet.
- 1.9 The proposed transfer would move legal ownership to the Town Council, which already manages and maintains the site, while securing its continued recreational and community use.

2 Background

- 2.1 The findings identify a Deed of Gift dated 26 January 1951 between Sir Edmund Castell Bacon and the Urban District Council of Gainsborough.
- 2.2 The Deed records that the land was given as a memorial to the late Sir Hickman Beckett Bacon and that it was to be used as parks, pleasure grounds, playing fields and recreation grounds, including associated entertainment and refreshments.
- 2.3 Historic correspondence records that Gainsborough Town Council was to assume full management and control of the park from 1 April 1997, subject to the terms and use provisions contained within the Deed of Gift. The Town Council's current application states that it has managed the site under lease since 1998.
- 2.4 The findings state that the site was subsequently registered to West Lindsey District Council in July 2008. The historical evidence therefore demonstrates the longstanding management arrangement but does not replace the need to confirm the current registered ownership and legal position.
- 2.5 The proposed transfer provides an opportunity to regularise the ownership position and align the freehold with the authority already responsible for the site's management.

3 Community Asset Transfer Policy Assessment

- 3.1 The Community Asset Transfer Policy provides a framework for transfers which deliver community benefit and provide a sustainable future for Council assets.
- 3.2 Gainsborough Town Council is a democratically elected local authority established in 1992 under the Local Government Act 1972 and is an eligible body under the Community Asset Transfer framework. It comprises up to 18 elected councillors, with Full Council and committee arrangements covering matters including finance and property.
- 3.3 The application demonstrates established governance arrangements supported by policies covering health and safety, safeguarding, equality and diversity, environmental sustainability, risk management and data protection. Appropriate insurance arrangements are also in place.
- 3.4 The Town Council has extensive direct experience of managing the asset and wider experience of managing parks, open spaces, allotments and community facilities across Gainsborough. Its investment in The Levelling's includes approximately £100,000 of externally funded play-area improvements and a new footpath funded from its precept.

- 3.5 Officers consider that the application demonstrates appropriate governance, management capacity, financial sustainability and continuing community benefit to support the transfer in principle.

4 Suitability of the Asset

- 4.1 The Levelling's is suitable for consideration as a community asset because it has an established recreational and community purpose consistent with the historic Deed of Gift.
- 4.2 The application identifies the asset as S187 – The Levelling's, Love Lane, Gainsborough, DN21 2NT. The site is reported to be generally in good condition and fully operational as public open space. Minor repairs to sections of the footpath network have been identified and will be incorporated into the Town Council's planned maintenance programme.
- 4.3 The transfer would:
- align ownership with the Town Council's established management role;
 - secure continued public and recreational use;
 - provide clearer long-term responsibility for management and investment;
 - strengthen local accountability; and
 - provide greater certainty over future ownership and management.
- 4.4 The precise extent of the freehold interest, title and any registered restrictions must be confirmed before completion

5 Governance and Management

- 5.1 Gainsborough Town Council has an established governance and management structure supported by elected members, officers and committee arrangements.
- 5.2 Importantly, the Town Council is not a new operator of the asset. It advises that there Council has managed The Levelling's since 1998 and already undertakes the operational management and maintenance of the site.
- 5.3 Gainsborough Town Council have track record of securing external funding and investing its own resources in the site which provides further evidence of their capacity to manage and improve the asset.
- 5.4 Officers consider that the Town Council has demonstrated an appropriate level of governance, operational experience and organisational capacity to hold the freehold and continue managing the asset on a long-term basis.

6 Financial Sustainability

- 6.1 Gainsborough Town Council is seeking transfer of the freehold at nil or nominal consideration for community benefit purposes.
- 6.2 The Town Council already meets the ongoing maintenance and operational costs of The Levelling's under its existing full repairing lease. Routine costs are incorporated within its approved annual budget and precept and no additional routine expenditure is anticipated solely as a result of the transfer.
- 6.3 Significant future capital improvements would be considered through the Town Council's annual budget-setting process and, where appropriate, supported through external grant funding. The Town Council also maintains general reserves in accordance with proper practices for local authorities.
- 6.4 A current valuation should be retained on the decision file to establish the extent of any undervalue and demonstrate compliance with relevant statutory and policy requirements.
- 6.5 Officers consider that the application demonstrates an established and sustainable financial arrangement for the continued management of the asset.

7 Community Benefit

- 7.1 The principal community benefit is the long-term safeguarding of The Levelling's as freely accessible recreational and amenity space.
- 7.2 The site currently provides public open space, children's play areas and a football pitch and supports recreation, community events, dog walking and outdoor physical activity. The Town Council intends to retain these uses and consider future enhancements where appropriate.
- 7.3 Local ownership would enable decisions concerning the site to be taken directly by the authority already responsible for its management and would strengthen local democratic accountability.
- 7.4 Formal consultation has not been undertaken specifically for the transfer because no change of use, restriction of access or alteration to the existing management arrangements is proposed. The Town Council receives ongoing community feedback through its normal democratic and engagement processes.
- 7.5 The proposal therefore provides continuing social and community value and is consistent with the objectives of the Community Asset Transfer Policy.

8 Environmental Benefits

- 8.1 The Levelling's is an established public green space which contributes to local amenity, biodiversity and residents' wellbeing.
- 8.2 The Town Council intends to continue its existing grounds and green-space management arrangements and identifies opportunities for biodiversity enhancement, tree and habitat management and sustainable maintenance practices where resources permit.
- 8.3 Retaining the land as public open space will continue to contribute to urban green infrastructure and local climate resilience.

9 Conclusion

- 9.1 Having considered the Community Asset Transfer Policy, Gainsborough Town Council's application and the historic Deed Packet findings, there is a strong case for transferring The Levelling's to Gainsborough Town Council.
- 9.2 The Town Council has an established management relationship with the site and already meets its operational and maintenance responsibilities. It has demonstrated its ability to invest in the asset, including securing approximately £100,000 of external funding for play-area improvements and funding additional improvements from its own precept.
- 9.3 The proposed transfer would therefore principally change the legal ownership of the asset rather than its day-to-day management or community use.
- 9.4 The current legal title, effect of the 1951 Deed of Gift and extent of any undervalue must be confirmed before completion. Appropriate protections should be incorporated into the transfer documentation to safeguard the future recreational and community purpose of the land.
- 9.5 Subject to these matters, transfer to Gainsborough Town Council would provide a clear long-term ownership arrangement, strengthen local accountability and secure the continued community benefit of The Levelling's.
- 9.6 Committee is therefore recommended to approve the proposed transfer in principle, subject to completion of the necessary legal, valuation and property checks.

10 Alternative Options

Option	Rationale	Assessment
1. Approve the transfer (recommended)	Transfers the freehold to Gainsborough Town Council, which already manages and	Recommended, subject to legal, title and valuation checks.

	maintains the asset, while securing its continued community use.	
2. Refuse the application	Retains District Council ownership despite the Town Council's established operational and financial responsibility for the site.	Not recommended.
3. Retain ownership and continue the existing lease	Maintains the existing arrangement without transferring the freehold.	Less satisfactory as a long-term solution and retains split ownership/management responsibilities.

ASSOCIATED IMPLICATIONS

Legal:

The site was obtained via a Deed of Gift and this is a material consideration in determining the appropriate form and conditions of any transfer.

The historic findings record a right of pre-emption/right to offer the premises back to the Estate for a defined period and state that previous Legal Services advice concluded that this period expired in 2012. This should be reviewed and confirmed against the original Deed and current legal position before completion.

The findings also record that, in 1991, the Trustees did not wish to exercise their rights in relation to the relevant plots. This provides useful historical context but should not be treated as a substitute for current legal advice.

Legal Services should confirm whether any Deed of Gift restrictions remain enforceable, whether Charity Commission involvement is required and the appropriate wording of any covenant or restriction required to protect the memorial and recreational purpose of the land.

The current Land Registry title should also be checked to confirm the exact extent of the District Council's registered interest and any entries affecting the proposed disposal.

Financial: FIN/49-27/SL

The last current valuation for sale received from Bruton Knowles in 2014 was £110,000.

The last Historical Cost valuation on the 31/03/2026 as a community asset was £0.

The current lease (LOUT000190) to Gainsborough Town Council is for a peppercorn rent and expires 30/01/2033.

There are no revenue costs associated with this land..

Staffing: There are no staffing implications arising from this report. Any work related to this transfer will be delivered within existing officer capacity and support of Legal Service Lincolnshire. Such works are factored within Property & Assets Service Plan.

LGR implications: N/A

Equality and Diversity including Human Rights:

Data Protection Implications: There are no data protection implications arising directly from this report

Climate Related Risks and Opportunities:

None arising from this report

Section 17 Crime and Disorder Considerations: None

Health Implications: Long term management and retention of the site for public open space and play parks supports the Health and Wellbeing objectives held by the Council.

Risk Assessment:**Title and Location of any Background Papers used in the preparation of this report:**

West Lindsey District Council Community Asset Transfer Policy 2026

Community Asset Transfer Application – Gainsborough Town Council

Findings from review of the Deed Packet for The Levelling's / Hickman Bacon Memorial Park

Deed of Gift between Sir Edmund Castell Bacon and the Urban District Council of Gainsborough dated 26 January 1951

Historic correspondence between West Lindsey District Council, the relevant Trustees and Gainsborough Town Council

Current Land Registry title and title search

Property valuation report

Call in and Urgency:**Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?**

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

☐

No

X

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

☐

No

X