

Name of Committee:	Cabinet
Date of Meeting:	18/02/2019
Relevant Scrutiny Committee:	Healthy Living and Social Care
Report Title:	Reshaping Services: A Sustainable Approach to the Provision of Single User Outdoor Sports Facilities
Purpose of Report:	To update cabinet on the progress being made in relation to reshaping services, a sustainable approach to the provision of single user outdoor sports grounds.
Report Owner:	Cabinet Member for Social Care, Health and Leisure
Responsible Officer:	Miles Punter - Director of Environment and Housing Services
Elected Member and Officer Consultation:	Lorna Cross - Property Mike Walsh - Committee Reports - Legal James Webber - Commercial and Performance Officer Matt Sewell - Accountant - Neighbourhood Services and Buildings Tim Greaves - Equalities Carolyn Michael - Accountant Adam Sargent - Neighbourhood Services - Operations No Local Ward Member Consultation - Vale Wide Issue.
Policy Framework:	This report is a matter for executive decision by cabinet.
Executive Summary: <ul style="list-style-type: none"> • This report provides an update on progress being made in relation to transferring responsibility for single use sports facilities from the Council to Clubs. • The report details the progress made to date and highlights issues that have arisen in initial conversations with clubs. • The report proposes that the transfers now be divided into various tranches with priority being given to Bowls clubs in tranche 1. • Two further tranches involving mainly clubs with their own clubhouse facilities in tranche 2 and those clubs where the issues are more complicated in tranche 3. 	

1. Recommendation

- 1.1** That Cabinet notes the significant and positive progress made in relation to single user sports grounds facilities.
- 1.2** That clubs in Tranche 1 using council facilities be given a deadline of 1st September 2019 to take over the management of their individual sites.
- 1.3** That a further report be submitted to Cabinet on time scales for clubs in Tranches 2 and 3 to take over the management of their individual sites.
- 1.4** That a capital reserve be established for clubs taking over buildings for the first time for the first 5 years of operation to cover unexpected major capital costs with buildings where the club is not at fault.
- 1.5** That determination / eligibility of access to the reserve for payments in respect to 1.4 above be delegated to the Director of Environment and Housing in consultation with the Head of Finance and the Cabinet Member for Social Care, Health and Leisure.
- 1.6** That Cabinet receives a further report on this matter in spring 2019.

2. Reasons for Recommendations

- 2.1** To make Cabinet aware of progress being made.
- 2.2** To provide single user clubs, in tranche 1, with a realistic date for transfers to be complete.
- 2.3** To allow clubs in tranches 2 and 3 further time to plan for the change.
- 2.4** To provide clubs with a better opportunity to plan their finances for the future.
- 2.5** To ensure accurate and consistent decisions in respect to any claims for funding from Clubs from the Capital reserve.
- 2.6** To allow further consideration of any further issues arising and to provide a further update on multi-use facilities.

3. Background

- 3.1** Cabinet minute C357 (July 2nd 2018) having considered the single user outdoor sports report resolved:

(1) T H A T it be agreed in principle for referral to Community Liaison Committee and Scrutiny Committee (Healthy Living and Social Care) that the council works towards recovering the actual cost of maintaining sports grounds and pitches at sites where the facilities are used almost exclusively by one club or organisation rather than retaining a charging structure where individual fees are applied to each location.

(2) T H A T it be agreed in principle as the basis for referral to Community Liaison Committee and Scrutiny Committee (Healthy Living and Social Care) that any club or organisation that are single users of council facilities be given the opportunity to maintain the facilities themselves if they do not wish to pay the council the

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cost of maintaining the facilities provided this is to a satisfactory standard as assessed annually by the Director of Environmental and Housing Services.

(3) T H A T the report be referred to the Community Liaison Committee and Scrutiny Committee (Healthy Living and Social Care) for consideration prior to reaching a final determination.

(4) T H A T subject to resolutions 1-3 above, delegated authority be granted to the Director of Environment and Housing to progress discussions in relation to all single use sites as listed in Appendix A attached to the report, and subsequently, in consultation with the Cabinet Member for Social Care, Health and Leisure to agree on 1st April 2019 with a view to achieving a better balance between recovering the actual operating costs and promoting active lifestyle.

(5) T H A T delegated authority be granted to the Head of Finance in consultation with the Cabinet Member for Social Care, Health and Leisure and the Cabinet Member for Performance and Resources to renegotiate arrangements with organisations with regards to their usage of a council owned facility.

(6) T H A T delegated authority be granted to the Head of Legal Services to draft and execute revised agreements where appropriate.

(7) T H A T the development of revised new Community asset transfer processes, including development of a 'fast track system' to support this and other initiatives and this will be brought to Cabinet in due course be noted.

(8) T H A T a further report be brought to Cabinet prior to 1st April 2019 to provide an update of the situation and to provide details of any single user outdoor sports facilities where the current user did not wish to continue using the facilities under the proposed new arrangements.

- 3.2 Following consideration by the Scrutiny (Healthy Living and Social Care), Cabinet Minute C403 (3rd September 2018) RESOLVED - THAT the comments made at Healthy Living and Social Care meeting be noted and taken into account as and when discussions take place with individual clubs and organisations, alongside the strategic objective of achieving full cost recovery as set out in the Council's Income and Generation and Commercial Opportunities Strategy 2017-2010.
- 3.3 Following Cabinet approval a series of general meetings were organised inviting those clubs and organisations likely to be effected by the new policy. All clubs and organisations who attended were also then offered an individual meeting with officers to assist in planning for the future. Currently all eight bowls clubs, three rugby clubs, two cricket clubs and six football clubs have arranged individual meetings. Whilst there have been some objections to the proposals from clubs, many of whom will be financially worse off as a result of the proposed changes, many of the clubs have also acknowledged the significant subsidies provided by the Council currently and the fact this is no longer sustainable.
- 3.4 Discussions have also commenced in terms of multi-use sites with meetings having being already held or planned.

- 3.5 In addition a cross Directorate Officer working group has been formed by the Director of Environmental and Housing Services to ensure consistent decision making and to keep everyone informed of progress.

4. Key Issues for Consideration

- 4.1** The initial meetings with clubs highlighted a number of issues, but in particular, concern in terms of timescales as clubs requested a year to be able to plan to adapt to the proposed changes. This was specifically highlighted by bowls clubs who only operate during the summer season and are largely dormant over the winter period. In addition issues relating to various sports grounds that contain areas of open space, playgrounds, multi-use games areas etc. that are not used by clubs were highlighted. These issues were discussed at the cross directorate working group and three specific tranches of types of club emerged and it is now therefore proposed to progress transfers in three tranches.
- 4.2** The first tranche, and hopefully the most straight-forward, with arguably the greatest potential for savings, features all of the bowls clubs and the expectation is that all of these clubs will be ready to transfer on 1st October 2019. The second tranche features clubs who already operate their own clubhouses but there are issues on exactly what they would be responsible for in terms of grounds as at present they are only keen to be responsible for the pitches they actually use rather than the whole open space where their pitches are located. The third tranche is clubs who currently do not have management responsibilities for club house facilities and have similar issues with pitches and open space. A detail breakdown of the various Tranches is attached at Appendix A.
- 4.3** Another issue that has been regularly raised has been the condition of buildings. While some clubs are keen to take on the responsibilities there is concern that an immediate maintenance issue could be beyond their finances. To assist with this condition surveys for all buildings are being undertaken and any urgent work will be addressed where it is currently the Council's responsibility. In addition it is recommended that a Capital reserve fund be established for any significant maintenance issues for the first 5 years of new agreements to allow clubs an opportunity to establish reserves for major repairs. Clubs would only be able to apply for this funding if the fault occurring within the indemnity period was proven not to have been caused by the club after transfer. The establishment of this fund is similar to the concept used when community libraries were recently established.
- 4.4** Determination / eligibility for this funding would be the responsibility of the service department Director in consultation with the Head of Finance and the relevant Cabinet Member.
- 4.5** A number of other issues raised have included car parking, large items of capital replacement (such as an artificial bowls green replacement), insurance issues, separate utility costs, provision of equipment for grass maintenance etc. It is proposed that these matters will be addressed by the officer working group and

then approval sought from the relevant Cabinet members in accordance with Cabinet Minute C357(4).

- 4.6 Discussions regarding multi-use sites are in early development and discussions are on-going with leagues, governing bodies of sport and town and community councils and this will be detailed in a later report to Cabinet.
- 4.7 In addition, approaches have been made by Town/ Community councils and one community association regarding the possibility of transfers being made to them. These discussions are in early stages and these will be reported further in future reports should discussions progress. Priority at present is being given to clubs, but should Town/ Community Councils or community associations continue to express interest best consideration will need to be considered and discussed in future reports.

5. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

- 5.1 The fees for the use of sports facilities in the Vale of Glamorgan do not currently cover the costs associated with providing and maintaining the facilities. These proposals are put forward in order to better guarantee the future provision of outdoor sports facilities in the County. The Council continues to manage their facilities in the context of diminishing resources and increasing competition while seeking to promote the benefits of sports and activities to well-being. These proposals are put forward in order to develop an approach where resources will be used sustainably to have a maximum impact, while working to improve physical activity in the Vale over the longer term.
- 5.2 Through amending the approach to the funding of outdoor sports provision, these proposals are seeking to guarantee the continuation of a Council service into the future hopefully preventing an inability to provide this service as resources became less and less over time.
- 5.3 The proposals in this report will enable the Council to continue to work towards the Well-being Outcome, An Active and Healthy Vale and in particular work being undertaken to deliver our objective 'encouraging and promoting active and healthy lifestyles. Activities will also contribute to our objective of 'reducing poverty and social exclusion'. In delivering these objectives the Council will also be contributing to all of the national well-being goals, in particular 'a healthier Wales'.
- 5.4 Through the Council's transformational change programme, Reshaping Services, we have sought to ensure priority services are maintained at a time of budgetary constraints. By identifying new ways of working, these proposals build on existing work undertaken through Reshaping Services and ensure that the Council can continue to work towards the delivery of our Well-being Objectives.
- 5.5 Significant work will now be taken to inform the users of facilities and partners of these proposed changes and their implications. Should users wish to explore opportunities for clubs/ organisations to take on these facilities then, if

appropriate, the council will work with them to facilitate this through the Community Asset Transfer (CAT) procedures.

- 5.6** The changes suggested in this report are reflective of the learning gained through the creation of community libraries in the Vale of Glamorgan. To implement changes to the provision of outdoor sports facilities, work will be undertaken in collaboration with the existing partners such as Town and Community Councils and Glamorgan Voluntary Services, and with new parts, existing users of facilities to ensure these proposals are successful and do not work to the detriment of well-being across the Vale.

6. Resources and Legal Considerations

Financial

- 6.1** Work is on-going to establish the individual costs of each single use site that will assist in the discussions with clubs. Any transfer of responsibilities to the Clubs concerned will only take place if the net costs to the Council reduce, with the aim of such transfers being provided on a cost neutral or break even basis (removal of all subsidies) in accordance with the Council's strategy on Income Generations and Commercial Opportunities 2017/20. Where this is not deemed possible proposals for the terms of any possible transfer will be included in future Cabinet reports.
- 6.2** The proposal to establish a reserve would be funded from the Environment and Housing asset renewal fund. The fund would act as a safeguard for clubs taking over previously maintained by the Council and would allow clubs an opportunity to build up a reserve. Only essential work would be considered on an annual basis for structural issues or for major items of building equipment such as boilers that the Council was previously responsible for maintaining. It is suggested that this reserve is set at £20K and reviewed annually.

Employment

- 6.3** As a result of transfers there are likely to be employment implications. These will become clearer once transfers are confirmed and will be dealt with accordingly.

Legal (Including Equalities)

- 6.4** Appropriate Legal Agreements will be required to be completed with the Clubs.

7. Background Papers

Letters from sports Clubs relating to potential transfers

Appendix A. Priority List

Tranche	Club Type	Club Name
1	Bowling	Cowbridge Bowling Club, Bear Field, Cowbridge
1	Bowling	Belle Vue Bowling Club (does not include Clubhouse due to proposed redevelopment of site)
1	Bowling	Central Bowling Club (likely to merge with Cadoxton Bowling Club using the Gladstone Gardens facility and exiting the Victoria Park facility that is likely to be declared surplus)
1	Bowling	Millwood Bowling Club
1	Bowling	Murch Bowling Club
1	Bowling	Rhose Bowling Club
1	Bowling	Romilly Bowling Club
1	Bowling	Victoria Park Bowling Club
2	Rugby / Cricket	Penarth Athletic Field
2	Rugby	Barry Rugby Club
2	Rugby	Cwrt y Vil, Penarth (Old Penarthians RFC)
2	Football	Maslin Park, Barry
2	Football	Murchfield
2	Rugby	Police Field, Cowbridge
2	Football / Cricket	Windmill Lane, Llantwit Major
2	Rugby	Wick Recreation Field
2	Cricket	Wick
3	Football	Corntown
3	Football	Rhose
3	Football	St. Athan

Nb. Discussions have also been held regarding Jenner Park and other multi use facilities.