

# SHEFFIELD CITY COUNCIL

## Charity Trustee Sub-Committee

### Meeting held 5 June 2023

**PRESENT:** Councillors Ian Auckland (Chair), Douglas Johnson (Group Spokesperson), Richard Williams, Fran Belbin and Zahira Naz

#### **1. APOLOGIES FOR ABSENCE**

1.1 No apologies for absence were received.

#### **2. EXCLUSION OF PRESS AND PUBLIC**

2.1 It was noted that the appendices 3, 4, 8, 10 and 11 to item 8 on the agenda were not available to the public or press because they contained exempt information. If Members wished to discuss the information in the appendices, the Committee would ask the members of the public and press to kindly leave for that part of the meeting and the webcast would be paused.

2.2 It was subsequently confirmed that after the Report had been checked, the visuals had been made available as part of the consultation and so were no longer exempt. In the circumstances these would be made available on the website.

#### **3. DECLARATIONS OF INTEREST**

3.1 No declarations of interest were received.

#### **4. APPOINTMENT OF A DEPUTY CHAIR**

4.1 **RESOLVED:** That the Charity Trustee Sub-Committee:-

Note the appointment of Councillor Zahira Naz as Vice-Chair of the committee.

#### **5. MINUTES OF PREVIOUS MEETING**

5.1 The minutes of the meeting of the Committee held on 21 March, 2023 were approved as a correct record.

#### **6. PUBLIC QUESTIONS AND PETITIONS**

6.1 The Policy Committee received one petition from members of the public.

The Policy Committee received a petition 'Save Hillsborough Park's free-to-use MUGA (Multi-Use Games Area). Andy Chaplin attended the meeting and presented the petition to the committee.

The Chair thanked the petitioner for bringing the petition and explained that written responses would be provided to the questions raised by Mr Chaplin as these had

not been received prior to the meeting.

- 6.2 The Committee received questions from one member of the public. The member of the public did not attend to ask their question, a written response would be provided.

## **7. WORK PROGRAMME**

- 7.1 The Principal Democratic Services Officer presented the Work Programme.

- 7.2 Members requested training on charity trustee responsibilities and the new Charities Act.

### **7.3 RESOLVED UNANIMOUSLY that:-**

1. the Committee's work programme, as set out in Appendix 1 be agreed, including any additions and amendments identified in Part 1;
2. consideration be given to the further additions or adjustments to the work programme presented at Part 2 of Appendix 1;
3. Members give consideration to any further issues to be explored by officers for inclusion in Part 2 of Appendix 1 of the next work programme report, for potential addition to the work programme.

## **8. PARKS TENNIS PROCUREMENT AND HILLSBOROUGH ACTIVITY HUB (DEFERRED ITEM FROM 21/3/23)**

- 8.1 The committee considered a report of the Executive Director for Operational Services seeking to gain approval for any associated disposals of land which may be necessary, and for officers to be authorised to obtain any consents or approvals required and to be further authorised to publish any notices required under the Local Government Act 1972 and the Charities Act 2011;

To gain approval for 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 multi-use games facilities at Hillsborough Park, as described in the report.

- 8.2 Discussion took place around consultation work carried out, particularly in relation to young people and engagement with existing user groups such as Cycling 4 All.
- 8.3 It was moved by Cllr Auckland and seconded by Cllr Belbin, as an amendment, that the recommendations submitted be amended by re-ordering and the addition of a recommendation to note the legal advice given regarding the final decision. The amendment was put to the vote and carried.

(NOTE: The result of the vote was FOR – 5 Members; AGAINST – 0 Members; ABSTENTIONS – 0 Members.)

**8.4 RESOLVED:** That the Charity Trustees Sub-Committee:-

1. Note the contents of the report
2. Note the legal advice received that before any disposal goes ahead the Trustees should be satisfied that based on financial reports and having heard any objections of the public if the proposed disposal is on balance in the best interests of the trust.
3. Authorise the giving of notices under the Local Government Act 1972 and the Charities Act 2011 prior to the disposal of any of the properties required for the delivery of the project
4. Subject to the process envisaged by 3 above, to approve the grant of leases of the properties referred to in the body of the report to the preferred supplier on the terms set out in the Appendices to this report after consideration of the contents of the Qualified Surveyor's Report and satisfying itself that the proposed terms are the best that can be reasonably obtained in the circumstances.
5. Subject to the process envisaged by 3 above, approve the award of the contract to the preferred supplier
6. Subject to the process envisaged by 3 above, approve the use of the Prudential Borrowing and Section 106 money to support the project.

(NOTE: The result of the vote on the resolution was FOR - 4 Members; AGAINST - 0 Members; ABSTENTIONS – 1 Members)

**8.5 Reasons for Decision**

- 8.5.1 Continued management of Sheffield's parks tennis programme, alongside a sustainable business model, providing appropriate opportunities to generate income, provides financial security to parks tennis programme into the future. Without this, the programme faces a financially challenging future.
- 8.5.2 Hillsborough Park is a site which lies within an area identified as within the top 30% IMD, and therefore the provision of quality sport and recreational facilities will have a real benefit to communities with identified health inequalities. It is designated as a 'City Park' which reflects the fact that residents travel to the park from across the city and further afield; and hence the benefits will also have city wide reach.
- 8.5.3 The deteriorating conditions of the existing tennis and multi-use games area provision are not 'city' standard. Improvements to these recreational facilities will support the parks Green Flag aspirations. The provision of an exciting and high-quality facility of this nature will raise the standard of the park, increase its attractiveness as a destination site and encourage and attract users of all ages and abilities from various communities to engage in sport and physical activities.
- 8.5.4 Data and evaluation will form an important component of this project to capture benefits, outputs and outcomes particularly focused around a reduction in health

inequalities. See Appendix 13 for the latest performance insight.

- 8.5.5 The social return on investment of the current parks tennis programme was recently valued by Sheffield Hallam University at over £191,000, this includes;
- £51,000 Health Outcomes
  - £95,000 personal wellbeing
  - £45,000 community development
- 8.5.6 We would expect this value and therefore benefits gained, to increase considerably with the introduction of the Activity Hub at Hillsborough Park and additional courts at Hollinsend and Ecclesfield Parks.
- 8.5.7 The council recognises that leisure provision both indoors and outdoors is critical post pandemic, with many people requiring rehabilitation after suffering long-COVID, or diminished mental health caused by lockdown.
- 8.5.8 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.

## 8.6 **Alternatives Considered and Rejected**

- 8.6.1 Do nothing
- 8.6.2 Parks and Countryside's have reviewed the option of continuing as is, with the existing parks tennis programme model exclusive of an Activity Hub. It has been concluded that continuing in this way, now with the added pressures that the Council is facing as a result of the pandemic, would make the model financially challenging for the future. It would also mean the loss of the opportunity to improve the sports and recreational facilities in this currently underused area of the Park. In addition the health and wellbeing gains that would be gained through the introduction of the hub and the improvement of the recreational and sports facilities would be reduced.
- 8.6.3 For the tennis sites that form part of the 'spokes' of this proposal, the do nothing option would put the future viability and quality of these facilities at risk, as the current model does not adequately account for the financing of future infrastructure renewal needs.

## 9. **SALE OF LAND OFF TWENTYWELL LANE, SHEFFIELD S17, AT THE NORTH-SIDE OF POYNTON WOODS**

- 9.1 The committee considered a report of the Executive Director of City Futures seeking approval for the sale of land off Twentywell Lane to the north side of Poynton Woods, Sheffield S17 in its capacity as a Charity Trustee of the JG Graves Charitable Trust ("the Charity").

### 9.2 **RESOLVED UNANIMOUSLY:** That the Charity Trustees Sub-Committee:-

1. Approves the freehold sale of the Trust Land based on the terms of this

report.

2. On consideration of the Qualified Surveyor's Report, to confirm that the Trustees are satisfied that the proposed terms are the best that can be reasonably obtained in the circumstances.

### 9.3 **Reasons for Decision**

- The increased line capacity will improve journey times, connectivity, and the reliability of the railway network along the Hope Valley and Midlands Main Lines. This will encourage more rail journeys supporting economic growth and the drive towards net zero carbon emissions.
- The sale will help deliver improvements to the Dore and Totley Station enhancing the existing rail transport infrastructure and accessibility. The sale will provide a financial contribution to facilitate improvements to Poynton Woods identified by Council Officers within the Parks and Countryside Department.
- The sale will generate a capital receipt which will be retained by the Charity and invested or used for the purposes of the objects of the Charity. The terms of sale will ensure the PRoW is retained and the City Council reserve rights of access over the Trust Land.
- The sale will remove the liability from the Charity to maintain and insure the Trust Land and to keep it in repair which will reduce the Charity's expenses on these overheads.
- Network Rail are a statutory authority with powers to compulsory purchase the Trust Land if required. If sale terms cannot be reached and Network Rail chose to implement those powers, then the matter could go to Lands Tribunal for determination. The Charity could then incur costs and the Trust Land sold on less favourable terms than those recommended

### 9.4 **Alternatives Considered and Rejected**

- Should the recommendations of this report not be supported and if Network Rail were unable to purchase the Trust Land by agreement, then as a statutory authority Network Rail could resort to using compulsory purchase powers to secure the purchase of the Trust Land.
- It is considered that there are no other realistic options here given that Network Rail can compulsory purchase the Trust Land. This would mean that they are not obligated to make the financial contributions agreed by agreement in 1.11 or allow the City Council to reserve rights of access as highlighted in 1.12.