

Charity Trustee Sub-Committee Decision Report

Title of Report:	Rose Garden Café Progress Update, Graves Park
Date of Decision:	9 th September 2024
Report To:	Charity Trustee Sub-Committee
Report Of:	Ajman Ali, Executive Director of Neighbourhoods
Report Author:	Rebecca Nixon, Capital Delivery Service

Executive Summary: The purpose of this report is to provide an update on the progress made by the Rose Garden Café Partnership (Friends of Graves Park, Save the Rose Garden Café Campaign and Sheffield City Council) on the recommendations approved by the Charity Trustee Sub-Committee on October 18th 2023:

1. The proposal for Sheffield City Council, in partnership with stakeholders, to develop a strategy for the restoration of the Rose Garden Café building (options 2A and 2B), pausing work on a replacement building approach (design options 3 and 4) and a limited works approach (design options 1 and 5).
2. That the Rose Garden Café Partnership, once established, creates an action plan to develop the strategy for restoration, which will include defining the following:
 - A framework for a proportionate public consultation on the Rose Garden Café.
 - Establish funding sources to meet the structural remediation and building refurbishment works.
 - Agree a strategy for public communication.

Name of charity and (if registered) charity number: Graves Park Charity 510841

Charitable Objects: The object of the Charity is the provision and maintenance of a park and recreation ground for use by the public with the object of improving their conditions of life.

Committee remit: This report is to be considered by the Charity Trustee Sub-Committee as its remit includes matters of which charitable trustees should be aware in accordance with Charity Commission Guidance.

Does the report contain confidential or exempt information? No

Recommendations:

The Charity Trustee Sub-Committee is recommended to:

1. Note the progress made towards the actions agreed in the October 2023 report.
2. Agree to receive a further report on 25 November 2024 on progress towards the establishing of funding sources as agreed in the October 2023 report.
3. Note that further updates and decisions will be taken to the appropriate Committee as required.
4. Support the Partnership to begin to establish funds for the full restoration and refurbishment at an initial cost estimate of £2,000,000.

Financial Implications: Yes. Approved by: Jonny McQuillin

Legal Implications: Yes. Approved by: Tarmina Saville

Equality and Inclusion Implications: Yes. Approved by: Louise Nunn. Full Equalities Impact Assessment completed. EIA number: 2384

Climate Change Implications: To be provided in next progress update alongside completed Climate Impact Assessment.

Background Papers: Rose Garden Café committee reports:

- 25 October 2022
- 18 October 2023

Progress updates on 18 October 2023 recommendations:

- 22 January 2024
- 04 March 2024
- 16 July 2024

Appendices: Partnership Knowledge Pack August 2024
Full Equalities Impact Assessment (No. 2384)

1. Background to the issue

1.1 Project summary timeline

This section summarises the project background from initial brief in spring 2022 up until October 2023 committee approval and is included for completeness only.

In Spring 2022, Sheffield City Council developed a brief for the enhancement of the café provision in Graves Park under the 'Better Parks' programme. The initial Commissioning Brief and Fee Proposal set the following project objectives:

Objective 1 - 'improve facilities for the city'.

Objective 2 - 'maximise revenue for each facility'.

An initial site visit in May 2022 identified structural and safety concerns and the café was temporarily closed on 27 July 2022. Propping of the building through significant internal and external scaffolding was installed to mitigate any risk of structural failure and the café reopened w/c 19 December 2022 with reduced seating capacity. Following Charity Trustee Sub-Committee approval in October 2022, a feasibility study was commissioned with the following aims:

- To understand the condition of the existing building and level of repair and refurbishment works required.
- To understand the various options for the café building (restoration, refurbishment, replacement) providing initial costs and scope of works for each option.
- To provide options that respond to the Better Parks Brief and meet the level of service noted in the Better Parks vision statement.

The feasibility report presented design options 1 – 5 looking at limited works, existing building restored, and existing building replaced approaches, with associated cost estimates based on the commissioned surveys. The options were further appraised to understand viability and how the options met the charity objectives. Many factors were considered including community value, funding sources and delivery options. The appraisal highlighted that some of the design options were either unviable, primarily due to funding limitations or delivery challenges, or did not meet the project objectives. Therefore, the October 2023 committee report recommended that the options with a limited works or replacement building approach be paused and a restoration approach in partnership with community stakeholders pursued.

1.2 Approved recommendations and progress summary

The following recommendations were approved by the Charity Trustee Sub-Committee on October 18th 2023;

1. The proposal for Sheffield City Council, in partnership with stakeholders, to develop a strategy for the restoration of the Rose Garden Café building (options 2A and 2B), pausing work on a replacement building approach (design options 3 and 4) and a limited works approach (design options 1 and 5).
2. That the Rose Garden Café Partnership, once established, creates an action plan to develop the strategy for restoration, which will include defining the following: *Rose Garden Café Partnership established – please refer to 16 July 2024 committee report for full details.*
 - A framework for a proportionate public consultation on the Rose Garden Café. *Public consultation undertaken, please refer to 16 July 2024 committee report for full details.*
 - Establish funding sources to meet the structural remediation and building refurbishment works. *This is ongoing and is the focus of this report, please refer to section 2.*
 - Agree a strategy for public communication. *Strategy agreed and implemented. Comms strategy includes the agreed statement from every Partnership meeting, regular updates via the [Partnership Have Your Say](#) and continued community and media engagement via social media sites and local news outlets. Please refer to 16 July 2024 committee report for further details.*

2. Proposal

The following section is an update from council officers working with representatives of the Rose Garden Café Partnership (Friends of Graves Park, Save the Rose Garden Café Campaign and Sheffield City Council) of the progress made towards the approved recommendations from 5 July – 29 August 2024. Please see the previous committee report for the progress update provided from 16 February – 5 July 2024. The content for the following sections is discussed and agreed with the Partnership ahead of drafting.

2.1 Establish funding sources to meet the structural remediation and building refurbishment works

2.1.1 Initial cost plan and design team fees

An initial cost plan estimate has been provided by the Capital Delivery Service. The estimated cost for the works is £2 million and is based on the restoration and refurbishment brief co-created by the Partnership using the public consultation results, operator and Partnership requirements. This initial cost estimate is subject to change and will increase in accuracy as the delivery team develop the co-ordinated café design, which is a key next step towards a restored and refurbished café alongside raising funds. The delivery team will include a project manager, architect, structural engineer, services engineer and quantity surveyor. Quotes for these professional design disciplines have been received via the delivery partner, RLB and the project manager will be provided by SCC. Design team fees to take the design to RIBA Stage 2 (completing a co-ordinated concept design) is £63,350 with an estimated survey allowance of £11,575. At the Partnership meeting on 9th August the Partnership agreed to commit the £25,000 LAC funding allocated (£15,000 from Graves Park CIL and £10,000 from Beauchief and Greenhill CIL) and a contribution from the Essential Compliance & Maintenance Fund (ECM fund) to pay the RIBA Stage 2 fees (and any surveys required). Please see section 7 for details about the ECM fund contribution to date and projected contribution.

Currently the Partnership does not have the funds secured to cover the full works, estimated at £2 million. The Partnership does however have the funding to undertake RIBA Stage 2 design, including a £5,000 allowance within the design fees for the architect to support with the external funding submissions. The Partnership therefore proposes to undertake RIBA Stage 2, developing (and de-risking) the design with the intent that the output will unlock further funding for the detailed design and construction works. Although the hope is that this approach will increase the likelihood of acquiring external grant funding, this is not a given and there is a risk that the RIBA Stage 2 design fees are funded and then external funding for the detailed design and works cannot be found. The Partnership have discussed this and in addition to the RIBA Stage 2 design are mitigating the risk by:

- Regularly updating the Partnership's financial standing to understand all income and expenditure, and potential funding pots.
- Continuing to approach external funders (please see section 2.1.2)
- Continuing with fundraising efforts (please see section 2.1.3)
- Understanding a breakdown of the estimated project cost plan into elements (front wall repair, new external seating area, new kitchen, clock tower reparation, WCs refurbished etc) so that external funds can be approached for specific elements of the restoration and refurbishment, and the works can be phased if required.

An initial business case has been drafted for the RIBA Stage 2 design which is currently under review and the initial programme forecasts RIBA Stage 2 design

to be completed in December 2024. In the meantime, the Partnership continues with fundraising efforts as described in the below sections.

2.1.2 External Grants – National Heritage Lottery Fund

Partnership members recently attended the National Heritage Lottery Roadshow and the Joined Up Heritage Sheffield Event to understand how to apply for the National Heritage Lottery Fund (NHLF) and the suitability of the Rose Garden Café restoration and refurbishment for the fund. The NHLF have four new investment principles for their 10 year funding strategy, 'Heritage 2033':

- *Saving heritage*: conserving and valuing heritage, for now and the future.
- *Protecting the environment*: supporting nature recovery and environmental sustainability.
- *Inclusion, access and participation*: supporting greater inclusion, diversity, access and participation in heritage.
- *Organisational sustainability*: strengthening heritage to be adaptive and financially resilient, contributing to communities and economies.

These four investment principles must be taken into account in NHLF applications. The Partnership believe that the restoration and refurbishment strategy takes into account these four principles. Following advice from the NHLF, the Partnership has agreed an approach to not submit an EOI (expression of interest), but to directly send the NHLF a development appraisal pack, which will be produced by the architect as part of the RIBA Stage 2 work. This will be submitted in December 2024.

2.1.3 Fundraising

The Partnership continues to undertake and plan innovative ways of fundraising including Partnership member, Gertie Whitfield's recent ['Putting People of the Past into the Park'](#) fundraising walks on 11th August and 3rd September. In addition there are local collection boxes and posters in the café which link to the [JustGiving fundraising page](#) which now has a total of over £11,600. The Partnership is also using the previously developed A-Z of fundraising ideas to create a fundraising event calendar. Current café operator, Dukes have also committed to donate 10p from every coffee sale at the Rose Garden Café to the fundraising efforts. From the reopening of the internal café seating on August 7th (please see section 2.2 for further information) to August 18th there was 1420 hot drinks sold adding £142 to the fundraising pot.

2.2 Reopening of internal seating in the Rose Garden Café

The structural engineer's detailed design work alongside the new ground investigations undertaken in May 2024 concluded that inadequate foundations are the sole reason for the lean in the front wall. The structural engineer recommended that in the short-term the scaffolding supporting the roof could be removed. As a result, on August 7th, the internal seating area of the Rose Garden Café reopened following the removal of the internal scaffolding and the installation of a new floor finish in the main space. The existing floor finish was mouldy, no longer fit for use and did not meet modern food hygiene standards for flooring. External scaffolding propping the unstable front wall will remain in place until a refurbishment is complete and the wall is fully reconstructed in accordance with the structural engineer's recommendations. The Council is in discussions with the current café operator to establish a new commercial agreement aimed at enhancing the financial return, as the current arrangement focuses solely on a takeaway service.

3. How does this decision contribute to the objects of the charity?

The proposal to pursue a restoration approach in Partnership with community stakeholders is still felt to be in the best interests of the Graves Park Charitable Trust for the reasons outlined in the October 2023 Charity Trustee Sub-Committee Report. The learnings from this project will contribute towards the accommodation review of community buildings.

4. What community or partner engagement has been undertaken and how has it informed the proposal?

4.1 The Partnership approach to restoring and refurbishing the Rose Garden Café, alongside the co-created and delivered public consultation in March and April 2024 commits to community engagement being central to the restoration and refurbishment of the café. The feedback from the public consultation was essential in creating the design brief for the works, which has been provided to the design team who will use the brief to develop the building design. The Partnership will ensure that the key requirements from the consultation are maintained throughout the design process. Please refer to the [16th July 2024](#) committee report for a detailed description of the public consultation undertaken or visit the [Rose Garden Café Partnership Have Your Say](#).

5. What alternative options did we consider?

5.1 Alternative Option 1:

This report was produced to provide an update on progress made towards the recommendations made in the Rose Garden Café October 18th 2023 report. The only alternative option would have been to not produce an update report

in July and wait for the next committee meeting, which was discounted by Officers.

6. How has equality, diversity and inclusion been actively considered?

6.1 The initial Equality Impact Assessment conducted for the October 2023 report has been updated to reflect the consultation undertaken. The EIA remains a live document and will be reviewed and updated as required to ensure a full and current picture of the equalities implications of this work.

7. Financial and Commercial Implications

7.1 There are no new financial or commercial implications in this report. Costs are within expected and projected limits.

7.2 Essential Compliance and Maintenance Fund contribution

As per the October 2023 committee report, the structural defects of the Rose Garden Café have been assessed and meet the prioritisation criteria set out and approved at the Finance Committee in [March 2023](#) for accessing the Essential Compliance and Maintenance fund. The fund is dedicated to addressing critical maintenance and compliance issues within the Council's operational estate and is specifically designed for urgent matters rather than extensive refurbishments, focusing primarily on resolving pressing concerns such as structural defects. As a result, it will be allocated to help rectify the structural defect of the front wall, with an estimated contribution ranging from £100,000 to £150,000, which includes professional fees and construction expenses.

The amount allocated from the fund for the Rose Garden Café is continually reviewed alongside other Council assets that meet the criteria. As the restoration approach progresses, the scope and cost of the proposed structural stabilisation works will continue to develop in detail and accuracy informing the amount asked from the fund. Following the recent structural engineers work, the updated initial cost plan figure for the front wall stabilisation is estimated at £250,000, this includes taking down the existing wall, propping, new foundations, rebuilding the wall, new windows, doors and anti-vandalism measures.

To date to support the refurbishment and full reopening of the café the ECM fund has supported ground investigations carried out in May 2024, as well as structural engineering services and a new floor covering, with current expenditures amounting to approximately £27,000. In addition, the fund will also contribute approximately £50,000 towards the RIBA Stage 2 design fees and survey costs as described in section 2.1.1. This contribution has been

discussed and agreed by the Partnership on the basis that the total design fees to take the project to RIBA Stage 6 is estimated at £250,000 (based on a percentage of the construction value) and of these design fees an estimated 20% could be apportioned to the front wall stabilisation design works. The Partnership therefore proposes to use the estimated design fees for the front wall stabilisation to contribute to the RIBA Stage 2 design for all elements. The commitment from the fund towards the structural defect works for the front wall is continually reviewed in Partnership meetings and the Partnership continues to look towards alternative delivery methods and funds to support the works.

7.3 Rose Garden Café commercial agreement

The Council is in discussions with the current café operator to establish a new commercial agreement based on an enhanced commercial offering for customers of the Café. The current agreement focuses solely on a takeaway service, whereas this new activity will look to enhance financial returns to both operator and Council.

8. Legal Implications

8.1 As a report updating on progress, there are no direct legal implications from this report.

8.2 The October 2023 committee report recommended to members that the Council works in partnership with stakeholders to develop a strategy for restoration – referred as the Rose Garden Café Partnership. The intention remains that this approach will enable a collaboration of skills, resources and funds. However, it is not intended to form a legal partnership and the Rose Garden Café Partnership will not be a legal entity in its own right. This has been discussed with the partners and it has been agreed that the Partnership will act as an advisory body to SCC, with SCC retaining liability and accountability for the building and delivery of the works – please see the Partnership Terms of Reference included in the appendices of the previous progress report ([16th July 2024](#)).

9. Climate and Environmental Implications

9.1 There are no direct climate implications arising from this report.

10. Other implications

10.1 There are no direct other implications arising from this report.

11. Reasons for decision

11.1 As per 18th October 2023 Committee report we believe that the recommendation to develop a restoration approach in partnership with stakeholders is currently the only viable option to achieving all the following;

- Align with the charitable objectives of the Graves Park Charity.
- Meet the initial commissioning brief objectives:
Objective 1 - 'improve facilities for the city'.
Objective 2 - 'maximise revenue for each facility'.
- Provide a café in Graves Park.

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