



Report to Policy Committee

Author/Lead Officer of Report: Lisa Firth

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Report of: Ajman Ali, Executive Director of Neighbourhood Services
Report to: Charity Trustee Sub-Committee
Date of Decision: 15th September 2023
Subject: Consideration of objections to leases regarding Parks Tennis

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|---|----------|-------------------------------------|----|-------------------------------------|
| Has an Equality Impact Assessment (EIA) been undertaken? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| If YES, what EIA reference number has it been given? | EIA 1176 | | | |
| Has appropriate consultation taken place? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| Has a Climate Impact Assessment (CIA) been undertaken? | Yes | <input checked="" type="checkbox"/> | No | <input type="checkbox"/> |
| Does the report contain confidential or exempt information? | Yes | <input type="checkbox"/> | No | <input checked="" type="checkbox"/> |
| If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:- | | | | |

Purpose of Report:

Further to the Charity Trustee Sub-Committee decision of 5 June 2023 to authorise the publication of notices under the Charities Act 2011 and Local Government Act 1972 this report compiles the comments, objections, and endorsement of the proposed leasehold disposals together with officer's comments on the same.

The Charity Trustee Sub-Committee is now asked to consider the contents of this and previous reports and make a decision as to whether the proposed disposal is on balance in the best interests of the charitable trusts/parks.

The decisions that the Charity Trustee Sub-Committee are asked to make on the basis of this report relate to charitable and non-charitable land. These decisions fall to the Charity Trustee Sub-Committee because the decisions in relation to the charitable and non-charitable sites are indivisible. A decision could not, for example, be taken by another Committee not to proceed and by this Sub-Committee to proceed as the contractual arrangement is proposed to apply to all of the sites. For the avoidance of doubt an amendment to the Constitution was agreed by Full Council on Wednesday 6th September 2023 to specifically reserve such decisions to this Sub-Committee.

Recommendations:

The Charity Trustee Sub-Committee is asked to:

- Note and endorse the contents of the report.
- Note the Cooperative Executive Decision of 22nd April 2022 approved;
 - the proposed City Council funding contribution of up to £180,000 (of prudential borrowing) towards the development of the Activity Hub at Hillsborough Park; and
 - the allocation of Section 106 funds of up to £183,000 for the development of the facilities at Hillsborough Park, as described in the report.
- Review and consider the objections and supportive comments received and decide if the same affect the decision as to whether the proposals are in the best interests of each charity and park.

Having done so, the Charity Trustee Sub-Committee are recommended to confirm their approval of:

1. the award of the contract to the preferred supplier Courtside CIC.
2. the grant of leases of the properties referred to in the body of the report to the preferred supplier, Courtside CIC, on the terms set out in the previous reports and being satisfied that the proposed terms are the best that can be reasonably obtained in the circumstances.

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

- Parks Tennis Procurement: [Sheffield City Council - Decision - Parks Tennis Procurement](#)
- Parks Tennis Procurement and Hillsborough Activity Hub: [Sheffield City Council - Decision - Parks Tennis Procurement and Hillsborough Activity Hub \(Deferred item from 21/3/23\)](#)
- Governing documents for the charitable sites included in these proposals can be found at: [Governing documents for charity sites included in Parks Tennis proposals | Sheffield City Council](#)

| Lead Officer to complete:- | | |
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| 1 | I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required. | Finance: Kerry Darlow |
| | | Legal: David Sellars |
| | | Equalities & Consultation: Annemarie Johnston |
| | | Climate: Jessica Ricks |
| | <i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i> | |
| 2 | SLB member who approved submission: | Ajman Ali |
| 3 | Committee Chair consulted: | Ian Auckland |
| 4 | I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Committee by the SLB member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1. | |
| | Lead Officer Name: Lisa Firth | Job Title: Director of Parks Leisure and Libraries |
| | Date: 15th September 2023 | |

1. PROPOSAL

1.1 A decision was taken by the Cooperative Executive in April 2022. The decision gave approval to go out to tender for a Sheffield Parks Tennis operator to develop and manage a new Activity Hub at Hillsborough Park, manage the existing 6 Parks Tennis sites, and manage 2 new Parks Tennis sites (when these are refurbished). This was referred to as the Tennis Hub and Spoke model. On 5th June this Committee then approved award of the contract and leases to Courtside CIC subject to any objections being received in response to public notices published in accordance with the Local Government Act 1972 and the Charities Act 2011. The parks included in the project are:

1. Hillsborough Park*¹ (this will be the Hub and comprise of the site of the existing MUGA/tennis courts which it is proposed to redevelop to provide new facilities.
2. Ecclesfield Park (new site)
3. Concord Park
4. High Hazels Park*
5. Graves Park*
6. Millhouses Park
7. Bingham Park
8. Hollinsend Park (new site)
9. Weston Park*

1.2 Please note that Weston Park is included for completeness as it is one of the sites where Courtside CIC currently operate tennis courts. However, consideration is currently being given to applying to the Charity Commission for a scheme to be granted in relation to Weston Park (to bring the charitable arrangements for the park up to date and in line with other charitable parks in the city) and, although disposal using s6 of the Trusts of Land and Appointment of Trustees Act 1996 would still be possible whilst this process is being undertaken, it is considered more appropriate to conclude this piece of work first. If application for a scheme is considered appropriate, a decision will be sought from the Charity Trustee Sub-Committee to request permission to approach the Charity Commission. In addition, Weston Park is registered as a Centenary Field in Trust and a disposal of any part of the park would require the consent of Fields in Trust. The proposal is therefore that the existing arrangements continue at Weston Park for the time being with notices being advertised and consent being obtained in due course.

1.3 Information regarding the Council's ability to offer a lease on the other charitable sites is contained in appendix 1.

¹ *denotes charitable park

- 1.4 Following the decision at the Charity Trustee Sub-Committee of 5th June 2023, notices were given for 8 sites (excluding Weston Park) and published as per the Local Government Act 1972 and the Charities Act 2011. The notice period has concluded for both charitable and non-charitable sites and consideration must be given to the objections and supportive comments.
- 1.5 The objections and supportive comments are set out in appendix 2 along with responses to issues raised. Further consultation undertaken with affected groups is also set out below. The Committee should consider this additional information and decide if the same affect the decision as to whether the proposals are in the best interests of each charity / park. The officer recommendation is that this is the case and that the approval to the contract and the leases should be confirmed.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 Information regarding how this decision contributes has been discussed and agreed in previous reports. These proposals are felt to be in the best interests of the charitable trusts/parks.

3. HAS THERE BEEN ANY CONSULTATION?

3.1 Consultation Approach

- 3.1.1
- Open Space and Charities Act Public Notices
- These were advertised in the Sheffield Telegraph on 27 July 2023 and 3rd August 2023. The Notices for the disposals, by way of a 25-year lease, were also advertised in the Sheffield Telegraph on the 27th July 2023 and 3rd August 2023. Further public notices related to the disposals, by way of a 25-year lease, on charitable land were also published at the same time for the park's sites held in charitable trust.

The notice period ended on 25th August 2023 for non-charitable sites and on 28th August 2023 for charitable sites.

It should be noted that reference to notices for disposal does not mean the council is selling park land. In this context, disposal means the council is proposing to lease land, in this case, tennis courts to a community interest company.

3.2 Responses to the Public Notices

- 3.2.1 A total of 77 people provided feedback to the public notices in 80 responses (one respondent emailed twice and a second respondent emailed three times).
- 3.2.2 Of the 77 responses;
- 76 objected

- 1 was in favour
- 3.2.3 Of the 76 objections;
- 74 related to either Graves Park or Hillsborough Park (or referenced parks in general).
 - 1 related to Concord Park
 - 1 related to Millhouses Park.
- 3.2.4 There were no specific objections for Ecclesfield, High Hazels, Bingham, Hollinsend or Weston Parks.
- 3.2.5 The positive response related to Hillsborough Park.
- 3.2.6 The feedback has been categorised by theme, and sentiment to enable concise responses. This is necessary because the feedback is from e-mails or letters that are not constrained by pre-determined categories or options, which allows respondents to express their full opinion. A copy of all the anonymised consultation feedback is attached in appendix 2 of this report together with officer's responses to each of the concerns raised.

3.3 Objections requiring further consideration.

3.3.1 Having reviewed the objections, officers consider that the majority of matters and themes raised have been considered and addressed in previous reports and discussions held at the previous Charity Trustee Sub-Committee meetings held on 21st March 2023 and 5th June 2023. There is one area of objection that is a new matter for consideration.

3.3.2 • *Graves Park map inaccurate (3 references)*

There were 3 references to the fact that the map showing Graves Park did not include the Norton Nurseries area within the red line boundary. This exclusion was an error in the production of the map. However, the area under consideration for disposal by way of a 25-year lease was clearly marked and identifiable on the map. We are therefore satisfied that the intentions of the open spaces notice were clear and that this error has not impacted on anyone's ability to understand the area for consideration or how to respond with an objection if required. A copy of the Graves Park maps is included at appendix 3 – the first showing the map that was published and the second showing the park with Norton Nurseries included for information.

3.4 Further consultation

Since the Charity Trustee Sub-Committee meeting on 5th June 2023, officers have carried out further consultation with Sheffield Cycling 4 All, British Cycling, Move More (NCSEM) representatives and Access Sport. Letters of support for the Hillsborough Tennis Hub have been received from British Cycling and Move More.

3.4.1 • British Cycling stated:

“British Cycling are aware of local plans to further develop the tennis and over all well-being offer in Hillsborough Park. We’re delighted to see that there is further investment planned in that area of the park. The plans will see the addition of a café, indoor activity space and appropriate disability friendly access provision to all areas. This will assist in further supporting an increase in activation of both the overall facilities and wider cycling activities. It’s understood that the proposal would result in a loss of an existing MUGA / hardstanding space from the park, which is currently adjacent to the BMX pump track and Learn to Ride facility.

British Cycling would encourage liaison amongst current user groups and the operator to better understand how the cycling activity space available can be maximised to ensure the cycling facilities remain accessible by all user groups and sessions”.

3.4.2 • The Director of The National Centre for Sport & Exercise Medicine (NCSEM), said:

“The NCSEM in Sheffield fully supports initiatives that aid the promotion, initiation, and maintenance of physical activity in Sheffield. We fully support the proposed development of an Activity Hub and extended learn-to-ride area in Hillsborough Park. We would like reassurance that existing groups who utilise the park to support community physical activity (e.g., Cycling 4 All and the Hillsborough Pump Track club) and the wider community (e.g., Friends of Hillsborough Park) will have a central role in the Hub's development. We also hope to see careful consideration of the sustainability of current activities and future management of the space.”

3.4.3 • Sheffield Cycling for All have said:

Although their preferred option would still be to continue as they are on the existing MUGA area, subject to their hours of operation being unaffected, they can see a workable solution being found on the proposed extended learn to ride area, adjacent to the pump track. Path widening around the tennis court area would also need to be factored into the designs.

3.4.4 • Access Sport, British Cycling and Move More:

Representatives from these organisations could see the benefit of the proposal and supported the concept of a specific cycling focussed area within the park and reduce potential conflict between ball sport users and cyclists.

3.4.5 • Friends of Hillsborough Park (FoHP):

Officers last met with the FoHP on 13 July 2023 to discuss the revised plans following discussions with Access Sports, British Cycling and Sheffield Cycling For All.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality Implications

4.1.1 There are no further equality implications beyond those identified and discussed in previous reports.

4.2 Financial and Commercial Implications

4.2.1 There are no further financial and commercial implications beyond those identified and discussed in previous reports.

4.3 Legal Implications

4.3.1 As authorised by the decision of the Charity Trustee Sub-Committee on 5 June 2023, public notices advertising the proposed disposals of the sites held under charitable trust were advertised in the Sheffield Telegraph on 27 July 2023 and 3rd August 2023 with an invitation to the public to submit any comments or objections by 28 August 2023 in compliance with section 121 of the Charities Act 2011.

4.3.2 As was further authorised by the decision of the Charity Trustee Sub-Committee on 5 June 2023, public notices advertising the proposed disposals of all sites (being classed as public open space) were advertised in the Sheffield Telegraph on 27 July 2023 and 3 August 2023 with an invitation to the public to submit any comments or objections by 25 August 2023 in compliance with the requirements of section 123(2a) of the Local Government Act 1972 .

4.3.3 The responses to the notices received within this period have been considered by officers and are set out in appendix 2 to this report, together with officers' responses to the same.

4.3.4 The Charity Trustee Sub-Committee must now consider the responses received to the public notices under the Charities Act 2011, and/or the public notices under the Local Government Act 1972 together with the officers' comments on the same and make the decision as to (in the case of the charitable trust sites) whether the proposed disposals are in the best interests of the charities concerned.

4.3.5 The Charity Trustee Sub-Committee must now consider the responses received to the public notices for the non-charity parks, together with the officers' comments on the same and make the decision as to whether the proposed disposals are in the best interests of the parks concerned.

4.4 Other Implications

- 4.4.1 The Sport England grant funding is at risk if the contract is not approved for award in September 2023. In September 2021 Sport England offered a solicited Community Asset Fund Grant and approved £150k for development of the Hillsborough Activity Hub, conditional on being spent by end of 2023/24. It is now not possible to complete the Activity Hub capital works by the end of March 2024. Officers have met with Sport England regarding the feasibility of further extending this deadline, subject to a confirmed decision to proceed from Charity Trustee Sub-Committee in September 2023. Sport England have confirmed this will be considered, subject to:
- Sport England to be satisfied that all objections to the scheme have been addressed.
 - The capital scheme needs to be well underway by mid-January 2024.
 - A meeting with SE directors to agree this.

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 It is the view of officers that the objections received have not provided any alternative options beyond those discussed in previous Charity Trustee Sub-Committee and outlined in previous reports.

6. REASONS FOR RECOMMENDATIONS

- 6.1 It is the view of officers that the objections received have not provided anything beyond the discussions and considerations previously considered at Charity Trustee Sub-Committee and in previous reports. It therefore remains the recommendation that the Charity Trustee Sub-Committee uphold their previous decision to award the contract to Courtside CIC.

APPENDIX 1: Sheffield City Council charitable parks governance and powers

| HILLSBOROUGH PARK | |
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| GOVERNING DOCUMENT | CHARITY COMMISSION SCHEME DATED 22 MARCH 1996 |
| OBJECTS | <p>(1) THE PROVISION AND MAINTENANCE OF A PUBLIC PARK AND RECREATION GROUND IN SHEFFIELD FOR THE USE OF MEMBERS OF THE PUBLIC RESORTING THERETO WITH THE OBJECT OF IMPROVING THEIR CONDITIONS OF LIFE</p> <p>(2) SUBJECT AS HEREINAFTER PROVIDED THE LAND SPECIFIED IN THE SCHEDULE HERETO SHALL BE HELD UPON TRUST FOR THE USE FOR THE SAID OBJECT</p> |
| POWERS | <p>(1) THE TRUSTEE MAY LEASE THE LAND WITH THE BUILDINGS THEREON SPECIFIED IN PART II OF THE SAID SCHEDULE TO THE ORGANISATION CALLED THE HILLSBOROUGH ARENA SPORTS ASSOCIATION FOR A TERM OF 25 YEARS</p> <p>(2) THE TRUSTEE MAY ENTER INTO AN AGREEMENT WITH THE SHEFFIELD WEDNESDAY FOOTBALL CLUB IN RESPECT OF USE OF THE LAND SPECIFIED IN PART III OF THE SAID SCHEDULE BY THE FOOTBALL CLUB. THE AGREEMENT SHALL PERMIT THE FOOTBALL CLUB TO HAVE USE OF THE ABOVE MENTIONED LAND FOR CAR PARKING PURPOSES FOR UP TO 28 DAYS PER ANNUM FOR A PERIOD OF TEN YEARS</p> |
| STATUTORY POWERS OF DISPOSAL | IN MOST CASES CHARITIES HAVE THE STATUTORY POWER TO DISPOSE OF CHARITY LAND USUALLY ALLOWED BY A POWER UNDER SECTION 6 OF THE TRUSTS OF LAND AND APPOINTMENT OF TRUSTEES ACT 1996. |

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| | <p>AS THE LAND HELD UNDER THE TERMS OF THIS CHARITABLE TRUST HAS THE STATUS OF "DESIGNATED LAND" THE TRUSTEE MUST GET COMMISSION AUTHORITY UNLESS EITHER OF THE FOLLOWING APPLIES:</p> <ul style="list-style-type: none"> • THE PROCEEDS OF THE SALE OR LEASE WILL BE USED TO REPLACE THE DESIGNATED LAND WITH EQUIVALENT LAND WHICH WILL BE USED FOR THE SAME CHARITABLE PURPOSES • DISPOSING OF THE LAND WILL NOT IMPACT ON THE PURPOSE FOR WHICH THE LAND IS REQUIRED TO BE USED OR HOW THE CHARITY FURTHERS ITS PURPOSE. FOR EXAMPLE, WHERE ONLY A SMALL PORTION OF THE LAND IS TO BE DISPOSED OF, OR YOU ARE GRANTING AN EASEMENT OR PUBLIC RIGHT OF WAY <p>WHERE NEITHER OF THESE CIRCUMSTANCES APPLY THE TRUSTEE MUST OBTAIN THE COMMISSION'S AUTHORITY BEFORE THEY DISPOSE. THIS IS BECAUSE THEY CAN NO LONGER CARRY OUT THE CHARITY'S PURPOSE WITHOUT THE LAND.</p> |
| GRAVES PARK | |
| GOVERNING DOCUMENT | CHARITY COMMISSION SCHEME DATED 12 MARCH 2009 |
| OBJECTS | (1) THE PROVISION AND MAINTENANCE OF A PARK AND RECREATION GROUND FOR USE BY THE PUBLIC WITH THE OBJECT OF IMPROVING THEIR CONDITIONS OF LIFE |

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| | (2) THE LAND IDENTIFIED IN PART 1 OF THE SCHEDULE TO THIS SCHEME MUST BE RETAINED BY THE TRUSTEE FOR USE FOR THE OBJECT OF THE CHARITY |
| POWERS | <p>IN ADDITION TO ANY OTHER POWERS THAT IT HAS THE TRUSTEE MAY EXERCISE THE FOLLOWING POWERS IN FURTHERANCE OF THE OBJECT OF THE CHARITY:</p> <p>(1) POWER TO LEASE ANY BUILDINGS IN THE PARK SUBJECT TO THE PRIOR WRITTEN CONSENT OF THE COMMISSION FOR PURPOSES ANCILLARY TO THE ENJOYMENT OF THE PARK. THE TRUSTEE MUST COMPLY WITH THE RESTRICTIONS ON DISPOSAL IMPOSED BY SECTION 36 OF THE CHARITIES ACT 1993 UNLESS THE LEASE IS EXEMPTED FROM THESE RESTRICTIONS BY SECTION 36(9)(B) OR (C) OR SECTION 36(10) OF THAT ACT</p> <p>(2) POWER TO USE PART OF THE LAND IDENTIFIED IN PART I OF THE SCHEDULE TO THIS SCHEME AS AN ANIMAL PARK</p> <p>(3) POWERS TO MAKE RULES AND REGULATIONS CONSISTENT WITH THIS SCHEME FOR THE MANAGEMENT OF THE CHARITY</p> |
| STATUTORY POWERS OF DISPOSAL | <p>IN MOST CASES CHARITIES HAVE THE STATUTORY POWER TO DISPOSE OF CHARITY LAND USUALLY ALLOWED BY A POWER UNDER SECTION 6 OF THE TRUSTS OF LAND AND APPOINTMENT OF TRUSTEES ACT 1996.</p> <p>AS THE LAND HELD UNDER THE TERMS OF THIS CHARITABLE TRUST HAS THE STATUS OF "DESIGNATED LAND" THE TRUSTEE MUST GET COMMISSION AUTHORITY UNLESS EITHER OF THE FOLLOWING APPLIES:</p> |

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| | <ul style="list-style-type: none"> • THE PROCEEDS OF THE SALE OR LEASE WILL BE USED TO REPLACE THE DESIGNATED LAND WITH EQUIVALENT LAND WHICH WILL BE USED FOR THE SAME CHARITABLE PURPOSES • DISPOSING OF THE LAND WILL NOT IMPACT ON THE PURPOSE FOR WHICH THE LAND IS REQUIRED TO BE USED OR HOW THE CHARITY FURTHERS ITS PURPOSE. FOR EXAMPLE, WHERE ONLY A SMALL PORTION OF THE LAND IS TO BE DISPOSED OF, OR YOU ARE GRANTING AN EASEMENT OR PUBLIC RIGHT OF WAY <p>WHERE NEITHER OF THESE CIRCUMSTANCES APPLY THE TRUSTEE MUST OBTAIN THE COMMISSION'S AUTHORITY BEFORE THEY DISPOSE. THIS IS BECAUSE THEY CAN NO LONGER CARRY OUT THE CHARITY'S PURPOSE WITHOUT THE LAND.</p> |
| HIGH HAZELS PARK | |
| GOVERNING DOCUMENT | TRUST DEED DATED 6 FEBRUARY 2018 |
| OBJECTS | <p>(1) THE PROVISION AND MAINTENANCE OF A PARK AND RECREATION GROUND FOR USE BY THE PUBLIC WITH THE OBJECT OF IMPROVING THEIR CONDITIONS OF LIFE</p> <p>(2) THE LAND IDENTIFIED IN PART 1 OF THE SCHEDULE TO THIS DEED MUST BE RETAINED BY THE TRUSTEE FOR USE FOR THE OBJECT OF THE CHARITY</p> |
| POWERS | <p>(1) THE TRUSTEE MAY DISPOSE OF THE LAND AND BUILDINGS DESCRIBED IN PART 2 OF THE SCHEDULE TO THIS DEED BY WAY OF A LEASE FOR THE PURPOSES OF:</p> <p style="padding-left: 20px;">a. AS TO THE LAND HATCHED BLACK</p> |

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| | <ul style="list-style-type: none"> i. FOR USE AS A GOLF COURSE TOGETHER WITH A SHOP AND OFFICES AND ii. FOR USE AS A CAFÉ AND PUBLIC TOILETS AND <p>b. AS TO THE LAND HATCHED GREEN</p> <ul style="list-style-type: none"> i. FOR USE AS TENNIS COURTS <p>SUCH USE TO BE ANCILLARY TO THE ENJOYMENT OF THE PARK. THE TRUSTEE MUST COMPLY WITH THE RESTRICTIONS ON DISPOSAL IMPOSED BY SECTIONS 117-122 OF THE CHARITIES ACT 2011</p> <p>(2) IN ADDITION TO ANY OTHER POWERS IT HAS THE TRUSTEE MAY EXERCISE ANY OF THE FOLLOWING POWERS IN ORDER TO FURTHER THE OBJECT (BUT NOT FOR ANY OTHER PURPOSE):</p> <p>...</p> <ul style="list-style-type: none"> c. TO LEASE ANY LAND AND/OR BUILDINGS IN THE PARK SUBJECT TO THE PRIOR WRITTEN CONSENT OF THE COMMISSION FOR PURPOSES ANCILLARY TO THE ENJOYMENT OF THE PARK. IN EXERCISING THIS POWER THE TRUSTEE MUST COMPLY WITH SECTIONS 117-122 OF THE CHARITIES ACT 2011. |
| <p>STATUTORY POWERS OF DISPOSAL</p> | <p>IN MOST CASES CHARITIES HAVE THE STATUTORY POWER TO DISPOSE OF CHARITY LAND USUALLY ALLOWED BY A POWER UNDER SECTION 6 OF THE TRUSTS OF LAND AND APPOINTMENT OF TRUSTEES ACT 1996.</p> |

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| | <p>AS THE LAND HELD UNDER THE TERMS OF THIS CHARITABLE TRUST HAS THE STATUS OF "DESIGNATED LAND" THE TRUSTEE MUST GET COMMISSION AUTHORITY UNLESS EITHER OF THE FOLLOWING APPLIES:</p> <ul style="list-style-type: none"> • THE PROCEEDS OF THE SALE OR LEASE WILL BE USED TO REPLACE THE DESIGNATED LAND WITH EQUIVALENT LAND WHICH WILL BE USED FOR THE SAME CHARITABLE PURPOSES • DISPOSING OF THE LAND WILL NOT IMPACT ON THE PURPOSE FOR WHICH THE LAND IS REQUIRED TO BE USED OR HOW THE CHARITY FURTHERS ITS PURPOSE. FOR EXAMPLE, WHERE ONLY A SMALL PORTION OF THE LAND IS TO BE DISPOSED OF, OR YOU ARE GRANTING AN EASEMENT OR PUBLIC RIGHT OF WAY <p>WHERE NEITHER OF THESE CIRCUMSTANCES APPLY THE TRUSTEE MUST OBTAIN THE COMMISSION'S AUTHORITY BEFORE THEY DISPOSE. THIS IS BECAUSE THEY CAN NO LONGER CARRY OUT THE CHARITY'S PURPOSE WITHOUT THE LAND.</p> |
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| WESTON PARK | |
| GOVERNING DOCUMENT | TRUST DEED DATED 5 DECEMBER 2005 |
| OBJECTS | (1) TO PROMOTE FOR THE BENEFIT OF THE INHABITANTS OF SHEFFIELD AND THE SURROUNDING AREA THE PROVISION OF FACILITIES FOR RECREATION OR OTHER LEISURE TIME OCCUPATION OF INDIVIDUALS WHO HAVE NEED OF SUCH FACILITIES BY REASON OF THEIR YOUTH AGE INFIRMITY OR DISABLEMENT FINANCIAL HARDSHIP OR SOCIAL AND ECONOMIC |

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| | <p>CIRCUMSTANCES OR FOR THE PUBLIC AT LARGE IN THE INTERESTS OF SOCIAL WELFARE AND WITH THE OBJECT OF IMPROVING THE CONDITION OF LIFE OF THE SAID INHABITANTS</p> <p>(2) TO ENHANCE THE EDUCATION OF THE PUBLIC TO PROMOTE AND TO ADVANCE EDUCATION IN THE ARTS IN PARTICULAR BY THE ESTABLISHMENT AND MAINTENANCE OF A MUSEUM AND ART GALLERY</p> <p>(3) THE TRUSTEE MUST RETAIN AND USE THE LAND SPECIFIED IN THE SCHEDULE TO THIS DEED FOR THE OBJECTS OF THE CHARITY</p> |
| POWERS | <p>IN ADDITION TO ANY OTHER POWERS THEY HAVE THE TRUSTEE MAY EXERCISE ANY OF THE FOLLOWING POWERS IN ORDER TO FURTHER THE OBJECTS (BUT NOT FOR ANY OTHER PURPOSE):</p> <p>...</p> <p>(X) TO GRANT A LEASE OR LEASES OF LAND AND/OR BUILDINGS TO SHEFFIELD GALLERIES AND MUSEUMS TRUST FOR USE BY THEM AS A MUSEUM AND/OR ART GALLERY TOGETHER WITH ANY ANCILLARY ACTIVITIES CONNECTED WITH THE OPERATION OF A MUSEUM AND/OR ART GALLERY FOR THE BENEFIT OF THE PUBLIC</p> |
| STATUTORY POWERS OF DISPOSAL | <p>IN MOST CASES CHARITIES HAVE THE STATUTORY POWER TO DISPOSE OF CHARITY LAND USUALLY ALLOWED BY A POWER UNDER SECTION 6 OF THE TRUSTS OF LAND AND APPOINTMENT OF TRUSTEES ACT 1996.</p> |

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| | <p>AS THE LAND HELD UNDER THE TERMS OF THIS CHARITABLE TRUST HAS THE STATUS OF "DESIGNATED LAND" THE TRUSTEE MUST GET COMMISSION AUTHORITY UNLESS EITHER OF THE FOLLOWING APPLIES:</p> <ul style="list-style-type: none">• THE PROCEEDS OF THE SALE OR LEASE WILL BE USED TO REPLACE THE DESIGNATED LAND WITH EQUIVALENT LAND WHICH WILL BE USED FOR THE SAME CHARITABLE PURPOSES• DISPOSING OF THE LAND WILL NOT IMPACT ON THE PURPOSE FOR WHICH THE LAND IS REQUIRED TO BE USED OR HOW THE CHARITY FURTHERS ITS PURPOSE. FOR EXAMPLE, WHERE ONLY A SMALL PORTION OF THE LAND IS TO BE DISPOSED OF, OR YOU ARE GRANTING AN EASEMENT OR PUBLIC RIGHT OF WAY <p>WHERE NEITHER OF THESE CIRCUMSTANCES APPLY THE TRUSTEE MUST OBTAIN THE COMMISSION'S AUTHORITY BEFORE THEY DISPOSE. THIS IS BECAUSE THEY CAN NO LONGER CARRY OUT THE CHARITY'S PURPOSE WITHOUT THE LAND.</p> |
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APPENDIX 2: Consultation responses and feedback

The objections to the proposed disposals by way of a 25-year lease have been collated into fourteen main categories (the total number of mentions exceeds the number of people as a person may have highlighted multiple themes):

1. Objections to length of lease term (2 references)
2. General objections to disposal / reduction of access / charging for services of charity assets (21 references)
3. Graves Park map inaccurate (3 references)
4. Discrimination against financially disadvantaged citizens (35 references)
5. Disability discrimination (8 references)
6. Reduction of MUGA extent (12 references)
7. Reduction of hours of access (2 references)
8. Other issues (7 references)
9. No benefit to the park or the public (7 references)
10. Proposed pay to play activities already available in the local area (5 references)
11. Requirement for Charity Commission consent (3 references)
12. Use of public finances (13 references)
13. Café facilities provision (8 references)
14. Lack of adequate consultation (15 references)

SUPPORTING COMMENTS

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| <p>I have been closely following proposals for hillsborough park and remain extremely excited at the prospect of the city having 2 covered padel courts. Players of the sport in Britain have increased at a phenomenal rate and Sheffield is the ideal location for more players of all ages to learn the game. I currently play tennis at Bradfield club, but travel to Huddersfield 2x a week to play padel. The number of players of the game there has trebled in the past year so its becoming a lot harder to secure a court. The 4 new courts in wilmslow are fully booked 2 weeks ahead and they plan to build 4 more. With over 20 tennis clubs in the Sheffield area, there is a huge potential source of new players- not to mention the non tennis population who can try an easier(both from a skills point of view and a fitness point of view.) In conclusion I would strongly, passionately urge that this opportunity to redevelop is not missed . Thank you</p> | <p>The supporting comments have been noted.</p> |
| <p>As a city, Sheffield should evolve with the times & changing needs of it's population in all aspects, including sporting provision. Padel is the fastest growing game & latest craze in the sporting world. It is a sport for anyone & everyone. All ages, all abilities. Indeed there is a padel boom sweeping across the UK. Soon there won't be a town or city without access to padel courts! Thankfully, the LTA recognise this & are providing funding to enable it to happen throughout the UK. Sheffield secured funding in March 2022 & discussions have been ongoing with little progress. The game itself is simpler than tennis & more exciting than badminton. Being a team (doubles) sport, it is socially engaging & fun, with obvious health benefits.</p> | |

As a former Sheffield PE Teacher, I can attest how difficult it is to teach tennis to youngsters, especially girls. It has often been seen as an elitist sport, requiring membership of a club, which is not available to everyone. So, activities which allow pay & play (at only £4.50 for 90 mins) it becomes extremely accessible & readily available to all. With the proposed covered courts there could be all year round involvement regardless of inclement weather.

There are over 250 available venues with another 200 planned across the country. Yorkshire currently has padel courts in 9 towns & cities. Sheffielders have to travel 45mins each way to lowly Huddersfield to play. Although Wakefield are preparing to install new courts in the near future, which could be closer. However, Hillsborough would be ideal. Some of us could actually walk or cycle there! Do we really deserve the title 'City of Sport' when local towns have better facilities?

Hillsborough Park is a very generously sized park, with space to accommodate a wide range of activities without impinging on the feel of open green space.

There are currently 4 tennis courts & hopefully data is available to show how underused they are, even during Wimbledon weeks. So, in Winter they must be continually empty! Perhaps 2 of these tennis courts could be converted into 2 covered padel courts as well as extending the MUGA, if needed. This is all possible in the same area currently taken up but it would add an extra dimension to provision.

As a mature resident, approaching 70, I can personally vouch for how accessible padel is to the aging sportsperson. Indeed, I have had 2 hip replacements in the last 32 months & could not contemplate playing tennis, squash or even badminton, whereas padel has provided me (& many a younger

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| <p>participant) with all the excitement of team games alongside the bonus of exercise to maintain & improve fitness. All at an affordable price! What more could you want?</p> | |
| <p>OBJECTIONS TO LENGTH OF LEASE TERM</p> | |
| <p>I understand that the 25 year lease for Hillsborough Park is to allow the developer a sufficient term to secure a return on their investment in the hub . However this need not apply to the "spoke" sites. It seems unwise to dispose of this land for 25 years rather than to have the opportunity to review the use of this space after, say, 5 years.</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> <ul style="list-style-type: none"> • It was agreed to tie all the courts into the arrangement for the protection of tennis across the city. The hub at Hillsborough with the facilities such as catering and other charged for activities would mean the potential to generate income at this site is greater than others. We didn't want an operator to be able to focus on only the more income generating sites. The hub also enables a strengthened outreach programme which benefits the sites across the city. • The lease term was addressed as part of the procurement strategy, taking into consideration the minimum term required for the relevant funders (The Lawn Tennis Association / Sport England) whilst also ensuring a sufficient length of term for the partner to secure its required return on investment. • The investment requirement and the grant and loan funding conditions of Sheffield City Council and the third parties, has informed the contract length which is recommended to be up to 25 years. To cover costs and make the repayments, a minimum guaranteed term is agreed in principle by the parties as being 15 years with a 24-month notice period. |
| <p>a 25 year lease is insane, is there a get out clause-especially when SCC realise the negative impact of the plan or the people of Hillsborough revolt against it?</p> | |

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| | <p>This information is also a requirement for the justification under Concession Contracts Regulations of agreements in excess of 5-year duration.</p> |
| <p>GENERAL OBJECTIONS TO DISPOSAL /REDUCTION OF ACCESS/CHARGING FOR SERVICES OF CHARITY ASSETS</p> | |
| <p>Does your constitution as a charitable organisation allow such a plan to be implemented? I believe there is a conflict of interest here.</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |
| <p>All of the land in Graves Park was given to the citizens of Sheffield in perpetuity by J.G. Graves and belongs to the people. The Trustee does not own it and should be keeping it for the citizens.</p> | <ul style="list-style-type: none"> • There is no express prohibition on disposal of the charitable parks' assets contained in the charities' governing documents • Charity trustees have the power to dispose of the trust assets on the following conditions: <ul style="list-style-type: none"> ○ The decision to dispose is in the charity's best interests. ○ The trustees obtain and consider a report from a designated advisor (SCC always uses a RICS qualified surveyor to provide such reports) ○ The trustees are satisfied that the proposed terms are the best that can be reasonably obtained by the charity. ○ The trustees must comply with the requirements of Section 117-121 of the Charities Act 2011 ○ Where the asset is classed as designated land (the charitable parks all have this status), either the trustees must replace the land disposed of except in cases where disposing of the land will not impact on the purpose for which the land is required to be |
| <p>I disagree wholeheartedly with SCC plans to dispose of and commercialise parts of Hillsborough park for commercial gain.</p> | |
| <p>The Sheffield City Council are the trustees of these assets (not the owners), and they should be directed by the owners of the assets, ie the people of Sheffield. It is therefore of major concern that Sheffield City Council seems to constantly in the mode of "Disposing of the Assets" I therefore disapprove of this further disposing of residents assets, that belong to the citizens of Sheffield, by this council in the strongest possible terms.</p> | |
| <p>It was never the intention of Mr J G Graves to sell any of the park. It was intended for public use and nothing in that park should be put in to the hands of a private company. Please leave Graves Park alone: you seem intent on slowly disposing of this beautiful park to private companies.</p> | |
| <p>I believe as a community asset which I have used many times (and part of a recreation facility that I as a council tax payer</p> | |

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| <p>fund) that the MUGA should remain a community asset, accessible to all and not “sold off” to the highest bidder to line the coffers of SCC. I am strongly opposed to any disposal of the MUGA in any way, shape or form</p> | <p>used or how the charity furthers its purpose e.g., disposing of a small portion of the land</p> <ul style="list-style-type: none"> • The advertised disposals are for a lease for a term of 25 years with no automatic right for the tenant to extend the lease beyond the contractual term. There is no intention to permanently dispose of the land by way of a sale of the freehold or otherwise. • The proposed tenant will be providing sports and recreation activities within the parks on behalf of the charities instead of SCC providing these services which is within the charitable objects. • The proposed tenant is a Community Interest Company (CIC). A CIC is designed for social enterprises or not-for-profit projects. It is structured like a normal limited company, so it's limited by shares or by guarantee, but a CIC is shaped and driven by its community purpose, which is set out from the start in its constitution. It has a feature called a statutory asset lock, which makes sure that assets are only used for the benefit of the community. • Charities may charge for the services or facilities they offer. One aspect of the trustees' duty to carry out their charity's purposes for the public benefit is that they must not run the charity in a way that excludes the poor from benefit. If a charity charges for the services or facilities it offers, the charity's trustees must consider whether their charity's charges are more than the poor can afford. If the trustees consider the charges their charity makes are of a level that the poor cannot afford, then they must ensure that the poor can benefit. It could include a reduction in |
| <p>This park was given to the people of the city not the Council itself so basically the Council do not have the right to sell parts of it without the consensus of the people as I see it.</p> | |
| <p>I fully believe public land should remain public land unless there is proven reasoning that the community wishes for the land to be commercialised in order to enhance local resources and bring in funding to the local area. In this instance, it is clear many members of the community are opposed to the proposed activity hub, evidenced by the 1,682 people who have so far signed the petition Friends of Hillsborough Park have set up, as well as conversations the Socialist Party have had with the local community at weekly stalls held in Hillsborough, in which many residents have expressed concerns over the negative impact the proposed plans will have on the community.</p> | |
| <p>This is backdoor privatisation of part of the park which should remain free of charge and accessible to ALL to use . This park was a charitable gift and it is NOT for Sheffield city council to dispose of. You are trustees to maintain it, not sell off or dispose of it.</p> | |
| <p>Currently 20% of the park is already unavailable to the general public because it is leased to sports organisations or Age UK. A further 5% is car parking and this too is periodically leased to SWFC. The park has been mainly unavailable this year for 37 days while Tramlines and Arctic Monkeys were on and more than half of it remains unavailable while renovation work</p> | |

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| <p>is done after Tramlines. This commercialisation of a public park must stop.</p> | <p>charges for people who cannot afford the full cost, or by providing benefit in other ways. Trustees can consider the availability of other sources of funding from outside the charity which assist the poor in accessing the benefits of the charity.</p> <ul style="list-style-type: none"> • The activity hub will provide a balance of both paid for and free to use activities. • Where a charity provides facilities for the public, its trustees can limit the amount of access the public has to those facilities, such as by having limited opening hours. This is provided that: <ul style="list-style-type: none"> • this helps to carry out the charity's purpose in a better way. • the amount of access overall is appropriate in the charity's circumstances. • There is no set requirement for opening hours. However, as a matter of good practice, trustees should ensure that access is available frequently enough to cater for all types of visitors given the nature of the facility provided by the charity. Subject to any circumstances outside the trustees' control which restrict how the charity can operate, they should normally make arrangements for the charity to open on the days when the people for whom the facility is provided are more likely to be able to visit. • The council's former Cabinet, acting as trustee, granted a lease for the derelict former Coach House building, together with the adjacent Potting Shed, to undertake a restoration and conversion to a café, associated facilities and services. The trustees took this decision because they were satisfied that the proposed terms are the best |
| <p>The council's decision to prioritize commercial ventures at the expense of a free and inclusive public space is disappointing and fails to consider the broader impact on the well-being and cohesion of the community.</p> | |
| <p>it is clear that the facilities proposed are all about a private company making profits out something that belongs to the people of Sheffield and reducing free facilities for all, in particular a disabled cycling group.</p> | |
| <p>The idea of allowing the LTA to not only reduce the MUGA size but to enclose it as well is appalling, and effectively privatisation of a publicly owned park for their commercial gain.</p> | |
| <p>I feel it is wrong to dispose of all this land for a private concern, especially within a public park. I know the council is going to get some short-term gains through money and possible prestige, but I think the local community and other groups using this area will miss out big time as these facilities will not be replicated elsewhere.</p> | |
| <p>I feel this is just grasping at straws to raise monies for the council pot and something which would cause great detriment to the local community and beyond, We have had more than our fair share of upset in our local park-this is a public space for the public and we should not have to pay for the privilege to use it</p> | |
| <p>Hillsborough residents are already suffering from the majority of our beautiful park being heras fenced off thanks to the damage caused by Tramlines. We cannot lose more of the park.</p> | |

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| <p>Some of these other parks are also charitable and some are not. Irrespective of that, I object to any and all disposals which privatise public land, but I also strongly object to the erosion of the charitable protection afforded to the charitable parks by this privatisation.</p> | <p>that can be reasonably obtained in the circumstances based upon consideration of the commercial details and would provide increased community use of the pavilion through a partnership with local charity Age UK Sheffield.</p> <ul style="list-style-type: none"> • Sheffield City Council, like many Local Authorities, lets buildings out to third parties to provide services. This includes services that the council generally does not provide itself 'in-house' such as cafes in park settings. • For more information on this topic citizens should refer to the Charity Commission's Guidance Public benefit: running a charity which is published on its website www.gov.uk/government/organisations/charity-commission https://www.gov.uk/government/publications/public-benefit-running-a-charity-pb2/public-benefit-running-a-charity#annex-c-charging-for-services |
| <p>As a resident and taxpayer of Sheffield, I formally object to the disposal and privatisation of land that was given to the citizens of Sheffield by J G Graves in perpetuity. Just because it is more convenient for Sheffield City Council's parks department to lump all the parks in Sheffield together and ignore the will and wish of J G Graves does not mean that it is the right thing to do.</p> <p>Instead of spending my taxpayer money on finding ways to break the covenants on this great gift of J G Graves, the lawyers employed by SCC would better serve the citizens by instead actively using their skills to protect and preserve it. When the citizens of Sheffield voted to change the governance in Sheffield to be more democratic, divisive projects such as this one were one of the things that people were hoping would no longer happen. We were hoping that in being more democratic, the council would listen to the people and act to care for the things we love, rather than privatising them. Instead, it would appear that nothing has changed and the council is once again going to push this through in its usual undemocratic way.</p> | |
| <p>Who will profit from this? When are you going to let off more of the assets of the city that you are in power to protect? The people of Hillsborough have seen at first hand what has happened as a result of the Tramlines Festival after which</p> | |

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| <p>there is no prospects of the people of the area being to be able to have access to the grass in the near future. Who is making a profit from the use of the assets of city that have being donated and cared about by all people? The idea that Hillsborough Park is open to the profit making of others is a disgrace and you as a member of the ruling body of the Council should be doing all that you can to ensure that will not happen.</p> | |
| <p>Most people enjoy the park as it is and will not use costly tennis courts, there is the loss of free to use space, loss of tarmac for learning to ride, commercialisation of a public park. Over time prices will go up, the facilities are likely to increase in maintenance costs and the key point here I repeat - most people will not use them. If you want to play tennis do so for free on the grass or join a gym elsewhere.</p> | |
| <p>Hillsborough Park has already been sold and closed for commercial activities for Arctic monkeys and Tramlines. It's probably closed for around 4 months of the summer in total this year. It should be available to all for free 365 days a year. Building the centre will cause further disruption to the park. It's likely the remaining part of the MUGA will not be available to use during construction.</p> | |
| GRAVES PARK MAP INACCURATE | |
| <p>the map of Graves Park (attached), supplied by the council as part of this 'land disposal', already shows the areas of Norton Nurseries, Bole Hill area including listed barns, the Chantryland meadow, and the arboretum as already having been disposed of!</p> | <ul style="list-style-type: none"> • Norton Nurseries, the Arboretum and Chantryland Meadow have not been disposed of, as evidenced by the HM Land Registry title plan of title number SYK610791. • The maps provided excluded Norton Nurseries from the Graves Park boundary in error. However, the area under consideration for disposal by way of a 25-year lease was clearly indicated. We are therefore satisfied that the |
| <p>The map is inaccurate because Chantryland and Norton Nurseries are not on it. Despite the fact that the Chantryland is</p> | |

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| <p>now open for park users. Norton Nurseries isn't and no such disposal notice has been served. It smacks of a stealth attempt to change JG Graves original gift to the people of Sheffield and take a piece of land. The map has other inaccuracies.</p> | <p>intentions of the open spaces notice was clear. Maps are shown in appendix 3.</p> |
| <p>I am also extremely concerned about the map included in the notices. This totally excludes the Norton Nurseries section of Graves Park, including that area already restored to parkland, as well as the whole of the Bole Hill Farm area, including the listed barns which still belong to Graves Park. If this reflects what the council does and doesn't consider belongs to Graves Park, then Graves Park is at serious risk of losing yet more land.</p> | |
| <p>DISCRIMINATION AGAINST FINANCIALLY DISADVANTAGED CITIZENS</p> | |
| <p>at this time of economic hardship for many, the replacement of free-to-use recreational space with pay-to-use activities is likely to have precisely the opposite effect. I believe it is a poor use of council funds and particularly disadvantages the poorest and most marginalised members of our community.</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> <ul style="list-style-type: none"> • The Multi Use Games Area (MUGA) will remain free to use, the footprint will be smaller. The surface and layout will be improved. The tennis courts in Hillsborough Park are currently pay to play and will remain so. (Current cost £5 per court, per hour at Hillsborough Park). • It is acknowledged that the area of continuous open flat tarmac will be reduced in the proposed activity hub, however the actual amount of free to use flat tarmac area will be only slightly less than it is currently. The key difference is that the proposal would deliver three separate |
| <p>That area of the park is an extremely well-used and, importantly, free to use public space.</p> | |
| <p>I am deeply concerned about the potential consequences of reducing the size of current facilities and implementing charges for certain areas within the new development. By making parts of the new area chargeable, we risk depriving local people, especially children, of a place to engage in activities without financial barriers. By introducing charges and reducing the size of existing facilities, we risk alienating those who rely on the park for recreational purposes.</p> | |

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| <p>The proposed development would mean the loss of the existing large open MUGA which provides safe, free to use, shared space for a wide range of activities and is currently used by a number of groups including Cycling4All, all of whom would be displaced by this development.</p> | <p>free-to-use but connected spaces that provide distinct areas with specific activity 'themes', including:</p> <ul style="list-style-type: none"> ○ MUGA – with a focus on ballcourt games and play ○ Enlarged learn to ride area – with a focus on bikes, scooters, and skate boarding. ○ Inner activity space – with a focus on informal fitness including organised sessions, and for games such as table tennis. <ul style="list-style-type: none"> • The council has highlighted throughout this process, the importance of how spaces are designed to enable different types of users to feel confident to be active, including women and girls. Another aspect of having separate spaces for different types of activities is to reduce potential user conflict and safety issues. For example, having ball sports and bikes operating in the same space has the potential to present health and safety related concerns. • The changes to the MUGA area are not about losing free space, but about reconfiguration of the space to enable a wider range of people and groups to engage in sport and recreational activity. A dedicated MUGA space that meets Sport England design guidance is being proposed, and additional to this will be informal space that enables a range of concurrent activities including basketball hoop shooting and table tennis. • To make a park a welcoming and active space for all ages and abilities, we know from previous evidence such as Sport England's 10 Principles of Active Design and the University of Sheffield's IWUN (Improving Wellbeing through Urban Nature) project that several key ingredients are required. These include refreshments/toilets, a range |
| <p>The multi use games area is an extremely popular well used area by the whole variety of park users. It is an essential resource for local residents at all ages and stages from toddling around learning to kick a ball, to learning to ride a bike, play basket ball or football with friends, children and grandchildren. The area is in constant use and often full of people at weekends, cutting its size by this extent does not make sense given its consistent use. Furthermore, as a charity resource for the people, enclosing more of the park into pod for facilities during a cost of living crisis is not only extremely harmful to public health but completely ignorant to public opinion.</p> | |
| <p>To make the area a payable concern will take away an important asset for the local community. Hillsborough is not a wealthy suburb of Sheffield and a free to use space is vital to the health and well-being of many of our residents.</p> | |
| <p>it is essential there is no further privatisation or elitism or exclusion applied. Not everyone in the local community have the income to access paid for services and this proposal encourages unfair advantage for those who have the means to pay and amounts to nothing better than plain discrimination. Keep the park for how it was intended, a free to use public place.</p> | |
| <p>I can't really support the development at Hillsborough on grounds of widening participation as I think it will adversely affect the poorer young people of Sheffield.</p> | |

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| <p>I think we can all appreciate that the MUGA space is in need of some TLC, but making the area smaller and some parts chargeable goes against everything a public park should be</p> | <p>of sport and recreational facilities that attract a wide range of users, a good quality green space and a range of community and sports groups (or to coin a Sheffield phrase '<i>a Brew, Loo and Something to Do</i>)</p> <ul style="list-style-type: none"> • Getting a good balance between increasing the site's appeal, and from this visitor footfall, will require an increase in the capacity of facilities to service their needs and ensure a quality experience is maintained. • The focus of the capital investment within the Activity Hub proposal will be in the provision of recreational facilities that encourage people and groups to do repeat visits – to increase their physical activity levels and improve their health and wellbeing. Quality welfare facilities are required to enable duration of visits to be extended and investment in park infrastructure is needed to accommodate an increase in user numbers. • The current facilities provide access for certain groups who can play informally within the space. The introduction of an increased informal and formal offer of activities with a range of managed spaces will enable more audiences to access physical activity opportunities. There is a wealth of emerging evidence through Sport England and more locally the National Centre for Sport and Exercise Medicines (Move More physical activity Plan) that sport alone is not a hook for everyone to be active. There are many barriers to being physical activity and the quality of facilities, access to toilet/welfare facilities as well as cost and knowledge of services are significant – this project |
| <p>I've just learned that Sheffield City Council have given notice to propose disposal of the multi-use games area of Hillsborough Park with the idea of making it smaller, fencing it in, and making it chargeable. Especially with the cost of living crisis, public space is crucial now more than ever to keep public and free to use.</p> | |
| <p>As a healthcare professional I am acutely aware of the importance of a range of free to use space for exercise. We should not lose an inch of free space(I gather the MUGA free area is to be reduced to provide more tennis courts). We are in the middle of a crisis that is putting paid for activity out of the reach of many people, everyone, not just families. Hillsborough may not be the most deprived area but plenty of people are struggling financially.</p> | |
| <p>Developing this tennis hub means the park is being overly commercialised. This is not for the benefit of people who use the park, who will have to pay for many of the proposed facilities and services. The current MUGA is well used and supports free play that not only keeps local people (of all ages and sexes) active but encourages creative play and cooperation. The MUGA is 100% free to use and Cycling4all have grown and prospered through having access to this safe, flat space.</p> | |
| <p>Puts paying customers practicing privileged elitist sports over the desperate needs of underprivileged young people who use the park.</p> | |

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| <p>Many people in this area simply do not have the money to pay to use an 'Activity Hub', for themselves or their families. I know this because I talk to local people and know how stretched they are and how they cannot afford to pay for their own or their families exercise and leisure - for example swimming or soft play. Many local people also do not have gardens and so public parks and the amenities in them are the only places they have to safely play and relax outdoors. The MUGA is a rare resource in that it is free to use and open for everyone. A pay to use 'Activity Hub' might get used by people who can afford it but they might be from outside the area and they would not be the people that most need a local amenity that supports physical and mental health.</p> | <p>seeks to address and minimize those barriers so more target groups can be active. The recent Sport and Leisure strategy consultation highlighted the need for more high-quality doorstep community facilities and improved recreational facilities in green spaces.</p> <p>Regarding privatisation of green space:</p> <ul style="list-style-type: none"> • This proposal will not privatise the green space as the park will remain in ownership of SCC. The proposal will provide high quality offer of continued free activity but also structured and affordable activities, alongside this which will appeal to a wider audience whilst providing the necessary secondary income to sustain the tennis courts and other facilities. • Taking this proposal forwards enables the council to continue working with partners and stakeholders to deliver a model of outdoor recreational service provision that creates health and wellbeing opportunities for so many more of Sheffield's communities. <p>As highlighted in reports to Charity Trustee Sub Committees, the funding includes,</p> <ul style="list-style-type: none"> • s106 monies of £183,000 (designated for multi-use games area improvements at Hillsborough Park) to be passported to the awarded partner for improvements to the multi-use games area and tennis courts. • SCC prudential borrowing of £180,000 which will be repaid from the annual payments paid by the partner to SCC. |
| <p>Removing areas in which free sports facilities are able to operate and replacing them with pay-to-use facilities will deter individuals from participating in activities that will keep them fit and healthy and enhance their mental well-being. Considering we are facing a cost of living crisis in which many individuals cannot afford their essential living costs - let alone activities that stretch beyond the basic needs of survival - this factor is more poignant than ever and will have a detrimental impact on the physical and mental health of the local community.</p> | |
| <p>The current free to use MUGA is extremely well used and many people locally simply don't have the money to pay for their own or their family's use of park facilities.</p> | |
| <p>. Although I recognise that the changes would be an upgrade, they would not be FREE, which is far more important to the people who currently use these areas regularly. Please reconsider the changes in order to keep Hillsborough Park accessible to as many people as possible.</p> | |

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| <p>I object very strongly to the ways in which our park is being privatised and commercialised, becoming off limits for those unable pay. This free to use space is vital in a locality where many people are struggling with the cost of living and where a lot of nearby housing has only very small gardens or outdoor space.</p> | <ul style="list-style-type: none"> An LTA Grant of £87,000 for court improvements at Hollinsend and Ecclesfield Parks. |
| <p>Public parks belong to the people of the city. I understand the current economic issues facing the council as a result of broader government policy, but privatising our public space is not the answer: such actions only exacerbate health, social and economic inequalities.</p> | |
| <p>In the current economic climate it is a poor proposal to give over more free-to-use public park in order create pay-to-use facilities. It is also a poor use of council tax payers money to give over £363,000 to a community interest company in order to facilitate them building in a public park. In the current economic climate the people of Sheffield should have as much free-to-use space in parks as possible and the council should save our money to spend on services that are required by residents not fritter it away to enable the proposals of commercial companies.</p> | |
| <p>Loss of free to use space</p> | |
| <p>The park and its facilities should be free to all. This is never more important to the areas reserved for leisure and exercise. To reduce the amount of activities that can be carried out at one time and to then disregard low income families when there is both an obesity and cost of living crisis is just unacceptable from a Local Authority.</p> | |
| <p>Particularly at this current time when we have no access to the park (in any true sense) and whilst the park is in an awful</p> | |

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| <p>state, thinking about selling any of it for profit is pretty disgusting. The park should be free for all to use, not be an activity hub which will mean some park users will not have access unless they pay for activities.</p> | |
| <p>In the current economic climate, with many families and communities facing financial hardships and increased demand for essential services like food banks, it is crucial to safeguard accessible recreational spaces. The proposed commercialisation will exacerbate these challenges, further disadvantaging those who rely on the park for free leisure activities.</p> | |
| <p>The proposals mean a free to use area of the park is being taken away. This is a real shame for local people who use this area. I think it is particularly sad for young people who will be losing somewhere they can enjoy and use without any barriers of cost. It doesn't make sense to me that while we're desperately trying to encourage young people to use outdoor spaces we're taking away areas that enable it. Even worse than that, it will mean putting a pay barrier on who can use these facilities. Don't less well off people who are suffering from the cost of living crisis deserve a park that they don't have to pay for? Why are we encouraging only those that can afford it to use local sport and outdoor spaces? This is surely the opposite of the aims to increase activity and well-being across the whole population of Sheffield.</p> | |
| <p>Finally, I take great issue with the use of the word "affordability". The current set-up is completely free of charge, thus making it accessible for all, as the council have stated is a priority. Therefore it is absolutely ludicrous to see plans to make areas of the Activity Hub "pay to play".</p> | |

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| <p>It just looks like an area for privileged people to play tennis away from the people less fortunate than them. How does a young, poor child, without a mobile phone or internet access go about booking a game of tennis anyway?</p> | |
| <p>At a time when a lot of people are struggling financially, this will deprive them of a free to use area which is unaffected by bad weather, unlike the grassed areas of the park, which are currently destroyed due to that other commercialisation disaster, Tramlines, which has deprived local people, and children of their local park during the school holidays and beyond.</p> | |
| <p>Using land that was intended for the people of Sheffield to have free enjoyment of to contract off and profiteer from during this cost of living crisis is abhorrent and I want draw your attention to the 1905 signatories on Change.Org who also oppose the proposal. Parks are some of the only places left for people to enjoy without worrying about cost, whether that be teenagers, children and parents, students, or adults. As the cost of living crisis is causing us to cut activities that we have enjoyed since 07, being unable to use the basketball court without paying, and decreasing the size of the MUGA will have untold impacts on people's enjoyment of the park.</p> | |
| <p>We want community spaces to stay free and accessible.</p> | |
| <p>I frequently visit the park with my young son and I see this area used every time by mainly children to play football or basketball. If you allow it to be commercialised, what will the majority of children do? They simply won't play sport as paying isn't an option for many. It needs to remain free for everyone.</p> | |
| <p>There are many teenagers and children using the MUGA. I am concerned about where these children and teenagers will</p> | |

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| <p>go in the evenings. In a cost of living crisis we don't want facilities that you have to pay for, especially when there is a leisure centre across the street. The park doesnt need another cafe either. I appreciate that the council has to raise money but this isn't the way. If you really want to have paid for facilities in a park put them in a more affluent area of the city. Hillsborough has many families who are struggling who deserve free facilities.</p> | |
| <p>I fail to see in a cost of living crisis how a pay-to-use facility will benefit the wellbeing of the local community more than the free to use facility that's already there. While I accept that you have severe budgetary pressures, in a cost of living crisis and a climate and nature emergency, free to access areas and green space are something that should be cherished as-is. Free.</p> | |
| <p>The MUGA provides a place for young children and adults to play. For teenagers it's the most valuable part of the park with free activities for them. It's not clear that you considered the impact on different age groups and those who are less able to afford to pay.</p> | |
| <p>There is no evidence that the scheme will encourage people to become more physically active. Removing free-to-use recreational space with pay-to-use activities, particularly a cafe, is likely to reduce physical activity</p> | |
| <p>DISABILITY DISCRIMINATION</p> | |
| <p>Is this decision best for inclusivity? hard standing space is important exercising area for people with certain disabilities - is turning so much over to a single sport supportive to the needs of people with disabilities?</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |
| <p>this proposal does not include disabled people.</p> | |

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| <p>I have MS and I am in a wheelchair. For the last six months, I have attended cycling4All disability Sheffield at the park twice a week. I am able to be strapped in a specialist pedalo with my carer doing most of the work and my legs are able to be mobilised doing cycling. This has been a game changer for me.</p> <p>I have regained that sense of freedom and achievement through cycling. Such a simple activity, and yet when it is deprived of you it adds to the negativity surrounding your disablement. Attending these sessions has helped with my posture and breathing and strength in my legs. I look forward to the sessions and really enjoy the fresh air and the pleasure of taking part in an activity outside.</p> <p>Many other people with a variety of disabilities attending cycling sessions. These are people who are marginalised by society and would never be able to cycle by themselves and having the MUGA for safe cycling is a great benefit to them. We all look forward to the cycling sessions.</p> | <ul style="list-style-type: none"> • The MUGA will not be turned over to a single sport. The specification for the Activity Hub is proposed to include: Improvements to the tennis facilities, with LED lighting, introduction of a minimum of 2 covered Padel Tennis Courts, A full upgrade to the multi-use games area, resurfaced and redesigned for football, basketball, tennis, netball and other activities, designed within Lawn Tennis Association, Sport England and Football Foundation guidelines. Welfare facilities including an accessible toilet and catering facilities. • Sheffield Cycling for All have said although their preferred option would still be to continue as they are on the existing MUGA area, subject to their hours of operation being unaffected, they can see a workable solution being found on the proposed extended learn to ride area, adjacent to the pump track. Path widening around the tennis court area would also need to be factored into the designs. • The space would be changed in a way that would enable more people to enjoy different activities. The activity hub is not for a single sport. The hub would include space for multi-sports, fitness, padel tennis, tennis and mini golf as well as informal recreational and relaxation space including benches for people to sit and spectate/have refreshments. • The addition of toilets at this part of the park accommodates more users to be able to stay in the park for longer. |
| <p>Loss of free to use and flexible space, loss of tarmac for learning to ride and a massive impact to cycle4all user's, I feel this discriminates against them, many who are disabled users</p> | |
| <p>It is used for a multitude of sports and also used by cycling for all, this is a service I still refer and have referred into for quite a number of years during my working life, it gives people a chance to experience a variety of cycling options that due to cost or disability they may never have the chance to do.</p> <p>The joy on their faces as they partake in the cycling is one to behold, the fact the area is a flat circuit is perfect for this activity,</p> | |
| <p>It provides them independence, socialisation and many more skills that they so desperately need. Charging them to use this</p> | |

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| <p>space during a cost of living crisis would simply be unattainable. Hillsborough park is more than just a park to them as it has provided them so much more than what it may provide you or me. We may simply walk the dog or go get an ice cream in the park. Friends together service users use every inch of this park in many different ways. They do their sports classes here, they socialise here on sunny days, they use cycling4all's service twice weekly as they love it so much, they sometimes simply want to walk around the park. This may seem so simple to someone who is neuro-typical. To them this is independence, friendship, exercise, everything!</p> | |
| <p>I am also upset that it will impact on the disabled cycling.</p> | |
| <p>The proposed development provides a poorer working environment for Cycling4All and will isolate their users from the other public</p> | |
| <p>REDUCTION OF MUGA EXTENT</p> | |
| <p>Whilst the park has extensive grass areas (obviously not since the Tramlines Fiasco),the hard standing is an important free resource in the event of bad weather.</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |

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| <p>The MUGA is a very well used space and, as an open all weather surface it is unique in the park in being suitable, all year round for ball games and for learning to cycle, scoot, skip etc. And everyone can access it because there is no charge!</p> | <p>Further to the points above which address references to the MUGA:</p> <ul style="list-style-type: none"> • Reconfiguring the space will enable different activities for people to participate in and therefore reach different target audiences. The MUGA as it is is used predominantly for football, basketball and cycling. Changing the space to include a toilet/cafe and other activities will enable more people and different audiences to use the facility. • The MUGA will remain free to use for the duration of the contract - this has been specified within procurement documents. |
| <p>As the basketball courts double up as football pitches they are always busy. The proposed plans actually reduce the total area to play basketball and football so this would become even busier. This will lead to frustration and potential social disturbance</p> | |
| <p>Tennis is a seasonal sport whereas football is played all year round. I really see the value of free areas of recreation where young, underprivileged people can seek refuge, socialise, exercise, and hone their skills so they can improve on their current personal situation. By implementing the new plans, you are taking some of this freedom away.</p> | |
| <p>There would be a loss of free space and I disagree it would help the wellbeing of the local community and park users. The tennis courts are not well used at the moment so why create more or better ones to lay idle at the expense of park users.</p> | |
| <p>We need the tarmac for kiddies learning to cycle, it's a flat useable space for this and regularly used for that purpose.</p> | |
| <p>The idea of allowing the LTA to not only reduce the MUGA size but to enclose it as well is appalling, and effectively privatisation of a publicly owned park for their commercial gain.</p> | |
| <p>The MUGA area is currently extremely well used - I use the park myself 2-3 times a day for exercise/travel and this area is always in use, by groups of children, the bike group and various other community groups - indeed it is utilised far more than the tennis courts are so why change it? If the area is</p> | |

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| <p>shrunk and enclosed, most of the people who currently utilise this area will be excluded from it as many of them will not make the effort to go into a gated area.</p> | |
| <p>This is a well used area of the park which I regularly use with my family, but also see used by older children and teenagers (who have so few spaces to go under austerity measures particularly), and also disability groups.</p> | |
| <p>Reducing the size of the MUGA will increase demand for the remaining space. There is no guarantee this won't lead to a booking system and then payment for use.</p> | |
| <p>9 of 48 acres of the park is already given over to exclusive use of pay-to-use sporting activity. Adding another acre is not acceptable The tennis courts are currently only used for 11% of their available time. Keeping 3 plus 2 padel courts while losing the MUGA is a poor choice In a 3 month spot survey the MUG had over 6 times more users than the 4 tennis courts</p> | |
| <p>Relocating Cycling4All onto the Learn2Ride area will displace the smaller children who tend to use this area</p> | |
| <p>REDUCTION OF HOURS OF ACCESS</p> | |
| <p>I hear the plan is for it to be 'gated', the area is used dawn til dusk and beyond now- will the access be for all those hours?</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> <ul style="list-style-type: none"> • The Activity Hub would have gates for security which would be open all day and locked at night at 9pm. • The activity hub would provide staffed presence during these hours which has been well received in consultation |
| <p>Moving the tennis courts so they can be used as the access gate for Tramlines means that they will be unavailable for longer than is now the case - maybe closer to the 19 days that Tramlines is on site rather than the 3 days it is open</p> | |

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| | <p>with many people expressing that this will make the park safer to use during the darker months.</p> <ul style="list-style-type: none"> • The consultation carried out in April 2023 affirmed recent research around the Make Space for Girls campaign, specifically around ‘Deconstructing the default male landscape’ and talks about ‘if there’s just one space or pitch, chances are that the boys will take it over. Dividing it up gives everyone a chance to play...’. ‘Creating openness and visibility in parks, clear escape routes and better lighting made women feel safer, along with a visible presence of park staff.’ Although women and girls are one of a number of key target audiences the activity hub would aim to reach, designing a space which appeals to multiple audiences is a priority for this project and the conversations we’ve had with children and young people have emphasized this even more. |
| OTHER ISSUES | |
| <p>since the original tennis courts were reduced in size and an “arrangement” for a coffee cart be put in place then I have witnessed the gates been left open to the park and also rubbish being disposed of poorly. If this proposed disposal goes ahead then what controls will exist? (Graves Park)</p> | <p>This response appears to be a complaint regarding an area of Graves Park. This matter will be picked up by the Graves Park Manager and addressed within the park.</p> <p>Complaints regarding operators within parks can be raised either directly with the operator if required or with the Parks and Countryside Service. This is the case with any existing operations in parks and would be the case with the Activity Hub or tennis operations around the city.</p> |
| <p>Why is Concord tennis court on the list if nothing is going to change for them? Are we guaranteed that they won’t change their minds they will remain untouched?</p> | <p>It is officer’s view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |

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| | <ul style="list-style-type: none"> • Concord is included because there will be an individual lease for each of the parks which have tennis courts managed as part of the park’s tennis programme. The notice in the paper is part of the legal process, which advertises that SCC is proposing to enter into these lease arrangements. • The information that was included in the contract when we went out to procurement for an operator specified that Concord Park must remain free to access as it has been for the duration of the previous agreement. The lease will therefore continue in this way and there are no immediate plans to change this. • Yes absolutely, subject to committee approval we would continue to talk with the Friends Group and local councillors to ensure the arrangements at Concord continue to be fit for purpose. As the lease is for 25 years, there may be a time in the future where some changes to the current operation could be beneficial, but this would definitely be considered together with key partners. |
| <p>where will they park? Parking is difficult in Hillsborough already and traffic is horrendous most of the time.</p> | <p>It is officer’s view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |
| <p>The proposal assumes a significant increase in car parking and therefore car travel to site which is not desirable</p> | <ul style="list-style-type: none"> • There is a large parking area in Hillsborough Park. • The current car park is not at capacity, therefore can accommodate more users. As a destination park in the city, people do travel to Hillsborough from outside the area and outside Sheffield. Although committed to supporting people to choose active travel where possible, we also recognize that for some this is not feasible |

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| <p>Before even approaching something on this scale the Council MUST look at the issues around its sole trusteeships https://register-of-charities.charitycommission.gov.uk/charity-search/-/charity-details/523913/trustees It cannot possibly act in the best interest of each individual park it is sole trustee of. Each park/charitable trust is an entity in its own right. It must not have decisions imposed upon it which may deprive it of an opportunity in order to give to another. In proposing this, Sheffield City Council is acting as a Council and not as a sole Trustee of each. The Council must appoint other trustees to each of these charitable trusts before proceeding any further. Each trust then needs to examine whether such a move is right for that individual park/trust.</p> | <p>The Charity Trustee Sub-Committee is a standing sub-committee of the Strategy and Resources Policy Committee. It is established to take all decisions of the Council as charitable trustee, including but not limited to disposals of and other dealings with charitable land, and will meet as required. Details of the membership and meetings of this Sub-Committee can be found as published on SCC's website here: https://democracy.sheffield.gov.uk/mgListCommittees.aspx?bcr=1</p> |
| <p>New buildings which require heat and light will unnecessarily increase our carbon footprint during the build and the running of the activities</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> <ul style="list-style-type: none"> • The procurement specification outlined key criteria around the carbon and environmental requirements for the build and ongoing operations which are in line and supportive of Sheffield City Council's commitments to the climate emergency |
| <p>The only way of relocating Cycling4All is by adding more tarmac into the park - to extend the Learn2Ride area and to widen the paths so that they can get there. The development will also have more tarmac in the area where the table tennis table is located. Having already had the paths widened for Tramlines and the All Wheel Bike Track installed more tarmac in a public green space is not acceptable</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> <ul style="list-style-type: none"> • The proposed extension to the learn to ride area on the south side would be approx. 3 meters and would bring the width of the whole cycling area in line with the pump track. As people are already congregating on this area and cycling across it, the grass is worn/bare. |

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| | <ul style="list-style-type: none"> It is proposed to also extend the learn to ride area into the tennis court area, moving the tennis fencing boundary slightly in to support this, this would provide the surface capacity needed to accommodate cycling for all and other users. |
| NO BENEFIT TO THE PARK OR THE PUBLIC | |
| <p>There is no evidence that Graves Park will benefit in any way from the disposal rather it appears to be a convenience for the Parks Department.</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |
| <p>Is there any evidence or safeguards to the effect that the park will benefit from this disposal? Indeed has any refurbishment been done by the private operators who have leased the land for the past 10 years?</p> | <ul style="list-style-type: none"> The aim of the lease model is for the protection and sustainability of outdoor tennis provision in the city. As a result of the Lease Arrangements for the tennis courts the Community Interest Company (Courtside) will undertake the management of the Graves Park tennis courts. They will ensure they are kept fit for purpose and well maintained and will also undertake coaching and outreach sessions to positively engage people, and in particularly children, in tennis. SCC will receive a concession fee over the length of the contract including a sinking fund contribution for the life cycle maintenance of the courts. Income will be apportioned to the relevant charity accounts or SCC as appropriate. For Graves Park, as this is providing tennis only facilities, and not additional activities and catering, its likely that this amount will be nominal. The key gain for the charity and local residents, will be seen in the upkeep and maintenance of the tennis courts. |
| <p>If the tennis courts were run properly by Graves Park it would surely be of more benefit to the park and used to generate income for the park.</p> | |
| <p>I understand this is driven by availability of external funding, my concern is it not aligned to the needs of residents.</p> | |
| <p>Hillsborough park is a " PUBLIC" park . A free green space for everyone .</p> | |
| <p>Leasing the tennis courts to a private company is not looking after the land for the citizens it is privatisation of what belongs to the public.</p> | |
| <p>It is a public space and should remain free for all to use indiscriminately. It is irrelevant how frequently it is used or by whom, the fact is it should remain open for all to access as desired.</p> | |
| PROPOSED PAY TO PLAY ACTIVITIES ALREADY AVAILABLE IN THE LOCAL AREA | |

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| <p>With a leisure centre just metres away that offers indoor sports space, it seems completely unnecessary to build a new indoor space in the park. People need more outdoor space, not less.</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |
| <p>The leisure centre across the road is large and has paid for facilities there-this is unnecessery duplication.</p> | <p>Hillsborough Park was identified as the location for the hub for several reasons:</p> |
| <p>we have Hillsborough Leisure Centre just across the road from the proposed land which provides the type of paid-for activities that this development is proposing.</p> | <ul style="list-style-type: none"> • The park already has a sports area, and this sports area needs refurbishment. • The provision of an exciting and high-quality facility of this nature will raise the standard of the park and increase its attractiveness as a Green Flag destination. |
| <p>I am sure you are aware that Hillsborough Leisure Centre is within minutes of the park and provides activities at a charge.</p> | <ul style="list-style-type: none"> • Hillsborough Leisure Centre provides an important leisure service to many people in the local area and Sheffield. |
| <p>There is no need for another indoor sports centre when there is a large leisure centre over the road from the park. And there is a sports arena right next to (almost in) the park. Another one isn't needed. What evidence do you have of the demand from local people that another centre is needed and the sports they are wanting to pay for?</p> | <p>However, we know from research including the leisure strategy consultation carried out in 2022 that doorstep community leisure facilities in a green and open setting are also important. The location means that we can provide a mixture of indoor and outdoor sport and physical activity facilities in an area of Sheffield that services a wide population from across the city.</p> <ul style="list-style-type: none"> • Currently, provision for this type of activity is lacking in the north of Sheffield. Not only would this be a unique project for the whole of the city but it would also be addressing a need for this area • The park is a city destination site with good transportation and access links. • As with the current tennis courts, some facilities would be paid-for use such as the new Padel Tennis courts • The council recognises that leisure provision both indoors and outdoors is critical post pandemic, with many people |

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| | <p>requiring rehabilitation after suffering long-COVID, or diminished mental health caused by lockdown.</p> <ul style="list-style-type: none"> The health and wellbeing of residents is a priority, and it is clear the services delivered by facilities such as this play a vital role both now and in the future. It is therefore critical that long term sustainable plans are put in place to maintain and grow these facilities. |
| REQUIREMENT FOR CHARITY COMMISSION CONSENT | |
| <p>It is unclear whether the Trustee has the right to dispose of the tennis courts without first getting permission from the Charity Commission. As far as I am aware land in Graves Park is supposed to be protected from sale or disposal.</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |
| <p>If Sheffield City Council has not yet applied to the Charity Commission for a scheme for this disposal we request that this disposal is immediately halted until such permission is confirmed.</p> | <ul style="list-style-type: none"> In most cases trustees can sell, lease, or otherwise dispose of their charity's land in England or Wales without asking for authority from the Charity Commission. Requirements vary depending on: <ul style="list-style-type: none"> whether the trustees have the power to dispose – <i>the governing documents for Graves Park Hillsborough Park High Hazels Park and Weston Park do not contain a prohibition on disposing of the land held by these charities. Power to dispose is contained in the Trusts of Land and Appointment of Trustees Act 1996 at section 6.</i> whether the trustees will dispose to a 'connected person' – <i>the proposed disposal is not to a connected person.</i> whether the trustees are looking to dispose of land that must be used for a particular purpose (designated land) – <i>the land held by the Graves Park Hillsborough</i> |
| <p>Has the Charities Commission given permission for the land to be privatised in this way?</p> | |

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| | <p><i>Park High Hazels Park and Weston Park charities is designated land. The consent of the Charity Commission is not required as the disposal falls into the exemption where disposing of the land will not impact on the purpose for which the land is required to be used or how the charity furthers its purpose. For example, where only a small portion of the land is to be disposed of. This power of disposal was confirmed by the High Court in the case of Dewar v Sheffield City Council & anr [2019] WTLR 495. SCC has followed the requirements of sections 117-121 of the Charities Act 2011 as stipulated by the Charity Commission.</i></p> <ul style="list-style-type: none"> • whether the disposal falls within one of the exemptions listed in the Charity Commission’s guidance – <i>the proposed disposal does not fall into the exemptions listed as requiring the consent of the Charity Commission</i> • For more information citizens should refer to the Charity Commission’s guidance published on its website www.gov.uk/government/organisations/charity-commission Selling, leasing or otherwise disposing of charity land in England and Wales - GOV.UK (www.gov.uk) |
| USE OF PUBLIC FINANCES | |
| <p>The development would also involve the needless removal of 4 perfectly playable floodlit tennis courts, in order to build 3 new courts on the site of the existing MUGA, which seems to be a particular waste of money.</p> | <p>It is officer’s view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |
| <p>I do not see why all the money coming from Tramlines and Lidl can’t upgrade the area and keep it free. (After all Tramlines had a big part in damaging it!!) . Also: we pay rates</p> | <ul style="list-style-type: none"> • Approx. 13% of council funding would be used for this development, with the remaining investment coming from Sport England, Lawn Tennis Association and private |

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| <p>While we understand the need for the council to generate income to maintain various park facilities, we believe that compromising the well-loved MUGA is not the most suitable solution. There must be alternative ways to finance park amenities without infringing upon the rights and enjoyment of the park's regular users.</p> | <p>investment. Sheffield City Council's input would be via S106 grant funding and a loan which would be paid back by the operator. Therefore, no council core budget is being used for this development.</p> <ul style="list-style-type: none"> • To accommodate a range of different activities and users including events, the space would need to be reconfigured - we want to enable as many people to enjoy the facilities and activities on offer at Hillsborough Park including event goers • Financial due diligence has been completed on the business case using up to date assumptions about income, costs, inflation and number of users. Income is by way of a concession fee and contribution to a sinking fund for the future maintenance of the facilities. Income from the hub at Hillsborough will be accounted for in the audited accounts for the Hillsborough Charitable Trust and will not be used to subsidise other sites. • Income from the existing Parks Tennis programme is nominal and is wholly paid as a contribution to a sinking fund for lifecycle costs. Courtside CIC are responsible for operational costs. • SCC is proposing to fund 13% of the capital (build) costs of the project. The S106 funding is ringfenced for refurbishment of the MUGA at Hillsborough and could not be used to fund other public services, the remaining funding is by way of an interest-bearing loan, which the operator will repay to SCC. |
| <p>Council tax and income tax (that is then converted to grants by the government) is paid by the public to provide facilities like parks and recreational areas. They are already paid for by the general public so why are you forcing people to have to pay twice.</p> | |
| <p>An Alternative solution would be to keep the area as it is set out now but to improve the facilities and make it free to all. Then make it a priority to keep the area well maintained and not let it degrade by giving up on it at the first sign of damage. Surely with the events that happen in the park like Tramlines and the close proximity to SWFC there is opportunity to arrange funding for the upkeep of the recreational areas of the park. The land and upkeep doesn't have to be tendered out to a private company to do what they like with the area.</p> | |
| <p>It's unfair. You've enhanced the similar sized facility at concord but are taking away facilities in Hillsborough. This is in addition to the restrictions on use the football, concerts and tramlines cause. The new facilities mean less people (especially young people) can enjoy the park at a time. It's likely to cause conflict as people have to negotiate to use limited space.</p> | |
| <p>I would like to ask what is so sub-par about the current tennis courts and MUGA that the council deems it necessary to overhaul and restructure this particular area of the park. In order to quantify the outcomes of this restructure, Sheffield City Council claim to have a project "underway to scope</p> | |

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| <p>measurable metrics, such as activity and usage". I would question whether such a project has occurred prior to the plans. Furthermore, I am struggling to understand the necessity to improve the "provision of attractions that support the health and wellbeing" of members of the Hillsborough community, when we have access to the wonderful collective, Gathering Ground.</p> | |
| <p>It is also a poor use of council tax payers money to give over £363,000 to a community interest company in order to facilitate them building in a public park. In the current economic climate the people of Sheffield should have as much free-to-use space in parks as possible and the council should save our money to spend on services that are required by residents not fritter it away to enable the proposals of commercial companies.</p> | |
| <p>I am informed that the revenue will be used to support parks elsewhere. Where will this revenue come from? How up to date are your cost-benefit analyses? I am not convinced that this income will be fully realised, in which case local residents will lose out. Does that mean that revenue from a relatively deprived area will be used to benefit parks in more affluent areas? I am not sure that this is equitable. Will revenue from those parks be used to upgrade our facilities? We have already seen the "benefits" of our park being turned into a cash cow in that large parts of it are now not usable. What have we gained from this?</p> | |

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| <p>I believe that the current operator, Courtside CIC, takes the on-line booking income from the courts in Sheffield. It is not clear to me during the current lease arrangement with Courtside CIC whether they have invested anything into the courts over the period of their current lease. I believe that the original refurbishment costs of the courts may have been paid for by LTA grant funding. Details of parks tennis income and costs do not appear in any of the charitable park accounts It has not been disclosed how much, if anything, Courtside are currently paying to lease the courts or if they are paying into a "sinking fund" in order to ultimately refurbish the courts over their 10 year life cycle.</p> | |
| <p>Can you evidence that the public money used to build this centre is best used in this way rather than meeting the demands of local people for things like improved bus services?</p> | |
| <p>If the aim is to create cash for a sinking fund then Hillsborough is not the ideal location No financial information has been shared with the public so it is unclear how much, if anything, the proposal will pay for rent to Hillsborough park and into the sinking fund for all courts across Sheffield parks</p> | |
| <p>The development involves the needless and expensive removal of 4 perfectly playable floodlit tennis courts</p> | |
| <p>CAFÉ FACILITIES PROVISION</p> | |
| <p>Neither do I think there is a need for a second cafe or another toilet in Hillsborough Park, which is better served in terms of these facilities than many other Sheffield parks.</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |
| <p>A cafe is not a priority. The park is busy and well-used without one. It's likely to increase litter.</p> | |


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| <p>We don't need another cafe, the park has one and Hillsborough itself is has a vast number of them.</p> | <ul style="list-style-type: none"> • There has been significant support for additional facilities in the park including both cafe and toilets. The target audience of the hub catering would be different to that of the current offer and located in the recreation area, appealing to a more family/young people market. This has been supported by local consultation. |
| <p>I also don't see the point or need for another cafe in this area when we have Depot Bakery at the other end of the park. Do the council really think we need more cafes as opposed to free to use areas for sport and recreation?</p> | |
| <p>The proposal to build a new café and welfare building, will not only disregard the great work Age UK are already doing, it will impact negatively on the fantastic cafés that are already located in and around the park.</p> | |
| <p>The park is already served by a cafe and by local businesses including Jams, Mollys, and the ice cream parlour. There is absolutely no need or market for another cafe in an area with so many, adding another cafe in risks damaging other businesses unnecessary or creating an expensively refurbished vacant space. There are plenty of vacant store fronts already in Hillsborough.</p> | |
| <p>I certainly don't feel the park needs another café but the toilets in that area would be helpful.</p> | |
| <p>I also don't understand why we need another cafe. There are good cafes in Hillsborough, the Pavilion has tea and coffee facilities for events, and the Age UK cafe provides an excellent service. I believe Hillsborough Leisure Centre also has one. Adding a further cafe will detract revenue from local businesses. Have you factored this reduction in the incomes of local businesses in to your calculations of affordability? Or is it all supposed to be boosted by all these people travelling in.</p> | |
| <p>LACK OF ADEQUATE CONSULTATION</p> | |
| <p>There is no evidence of any popular demand for this proposal. The very limited consultation carried out by council officers has</p> | <p>It is officer's view that this matter has been addressed in previous reports and discussions held at Charity Trustee Sub-Committee.</p> |

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| <p>been poor, ludicrously biased, and has still failed to demonstrate support in any significant numbers for the proposal, when compared to the 1690+ people who have signed the petition on change.org opposing the scheme.</p> | <ul style="list-style-type: none"> • The report presented to Charity Trustee Sub-Committee on 5th June 2023 detailed the extensive consultation carried out in relation to the Activity Hub, wider Hillsborough Park masterplan and the Sport and Leisure strategy. • In April 2023 officers worked with the Children's Involvement Team to carry out further consultation following the March 2023 committee • Of the children and young people we spoke to: <ul style="list-style-type: none"> ○ 81% of those who answered would like to have a new multi-activity hub, compared with 7 % who wanted to keep the tarmac sports area and tennis courts as they are. 12% were undecided. ○ Of those who told us what frequency they visit Hillsborough Park, 55% visit either weekly or nearly every day. ○ Far fewer respondents used the large tarmac sports area, with 28% of respondents saying they use it either weekly or nearly every day. ○ Football (28%) is the most popular activity to do on the large tarmac sports area. Biking was also popular with 22% of respondents using the space to ride their bikes. ○ In terms of amenities which respondents ranked the importance of, 81% felt that free to use public access toilets were very important. <p>With regards previous consultations carried out:</p> |
| <p>There has been a real lack of consultation on this issue. I'd like to see evidence that any consultation that has taken place has confirmed that this is what the local community want and need from their park, if there is any such evidence?</p> | |
| <p>I believe a full consultation should be carried out in the community, thoroughly informing all affected stakeholders of what the proposals entail and what is at stake. This should include all community groups who regularly use the park, as well as all local residents. The 'consultation' carried out by the council thus far has not reached the community as far and wide as it should as many individuals I have spoken to remain unaware of the proposed plans. The 'consultation' the council has carried out thus far appears to have been presented in a one-sided manner to suit the proposal's agenda. The initial survey presented online to gauge public opinion on the proposal was not transparent to the community, many people I have spoken to are unaware it ever existed, and online surveys are not necessarily accessible to all individuals in the community. It has also been brought to my attention that council representatives were present at the MUGA during school holidays, asking young children leading questions such as "would you like it if there were more sports facilities in the park?" and "£4 isn't a lot to pay for a sports activity is it?", I do not believe this is an acceptable form of consultation considering young children will not have a fully formed understanding of the financial consequences of such a</p> | |

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| <p>proposal, nor will they have been informed of the disadvantages to the community the proposals present.</p> | <ul style="list-style-type: none"> • In some ways the plan was partly developed, as there were discussions with experienced design partners the LTA, Sport England and Courtside CIC around the creation of doorstep multi-activity facilities for a number of years therefore ideas had of course been discussed. • It is often the case that significant projects involving strategic partners are progressed in advance of wider public consultation, however consultation is always a key requirement – this is also true of the Coach House and Pump Track developments. • The forward plan consultation informed the need for improvements to the recreational facilities in the park and this didn't go into the detail around specifics for this proposal as that wasn't what it was designed to do. It has been a challenge due to the route to procurement of knowing how and when best to consult, therefore it had been envisaged that detailed consultation would be carried out with/by the operator after the procurement process had concluded. • However, in discussions with the FoHP it was agreed, as they recognised that their view was not necessarily representative of families and wider audiences, that they would prefer to see a consultation carried out before the procurement started which we agreed to carry out. • With regards the consultation not being clear around a reduction in size of the MUGA, please see below the visual |
| <p>The consultation with key stakeholders has been entirely inadequate: the people who use and value the MUGA are important members of our community and their voices need to be heard.</p> | |
| <p>There has been insufficient consultation with stakeholders and users of the park</p> | |
| <p>The current proposal for a second cafe and tennis hub was never something asked for by the people of Hillsborough or Sheffield. It has always been a long term plan of the current parks tennis contractor which was adopted and justified by the Parks & Countryside officers. Consultations about the proposal have been poor, have never highlighted the disadvantages of the plans and have been designed in order to gain approval by any means possible - in which regard I would specifically draw your attention to the council's Young Persons' Questionnaire.</p> | |
| <p>Who are the people asking for the new indoor area so they can play paddle tennis and mini golf? Have you asked the people to vote on whether to keep the current facilities and upgrade them or to totally dispose of and create something brand new but smaller and at a cost? There are nearly 1,500 local people rejecting the proposal but it still seems to be going ahead.</p> | |
| <p>Were local people ever consulted on the tennis facilities originally or did the council just accept a grant from the Tennis association and let them do what they wanted with the area.</p> | |
| <p>As a local resident I have not seen any notices displayed. It is thanks to groups like the Friends of Graves Park that this has</p> | |

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| been highlighted. Why have you not notified adjacent residents in the same way planning applications are notified? |
| Are they aware consultations will need to be held not just in press release ? |
| Moreover, there has been very little consultation regarding this and I have only found out about it via Friends of Hillsborough Park on Facebook. |
| I've read that your 'consultation' did not include regular users of the area, including disabled groups. |
| I think that Friends together should be considered a stakeholder in the park. We use the park nearly everyday and have done so for over a decade. We volunteer weekly in the walled garden and have been a massive part of the restoration of it. Our service users feel strongly that they do not want the new MUGA and have done newsletters on why they love this land so much as it is. |
| lack of adequate consultation with key stakeholders who use the MUGA |
| What evidence do you have of the demand from local people that another centre is needed and the sports they are wanting to pay for? Do you have consultation reports on what people want public money spent on in the Hillsborough area? I saw one about the MUGA specifically that was not well publicised beyond a certain Hillsborough based facebook page, and titled about the MUGA which is not a name that people recognise as being an area of the park. I don't remember seeing any about what people want in general, but if so could you share them publicly? |

which was provided as part of the FAQs within the consultation.



Subsequent local consultation was then carried out to support this.

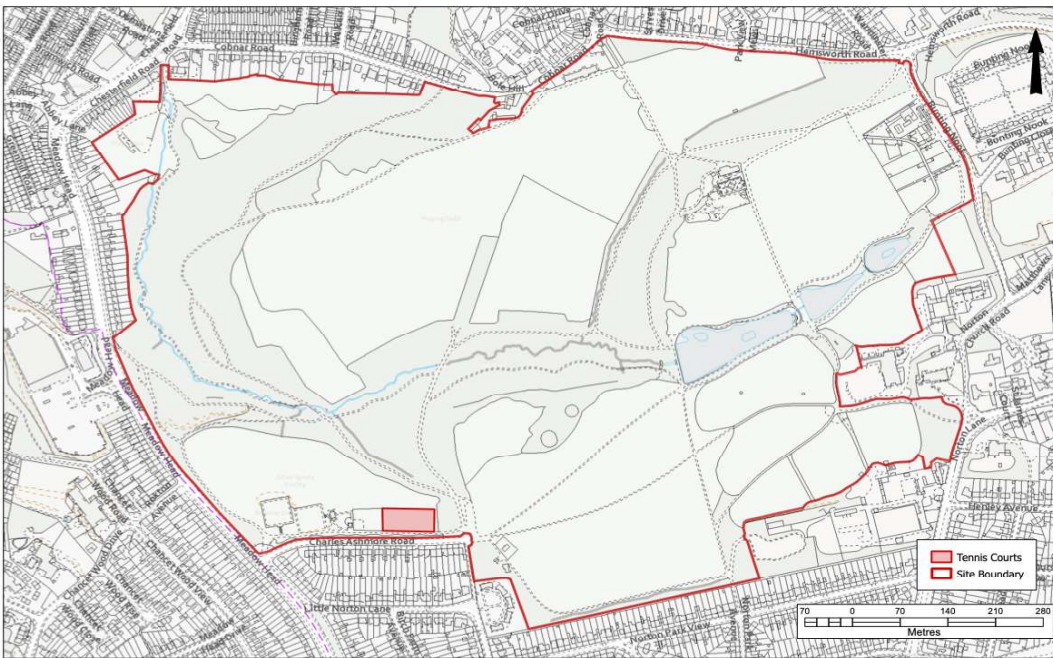
With regards to the wider leisure consultation:

- A consultation was carried out by Sheffield Council in 2022 to better understand how our sport and leisure assets and services can be re-shaped to help deliver the outcomes in the Move More Plan and the City's wider strategic priorities. We know for example, that many of our sport and leisure facilities require investment and modernisation to better meet the needs of our communities and that it is easier to be active in some communities in Sheffield than in others.
- We want to address this inequality and ensure our indoor and outdoor facilities are modern, welcoming, and inclusive and that our services create opportunities and

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| <p>I don't think you have provided evidence of the demand from local people for paid for activities like shuffle board, table tennis etc. If there is demand have you proven that it can't be met by existing facilities in Hillsborough e.g. Hillsborough Leisure centre, Hillsborough Arena, Wisewood Sports centre.</p> | <p>encourage more people to be more active, more often in an equitable way.</p> <ul style="list-style-type: none">• The key points from the consultation with relevance to the park's tennis programme include;<ul style="list-style-type: none">• appetite for investment in facilities and services which support the delivery of sport and physical activity.• desire for additional investment in outdoor activity spaces which provide opportunities for low-cost activities on the doorstep.• recognition that indoor and outdoor spaces should be places that people want to visit for multiple reasons. Investment should support the development of facilities as activity hubs by creating spaces which are multi-purpose destinations in their own right.• the notable shifts in participation patterns observed during the Covid-19 pandemic and people's appetite for exercising in the outdoors.• Small scale investment which would reinstate derelict or disused facilities would be welcomed. |
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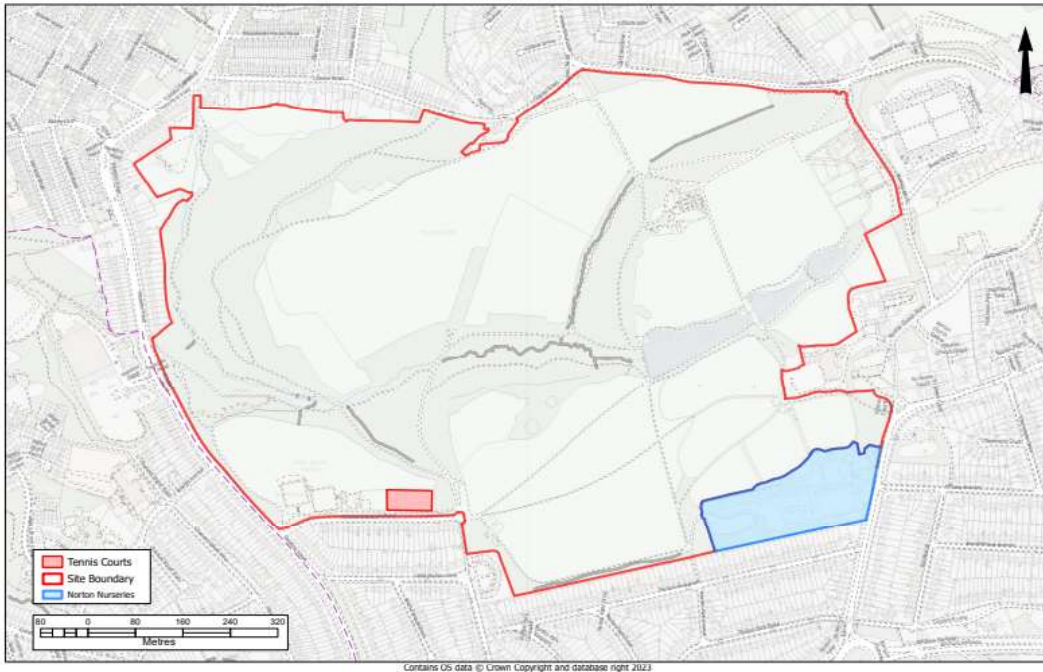
APPENDIX 3: Graves Park maps

Map 1 – Graves Park map published with Open Space Notices
Graves Park



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Map 2 – Graves Park map showing Norton Nurseries for comparison
Graves Park



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