

SHEFFIELD CITY COUNCIL

INDIVIDUAL CABINET MEMBER DECISION RECORD

The following decision was taken on 24 March 2016 by the Cabinet Member for Neighbourhoods.

Date notified to all members: Thursday 24 March 2016

The end of the call-in period is 4:00 pm on Friday 1 April 2016

Unless called-in, the decision can be implemented from Saturday 2 April 2016

1. **TITLE**

Asset of Community Value Nomination - Heeley People's Park ("The Property")

2. **DECISION TAKEN**

To allow the registration of Heeley People's Park as an Asset of Community Value.

3. **Reasons For Decision**

The nomination form states the area of operation encompasses 4,500 households that are within the Heeley, Meersbrook and Lowfields areas of Sheffield although users of the Property do come from across Sheffield as well.

The nominators distribute and deliver a community newspaper called "The Heeley Voice". The paper includes news and updates regarding the Property and the nominator's events programme. Based on this information it would be reasonable to conclude that the local community served by the Property are Heeley, Meersbrook and Lowfields.

The Property is described as former housing land that was cleared in the late 1970's or early 1980's and left undeveloped and neglected. The nominator holds the Property on a 125 year lease from Sheffield City Council. Since taking the Property from the Council the nominator has undertaken a significant improvements including cultivation and landscaping. They have also constructed a length of BMX track, a length of mountain bike track, an outdoor climbing boulder, a multi- use games area, picnic benches and the construction and improvement of a number of paths.

The nominator states that the Property is used extensively both formally and informally. On a formal level it is used for organised community events such as festivals, music events and environmental and family activities. A detailed programme of events is included on the nomination form. The Property also hosts

the Heeley Festival which attracts more than 5000 people according to the nominator. Annual visitor numbers based on audience counts are estimated to be in excess of 10,000 but this does not take into account informal use which is likely to increase the figure substantially.

Should there be a cessation of use the nominator lists a number of adverse effects being:

1. The loss of a valuable community asset and venue for the activities held there.
2. The impact on local business due to the loss of visitors.
3. The potential for anti-social behaviour occurring the Property if it were left vacant.
4. General impact on the community of the loss of amenity land and habitat.

Points 2, 3 and 4 are not quantified or quantifiable. However, point 1 given the activities listed it is reasonable to suggest would be of relevance.

The test set out in section 88(1)(a) of the Act provides that the use should benefit the "local community". There is no specific definition of local community in either the Act or the Regulations. The concept of local connection for the purposes of section 89(2)(b)(iii) of the Act in accordance with the criteria set out in paragraph 4 of the Regulations as being concerned with the Council's area, suggests that this is capable of a fairly wide interpretation.

The Sheffield administrative area is very large and the nature of the Property and the type of use needs to be taken into account in determining what the local community for the Property is. The local community for the People's Park as in this case will be smaller area than perhaps a major outdoor entertainment venue.

The evidence provided in the nomination form suggests a number of uses that could benefit the local community. There is sufficient evidence to determine what the local community is and the degree use as taken up by those that use the Property indicates a well-used and by the amount of use well regarded Property. The evidence provided indicates the Property and its stated uses attract the local community who consider the Property as their local park as well as users from further afield.

In conclusion, there is sufficient evidence provided to show that the Property's actual and current use furthers the social wellbeing and interests of the local community sufficiently to satisfy the statutory tests set out in sections 88 a) to d) of the Act.

4. **Alternatives Considered And Rejected**

Not to accept the nomination.

5. **Any Interest Declared or Dispensation Granted**

None

6. **Respective Director Responsible for Implementation**

Executive Director, Communities

7. **Relevant Scrutiny Committee If Decision Called In**

Economic and Environmental Wellbeing Scrutiny Committee