

Parks and Leisure Committee

Monday, 21st March, 2011

SPECIAL MEETING OF PARKS AND LEISURE COMMITTEE

- Members present: Councillor O'Reilly (Chairman);
the Deputy Lord Mayor (Councillor Humphrey); and
Councillors D. Browne, Corr, Ekin, Hartely,
Mac Giolla Mhín, Mallon, Maskey, McCabe, McCarthy,
McVeigh and G. Robinson.
- In attendance: Mr. A. Hassard, Director of Parks and Leisure;
Mrs. C. Sullivan, Policy and Business
Development Officer; and
Miss L. Hillick, Democratic Services Officer.

Apologies

Apologies for inability to attend were reported from the High Sheriff (Councillor Adamson) and Councillors Kyle, L. Patterson and J. Rodgers.

Draft Playing Pitches Strategy

The Committee considered the undernoted report:

"1. Relevant Background Information

- 1.1 Members are aware of the ongoing process to develop a playing pitches strategy and as part of that a number of reports have been considered by committee. A special meeting of the committee was held in December 2010 to consider the draft strategy.**

The special committee in December 2010 agreed the approach to consultation.

- 1.2 The aim of the draft playing pitches strategy is: *To contribute to improved health and wellbeing in Belfast by enabling adequate outdoor sports facilities and, working with partners, seek to maximise the provision and use of safe, accessible and quality outdoor leisure facilities.***

The draft strategy has three high level objectives which are supported by a number of sub-objectives. These are:

Objective 1 – Capital investment

To deliver and, working in partnership, enable a programme of capital development, enhancement and maintenance investments which address identified deficiencies and protect existing playing pitch provision.

Objective 2 – Management

To implement and monitor a range of management options with community and statutory partners, so as to maximise people's participation in team sports activity.

Objective 3 – Sports development

Working in partnership to develop and deliver a sports development programme to maximise people's participation in team sports activity. This will include under-represented groups, such as females and those with disabilities.

It was agreed that the strategy would cover a period of 10 years, would be based on partnership working and that in the first three years priority would be given to capital investment in council owned facilities to enable the partnership approach to be developed.

It was also agreed that delivery of the capital investment in years 1-3 would be through new pitches with ancillary facilities (part-funded); a series of upgrades (pitches and changing) and lower cost options (floodlighting and cricket squares). Members agreed that this option presented the maximum benefit to the council and its partners, and reduced the number of the risks.

All the locations that the council own were considered and a shortlist of 31 sites where there is potential to develop new pitches or upgrade existing pitches were identified. A prioritisation matrix, based on the sub-objectives under Objective 1 and the council's existing capital prioritisation framework, was developed. The committee agreed at its special meeting in December to ask a specific question as part of the consultation on the appropriateness of the weightings to be applied to the criteria in the prioritisation matrix.

- 1.3 The first phase of the public consultation commenced on 10 January and closed on 4 March 2011.
- 1.4 Party group briefings are currently being carried out on the consultation responses and prioritisation process and the last briefing will take place on Friday 18 March 2011.

1.5 The prioritisation of sites for capital investment and upgrade is the next step under objective 1 of the strategy. Alongside this, work is ongoing to develop additional action plans under objectives 2 and 3 of the strategy which will outline the future plan for work around:

- pitch quality maintenance and improvement
- the future of FMAs (a revised policy)
- partnership agreements around sports development.

Once developed, these actions plans will be brought to committee for agreement.

2 Key Issues

2.1 A total of 91 responses were received to the phase 1 public consultation exercise. A summary of the consultation process and detailed analysis of the consultation responses will be presented to the Members at the special committee meeting on 21 March.

The following table shows the breakdown of the respondents by type.

Type of respondents	Number	%
Individual	38	41.8
Clubs	30	33
Governing bodies	9	9.9
Association football leagues	2	2.2
Community organisations	5	5.5
Other	7	7.7

Respondents were asked 'Do you agree or disagree with the overall approach of the draft playing pitches strategy?' The majority of respondents agreed with the overall approach with over 76% of respondents either strongly agreeing or agreeing.

There was also strong agreement with all 3 objectives identified in the strategy and the sub objectives under each of them.

Weightings

Respondents were asked 'Do you agree or disagree with the proposed weighting of the assessment criteria in the prioritisation matrix?' The majority of respondents disagreed with the weightings and the most frequently suggested reorganisation of the weightings was as follows:

Need – 30%
Proximity – 10%
External Funding – 20%
Partnership – 10%
Intensification of Use – 20%
Reputational Risk – 10%

2.2 Counsel's opinion

At the time of the first phase of the public consultation commencing, officers asked the Town Solicitor and Assistant Chief Executive to seek Counsel's legal assurance that the draft strategy was robust and could stand up to substantial scrutiny.

Counsel opinion is supportive of the overall approach as thorough and logical. In particular, Counsel advised that the statutory duty on the council under article 10 of the Recreation and Youth Service (NI) Order 1986

'... is likely to be considered by a Court to be in the nature of a 'target duty', that is to say a duty in the compliance with which the Council enjoys a considerable degree of flexibility.'

In addition, Counsel states:

'Secondly, it is perhaps significant that the obligation requires adequate facilities for the Council's area. The article does not, at least on its face, require the even or proportionate spreading of the facilities provided across the Council's district, provided the district as a whole is adequately served.'

In relation to the weighting of the criteria within the prioritisation matrix Counsel provided the following opinion:

'Again, the question of weightings is really a question of judgment for the Council and is a matter for it to determine what it wishes to prioritise. There is no one "right" answer and, provided the Council do not stray into Wednesbury irrationality or so weight the criteria that they are designed to achieve an outcome contrary to the Council's legal obligations, a Court is very unlikely to interfere with the Council's approach.'

Counsel did make comment on elements of the 'reputational risk' criterion and in particular on the validity of 'detrimental press coverage' within this criterion. It is suggested therefore that this one sub-element be removed from this criterion.

The opinion from Counsel also points out that the council in assessing whether it sufficiently discharges its obligations under the Order has to have regard to the facilities provided by other councils. Information on pitch facilities provided by neighbouring district councils will be presented to the special committee meeting to enable this to be taken into account.

2.3 Prioritisation – pitches

To give Members some indication of what the use of prioritisation matrix will suggest, officers will use the matrix to rank the sites in the draft strategy and this list will be presented at the special committee meeting on 21 March.

For the purposes of this exercise, officers will apply the criteria weightings as suggested by the 'majority view' response received through the consultation exercise (i.e. Need revised from 25 to 30; and External Funding from 25 to 20).

It is proposed that any capital development would follow the priority list, in priority order (and would involve not less than 5 sites).

The priority list will also be caveated by the inclusion of a 'deliverability' narrative which outlines the practical issues or obstacles which could potentially hinder development of the site.

Members should note that sites which are agreed for a new or upgraded 3G pitch development will also have provision made for the necessary ancillary features such as sufficient changing facilities, flood lighting and fencing.

2.4 Cricket pitches

The installation of cricket squares at 3 sites will also be considered using the prioritisation matrix and the results of this will also be presented at the Special Committee meeting on 21 March.

2.5 Changing Facilities

An upgrade of existing changing facilities is also identified in the draft strategy. The upgrade will involve 4 sites (at an estimate of approx £300K each) and an initial list will also be presented to Members for consideration at the Special Committee meeting.

2.6 FMA's (Facility Management Agreements)

The whole issue of FMA's is a potentially complicating factor at this stage in the implementation of the strategy. A review of FMA's and future policy direction is a key part of the strategy going forward and examination of the current policy position is underway with a target date for presentation to Committee of June 2011.

2.7 Maintenance of Current Grass Pitches

Members will be aware that there are quality issues around existing grass pitches and officers are currently developing an action plan to identify those pitches which require work to bring them up to acceptable standards and will refocus existing maintenance budgets to cover the cost of this work.

2.8 Delivery Timescales

Members are advised that the timescale to deliver a 3G pitch, following the agreement of a prioritised list, is 22 months, although there are certain factors that may extend this such as planning issues or potential contamination.

2.9 Next Steps

Subject to Committee and council approval of the capital investment proposals the next stage in the process is the second phase of public consultation. This will focus on the local impact of the development of sites as agreed by council. It is planned that the public consultation will be carried out from 11 April to 1 July 2011 to obtain the views of users and key stakeholders.

Members agreed at the special meeting in December 2010 that the public consultation exercise will involve a series of meetings with key stakeholders and users and that these will be independently facilitated. The consultation papers will also be available to download from the website and information on the second phase of the consultation will be sent out to all those people on our mailing list.

The feedback from the next phase of the public consultation and a final draft strategy will be brought to the Parks and Leisure Committee in August 2011.

3 Resource Implications

Financial

£10 million has been allocated in the capital programme for the implementation of the playing pitches strategy in the period 2011-2014

Human Resources

No additional human resources known at this time.

Asset and Other Implications

None at this stage although the implementation of the strategy may have implications on the number and type of playing pitches provided by the council.

4 Equality and Good Relations Implications

Policy Arc Ltd has been appointed to externally verify the equality dimensions to the development of the strategy. Their feedback is that the process to date is in line with the statutory guidance. They continue to offer advice and feedback to the Council throughout the consultation and EQIA process.

5 Recommendations

Members are asked to;

- (i) review and discuss the consultation findings;
- (ii) note that action plans will be developed for the delivery of objectives 2 and 3;
- (iii) agree the changes to the weighting of the criteria in the prioritisation matrix based on the consultation responses; and
- (iv) consider and agree the prioritised lists for pitches and changing rooms subject to any comments or amendments made by Members.

6 Decision Tracking

Subject to council approval the Policy and Business Development Officer will commence the process for public consultation in April 2011 and the Director of Parks and Leisure will bring the result of the this consultation and the final draft playing pitches strategy to the August 2011 Committee.

7 Key to Abbreviations

EQIA – Equality Impact Assessment.”

The Director of Parks and Leisure tabled for the information of the Members details in respect of the findings which had been derived from phase 1 of the public consultation, together with a list of sites which were considered viable for delivery and a list of changing facilities which could be potentially upgraded under phase 1 of the Strategy.

Arising from discussion, Members expressed the following concerns:

- the Cliftonville Playing Fields and other facilities located in the North of the City had not been included within the list of viable sites for the delivery of phase I; and
- that it appeared that adequate provision had not be made for the future development of cricket and junior and ladies football provision.

In addition, several Members sought further information in relation to the matrix which had been utilised to score each viable site for development.

After discussion, the Committee:

- (i) noted that action plans would be developed for the delivery of objectives 1 and 2 contained within the report;
- (ii) agreed that the weightings associated with the prioritisation matrix be amended as follows:
 - Need 30%
 - Proximity 10%
 - External Funding 20%
 - Partnership 10%
 - Intensification of use 20%
 - Reputational Risk 10%; and
- (iii) agreed to defer consideration of the prioritised lists for pitches and training facilities to enable further information to be obtained.

Chairman