



**Report to Policy Committee**

**Author/Lead Officer of Report: Jo Pearce**

**Tel: 07971 073915**

**Report of:** Director of Parks, Leisure and Libraries

**Report to:** Charity Trustee Sub-Committee

**Date of Decision:** 4<sup>th</sup> March 2024

**Subject:** Weston Park – Festive Event

Has an Equality Impact Assessment (EIA) been undertaken?	Yes	X	No		
If YES, what EIA reference number has it been given? 2615					
Has appropriate consultation taken place?	Yes	X	No		
Has a Climate Impact Assessment (CIA) been undertaken?	Yes	X	No		
Does the report contain confidential or exempt information?	Yes	X	No		
<p>If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-</p> <p><i>Appendix B is not for publication because it contains exempt information under Paragraph 3 of Schedule 12A of the Local Government Act 1972 (as amended).</i></p>					
<p><b>Purpose of Report:</b></p> <ol style="list-style-type: none"> <li>1. To set out a potential opportunity for a festive event to be held in Weston Park and seek approval of the Charity Trustee to the holding of such an event.</li> <li>2. To seeks the approval of the Charity Trustee (subject to satisfactory negotiation) for the Director of Parks, Leisure and Countryside to give final approval to a specific event and award a 'license to occupy' to an event operator.</li> </ol>					

**Recommendations:**

The Charity Trustee Sub-Committee are recommended to:

1. Note the contents of the report.
2. Agree that a festive animation of the kind described in this report represents a positive and beneficial use of the park taking into account the charitable purposes for which Weston Park is held and approve, in principle, a festive animation being held in Weston Park.
3. Delegates authority to the Director of Parks, Leisure and Libraries, in consultation with the Council's General Counsel, Chief Property Officer and Director of Finance and Commercial Services to give final approval to a specific event being held in Weston Park and to grant a license to use and occupy part of the Park (plan attached at Appendix A) to an event operator for such an event.

**Background Papers:**

None

<b>Lead Officer to complete:-</b>							
1	<table border="1"> <tr> <td rowspan="4">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.</td> <td>Finance: Adrian Hart</td> </tr> <tr> <td>Legal: David Sellars</td> </tr> <tr> <td>Equalities &amp; Consultation: Ed Sexton</td> </tr> <tr> <td>Climate:</td> </tr> </table>	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: Adrian Hart	Legal: David Sellars	Equalities & Consultation: Ed Sexton	Climate:	
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	<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>						
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<b>Lead Officer Name:</b> Jo Pearce	<b>Job Title:</b> Service Manager – Business and Partnerships						
<b>Date:</b> 23 February 2024							

## **1. PROPOSAL**

- 1.1 Sheffield City Council has been approached by an Events Company who may wish to deliver their Festive Light Trail in Weston Park over the festive period in 2024.
- 1.2 Officers wish to explore the feasibility of this proposal and, subject to satisfactory due diligence on their proposal inclusive of their being a satisfactory financial return to the charity, grant a license to the operator for a 1-year trial. Details of the proposal can be found in Appendix B (Closed).
- 1.3 The proposal includes access to Weston Park from mid-November 24 to early January 2025 inclusive of set up and set down. The proposal would require partial park closure in the early evening during this period for the safety and security of infrastructure, visitors and staff. During the day the park would remain fully open with infrastructure fenced to retain full public access. At the end of the event period the operator would be required to reinstate the Park to the satisfaction of the Council.
- 1.4 Sheffield's name has been synonymous with events for many years. The city has an annual calendar which delivers a wide range of events from community park events to international sporting events. The Council's vision is to encourage the people of Sheffield to attend and attract visitors from outside the region to the city and increase Sheffield's profile.
- 1.5 As part of Sheffield's Green and Open Spaces Strategy (2010-2030) the Council is focused on realizing the economic value our spaces can contribute. We have seen with the delivery of a range of events across our parks, woodlands and green spaces, the contribution these make from a vibrancy, cultural, participation and financial perspective.
- 1.6 Over the festive period there are a range of events and activities for people across Sheffield to enjoy, many of these events are in the city centre or are private/charity led. There is commercial interest in having access to parks to deliver events of this nature and it is felt that this specific proposal would be suitable for Weston Park, which has spring/summer events such as the May Fayre but does not currently host a festive event.
- 1.7 As this kind of event is felt to be appropriate for Weston Park and in line with the charitable objectives, should this specific proposal not meet requirements, officers would also wish to explore other opportunities of a similar nature.

## **2. HOW DOES THIS DECISION CONTRIBUTE?**

- 2.1 The provision of festive animation for families to enjoy over this period is seen as fulfilling the objects of the trust as it provides facilities for recreation for the public to enjoy and enhances the current leisure offer in the park.
- 2.2 The proposed event also contributes to the provision and maintenance of the park because it will generate income from a license fee and contribute to running

costs of the park which will be retained by the Charity and used for the furtherance of the objects of the Charity. The delivery of appropriate income generating activity within Council sites also aligns with the objectives of the Better Parks Initiative<sup>1</sup> and the agreed partnership principles and supports the ambitions as outlined in the Draft Council Plan (2024-2028), specifically keeping parks financially sustainable, as well as the Green and Open Spaces Strategy (2010-2030) and realizing the economic value of our spaces.

2.3 In addition to direct contribution, it is anticipated that the wider benefits of delivering an event of this nature would be seen, thereby improving the lives of the people of Sheffield and the surrounding area;

- Towards the local economy – an estimate £2mill contribution to the local economy in one year and availability of seasonal employment and trading opportunities for local businesses
- Fundraising and charity: an estimated £60k raised for local causes annually

### **3 HAS THERE BEEN ANY CONSULTATION?**

3.1 Officers are in regular dialogue with Local Councillors, the Friends of Group and other key stakeholders and will continue to involve them in discussions as things progress.

3.2 The Parks and Countryside Team are working closely with the Council's Events team to consider the opportunities and consider the feasibility activities/events proposed. Due to size and scale, larger events are not possible in many of our parks. Many sites already have destination events being held within them, so consideration and attention has been given to this. For example, Art in the Gardens and Illuminate the Gardens in the Botanical Gardens, Sheffield Fake Festival in Endcliffe Park, the Sheffield Fayre in Norfolk Heritage Park and Graves Park Country Show (formerly Highland Fling).

### **4. RISK ANALYSIS AND IMPLICATIONS OF THE REPORT**

#### **4.1 Equality Implications**

4.1.1 This event doesn't take place currently in Sheffield and has seen numbers of around 100,000 in the other cities it is delivered in. We'd expect to see similar numbers of visitors in Sheffield.

4.1.2 This is a festive event which is likely to appeal to families including visitors from within Sheffield and out of the city. It is an event which will appeal to all ages.

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<sup>1</sup> Better Parks is the Councils Parks & Countryside approach, which was approved by Cabinet in 2018. It seeks to sustain and improve our parks and green spaces by increasing commercial interest and income. Its vision is to deliver better services for Sheffield's parks and green spaces by growing economically viable ventures. For example, more and better catering opportunities, increased social value initiatives through complementary sponsorship and new franchises.

4.1.3 The events company ensures that the event is fully accessible and suitable for wheelchairs, mobility scooters and buggies, with wheelchairs available to borrow on site.

#### 4.2 Financial and Commercial Implications

4.2.1 It is proposed to offer a license agreement for the land at Weston Park for a period of up to 10 weeks in 2024-2025. The proposed licence fee will generate income for the Charity<sup>2</sup>. However, the Council's revenue funding contribution to the charitable accounts may need to be reduced accordingly.

4.2.2 Consistently with the objects of the Weston Park charitable trust, the aim of the Parks and Countryside Service is to deliver good quality green spaces and make sure we have facilities that people expect from a city like Sheffield. However, the costs of doing this continue to increase more than ever since the Covid pandemic with the number of people using our green spaces being at an all-time high. To ensure we can deliver the right service in the right place (in a city that experiences health and wellbeing inequalities) we endeavour to raise income where it is possible to add to our funding streams. As a very large number of our sites do not have the opportunity to raise income, we apply our revenue funding where it is most needed and use income to top this up.

4.2.3 Maintaining parks is not a statutory duty which means local government funding for management and maintenance of green spaces is optional. As the sole funder of the day-to-day running costs of our parks, despite the brilliant work of volunteers and Friends' groups across the city, the council's resources are vital to the future upkeep and development of the city's green spaces. The council's budget has faced unprecedented cuts over recent years of austerity, with continuing and growing pressures anticipated in the years to come.

4.2.4 Income is therefore playing an ever more significant role within budgets. Any increase in income plays a dual role; it has the potential to support improvements within a park that might otherwise have been unaffordable and allows the council's revenue contribution to be decreased without a subsequent reduction in service.

4.2.5 Sheffield has more than 800 green spaces including 83 parks, more than 150 children's playgrounds, 181 woodlands, and 262 Nature Conservation sites. Most of our money pays for our staff or contractors who look after these green spaces for the community, and the running costs of buildings, offices, vehicles and other facilities. Income from events helps to offset these costs and support the council to deliver our services with support from Friends' groups and volunteers.

4.2.6 If we didn't reduce the revenue grant to parks that receive income, like Weston Park, we would have to reduce the amount of money we spend on other parks

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<sup>2</sup> At charitable parks across the city, any income received (from events or other activities) must be accounted for within the charity accounts.

that can't generate as much income, such as High Hazels Park in Darnall or other non-charity parks, like Parson Cross or Handsworth.

4.2.7 Therefore, we must look to allocate the revenue grant appropriately and proportionately to make sure we have parks of a high quality across the city for everyone to enjoy.

4.2.8 Nonetheless, income from an event of this kind has a benefit for the charity. All income generated by the license will be retained by the Charity and used for the purpose of the Charity in accordance with its charitable objects. The amount of the fee that goes into the charitable accounts cannot be reduced by the Council, which provides the charity with greater security of income.

4.2.9 There will be no cost to the charity in delivering this activity.

#### 4.3 Legal Implications

4.3.1 Weston Park is held on charitable trust by the Charity and administered by the City Council as sole trustee, with this committee acting as sole corporate Charity Trustee and management provided by Parks & Countryside Services. The charitable trust is registered with the Charity Commission as The Weston Park Trust (Charity Registration Number 1112685).

4.3.2 The following Charity objects apply :

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 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;
2. TO ADVANCE 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.

4.3.3 The granting of a licence to occupy is not a disposal of land and only creates a personal right for the licensee to deliver the event and no more. Consequently, the requirements of ss 117 to 121 of the Charities Act 2011 do not apply to the granting of a licence to occupy. However, any licence fee will be required to achieve the best value reasonably obtainable.

4.3.4 Any decision must be in the best interests of the charity and not the council and therefore any decision taken must be solely with a view to furthering the charitable objects and no other. It is considered that the event proposed does fall within the charitable objects as set out above.

4.4 Other implications

4.4.1 None other than those identified within this report.

**5. ALTERNATIVE OPTIONS CONSIDERED**

5.1 Don't explore this event opportunity. This is not recommended as it is felt that this opportunity will enhance what Weston Park has to offer and generate income for the charity.

**6. REASONS FOR RECOMMENDATIONS**

6.1 Enabling an event of this nature would;

- Enhance the facilities for recreation and leisure offered by Weston Park.
- Bring guaranteed income into the Weston Park trust
- Bring income into local charities and the local economy, and provide local business and job opportunities thereby improving the conditions of life of the inhabitants of Sheffield and the surrounding area

Appendix A – Site Plan – Weston Park

Please note the area is subject to agreement with the operator – plan in Appendix B below suggests likely trail route.

