

# SHEFFIELD CITY COUNCIL

## EXECUTIVE FUNCTIONS DECISION RECORD

The following decisions were taken on Wednesday 14 January 2015 by the Cabinet.

Date notified to all members: Monday 19 January 2015

The end of the call-in period is 4:00 pm on Friday 23 January 2015

The decision can be implemented from Saturday 24 January 2015

### **Item No**

#### **8. OCHRE DIKE PLAYING FIELDS, WATERTHORPE FIELDS IN TRUST DESIGNATION**

8.1 The Executive Director, Place submitted a report in relation to proposals to designate Ochre Dike/Watertorpe Greenway Playing Fields as a Fields in Trust protected site.

8.2 **RESOLVED:** That Cabinet:-

- (a) approves the formal submission of an application to designate Ochre Dike/Watertorpe Greenway Playing Fields, Sheffield as a Fields in Trust protected site to allow it to be further protected and managed as a public park and playing field in perpetuity;
- (b) delegates authority to the Director of Capital and Major Projects, in consultation with the Director of Culture and Environment, to negotiate the terms of the documentation needed to dedicate the land;
- (c) delegates authority to the Director of Capital and Major Projects to instruct the Director of Legal and Governance to take all necessary action and complete the documentation needed to dedicate the land;
- (d) notes that the Town and Village Green application for this site will be superseded on successful completion of the Field in Trust designation, and that this outstanding matter will then be referred back to the Licencing authority for satisfactory conclusion and withdrawal of the application in due course; and
- (e) notes that, subject to recommendations a-c being concluded, the site will be formally dedicated as a Field in Trust in a ceremony to be arranged on completion.

#### **8.3 Reasons for Decision**

8.3.1 Designation as a Fields in Trust site will protect this site for local recreation and is a more suitable alternative to the pending Town and Village Green application, in

this location. The alternative designation is fully supported by the local community applicants, local ward Councillors and officers.

#### **8.4 Alternatives Considered and Rejected**

8.4.1 A Town and Village Green application was submitted by the local community in 2012 to protect the site from future alternative development threats. This application has yet to be determined.

8.4.2 Whilst this Village Green application may have some merits and benefit in offering greater protection it is not felt to be the most appropriate protection by officers to meet local community needs. One of the complications and constraints is that Village Green status is essentially for open access and non-organised recreational activity, not team sports. Consequently, such status could limit and prejudice the future of the football pitch and other legitimate recreational uses; also potentially desirable complimentary site improvements (e.g. the provision of changing rooms or other built facilities, if desired). Local residents have clearly indicated to officers that the playing of football and other games in this area is an important local facility along with the other less organised but equally important recreational activities of walking and simple enjoyment of the open green space environment.

8.6 As an alternative to the Town and Village Green application we have jointly explored a Fields in Trust designation as a more appropriate protection. Officers and the local applicants supported by their local Councillors have met with the Fields in Trust on site. The Fields in Trust as very supportive of adding the Ochre Dike/Waterthorpe Greenway Playing Fields to the national portfolio of sites receiving protection and have invited an application from the Council, as landowner. This option is now more preferable than a Town and Village Green designation which is now felt to be less desirable by the local community and would also be more costly to determine for the Council.

#### **8.5 Any Interest Declared or Dispensation Granted**

None

#### **8.6 Reason for Exemption if Public/Press Excluded During Consideration**

None

#### **8.7 Respective Director Responsible for Implementation**

Simon Green, Executive Director, Place

#### **8.8 Relevant Scrutiny and Policy Development Committee If Decision Called In**

Economic and Environmental Wellbeing

### **9. REVENUE BUDGET AND CAPITAL PROGRAMME MONITORING 2014/15 MONTH 7 (AS AT 31/7/14)**

9.1 The Executive Director, Resources submitted a report providing the month 7 monitoring statement on the City Council's Revenue and Capital Programme for October.

9.2 **RESOLVED:** That Cabinet:-

(a) notes the updated information and management actions provided by the report on the 2014/15 budget position;

(b) in relation to the Capital Programme:-

(i) approve the proposed additions to the Capital Programme listed in Appendix 1, including the procurement strategies and delegations of authority to the Director of Commercial Services or nominated Officer, as appropriate, to award the necessary contracts following stage approval by Capital Programme.

(ii) approves the proposed variations and slippage requests listed in Appendix 1 of the report; and notes

- the latest position on the Capital Programme including the current level of delivery and forecasting performance;

- the emergency approval under delegated authority; and

- the slippage requests authorised by the Cabinet Member for Finance under his delegated authority.

8.3 **Reasons for Decision**

8.3.1 To formally record changes to the Revenue Budget and the Capital Programme and gain Member approval for changes in line with Financial Regulations and to reset the Capital Programme in line with latest information.

8.4 **Alternatives Considered and Rejected**

8.4.1 A number of alternative courses of action are considered as part of the process undertaken by Officers before decisions are recommended to Members. The recommendations made to Members represent what Officers believe to be the best options available to the Council, in line with Council priorities, given the constraints on funding and the use to which funding is put within the Revenue Budget and the Capital Programme.

8.5 **Any Interest Declared or Dispensation Granted**

None

8.6 **Reason for Exemption if Public/Press Excluded During Consideration**

None

8.7 **Respective Director Responsible for Implementation**

Eugene Walker, Executive Director, Resources

8.8 **Relevant Scrutiny and Policy Development Committee If Decision Called In**

Overview and Scrutiny Management Committee

**10. SHEFFIELD COMMUNITY COVENANT ANNUAL REPORT 2014**

10.1 The Executive Director, Resources submitted a report updating Cabinet on the key achievements in respect of the Community Covenant during 2014.

10.2 **RESOLVED:** That Cabinet notes the progress made on the Community Covenant in Sheffield during 2014.

10.3 **Reasons for Decision**

10.3.1 To fulfil the commitment to produce an annual report on progress following the establishment of the local Community Covenant in November 2011.

10.4 **Alternatives Considered and Rejected**

10.4.1 There were no alternatives presented in the report.

10.5 **Any Interest Declared or Dispensation Granted**

None

10.6 **Reason for Exemption if Public/Press Excluded During Consideration**

None

10.7 **Respective Director Responsible for Implementation**

Eugene Walker, Executive Director, Resources

10.8 **Relevant Scrutiny and Policy Development Committee If Decision Called In**

Overview and Scrutiny Management Committee

**11. BBEST (BROOMHILL, BROOMFIELD, ENDCLIFFE, SUMMERFIELD AND TAPTON) NEIGHBOURHOOD AREA AND FORUM DESIGNATION**

11.1 The Executive Director, Place submitted a report in relation to the BBEST (Broomhill, Broomfield, Endcliffe, Summerfield and Tapton) Neighbourhood Area and Forum Designation.

11.2 **RESOLVED:** That:-

- (a) the BBEST Neighbourhood Area be designated as shown in background paper e) 'Plan Illustrating Recommended BBEST Neighbourhood Area Designation' in accordance with section 61G of the Town and Country Planning Act 1990;
- (b) the Broomhill, Broomfield, Endcliffe, Summerfield and Tapton (BBEST) Neighbourhood Forum be designated as the only Neighbourhood Forum for the BBEST Neighbourhood Area for five years in accordance with section 61F of the Town and Country Planning Act 1990;
- (c) the BBEST Neighbourhood Area and Forum designations be publicized in accordance with Regulations 7 and 10 respectively of the Neighbourhood Planning (General) Regulations 2012; and
- (d) approval be given to the responses to representations on the BBEST Neighbourhood Area and Forum applications.

### 11.3 **Reasons for Decision**

11.3.1 A local planning authority must designate a Neighbourhood Area if it receives a valid application and some or all of the area has not yet been designated.

11.3.2 A local planning authority must consider the following questions when designating a neighbourhood area:

a) Has a relevant body for an area specified in the neighbourhood area application to be designated by this authority?

Answer: Yes. This is set out in section three of the application.

b) Does the proposed area cover any part of the area of a Parish Council?

Answer: No

c) How desirable is it to maintain the existing boundaries of areas already designated as neighbourhood areas (neighbourhood areas must not overlap?)

Answer: No surrounding areas are designated as neighbourhood areas.

d) Should the area be designated as a business area?

Answer: No. There are a number of businesses and large institutions in the area but it is not "wholly or predominantly business in nature".

e) Are there any valid planning reasons to deviate from the boundary which has been submitted?

Answer: Yes. There are three minor deviations recommended because the proposed boundary cuts across a single property or "planning unit". The

recommended amendments are:

- (i) Include all of Ranmoor Student Village
- (ii) Exclude all of St Marie's Primary School
- (iii) Include all of Weston Park

BBEST's rationale for the first two was to follow the Conservation Area boundary. The third is because we have more accurate mapping software available than BBEST had at the time of their application. The deviations are shown in background paper d) 'Plan Illustrating Recommended BBEST Boundary Amendments'.

11.3.3 A local planning authority may designate an organisation as a Neighbourhood Forum if the authority are satisfied that it meets certain conditions:

a) Does the area consist of or include the whole or any part of the area of a Parish Council?

Answer: No.

b) Is it established for the express purpose of promoting or improving the social, economic and environmental well-being of an area that consists of or includes the neighbourhood area concerned?

Answer: Yes. See the objectives of the proposed constitution in section 3 of appendix 3 in the application.

c) Is membership open to individuals who live in the neighbourhood area concerned, work there, and are elected Members of the City Council?

Answer: Yes. See application 5.1, 5.2c), 5.3c) and the first paragraph in section 5 of appendix 3 of the application.

d) Does membership include a minimum of 21 individuals each of whom either live in the neighbourhood area concerned, work there or are an elected Member of the City Council?

Answer: Yes. See application 5.1, 5.2a), 5.2b) and the first paragraph in section 5 of appendix 3 of the application.

e) Does it have a written constitution?

Answer: Yes. See appendix 3 of the application.

f) Has it secured (or taken reasonable steps to attempt to secure) that its membership includes at least one individual who lives in the area, at least one individual who works in the area or one elected Member in the area?

Answer: Yes. See application 5.1

g) Is membership drawn from different places in the neighbourhood area concerned and from different sections of the community in that area?

Answer: Yes. See application 5.2

h) Does the purpose reflect (in general terms) the character of that area?

Answer: Yes. See application 5.3

i) Is there another proposed or designated neighbourhood forum for the proposed neighbourhood area?

Answer: No.

j) Has the organisation or body made an application to be designated?

Answer: Yes

#### **11.4 Alternatives Considered and Rejected**

11.4.1 English Heritage commented that where the proposed boundary runs very close to, but does not coincide with a Ward boundary, it should be changed to match the Ward boundary. Officers were not recommending this change, partly because of Ward boundary amendments in 2016, particularly for the Central Ward which has had a large increase in population.

11.4.2 Officer discussions with BBEST included the possibility of a smaller area which excluded the large institutions to the east such as the hospitals and the University of Sheffield. However, this was discounted on the grounds that the institutions were an integral part of the neighbourhood. An example of this is the student villages on the other side of the proposed Area. There were no representations that advocated this alternative option.

#### **11.5 Any Interest Declared or Dispensation Granted**

None

#### **11.6 Reason for Exemption if Public/Press Excluded During Consideration**

None

#### **11.7 Respective Director Responsible for Implementation**

Simon Green, Executive Director, Place

#### **11.8 Relevant Scrutiny and Policy Development Committee If Decision Called In**

Economic and Environmental Wellbeing