



## Belfast City Council

<b>Report to:</b>	Parks and Leisure Committee
<b>Subject:</b>	<b>Facility Management Arrangements (FMAs) - Draft proposal for Future Use of Council Playing Fields</b>
<b>Date:</b>	<b>15 November 2012</b>
<b>Reporting Officer:</b>	Andrew Hassard, Director of Parks & Leisure
<b>Contact Officer:</b>	Emer Boyle, Policy and Business Development Manager Elaine Black, Policy and Business Development Officer

<b>1.0</b>	<b>Relevant Background Information</b>
1.1	The purpose of this report is to;- (i) remind Committee of the main conclusions from the review of Facility Management Agreements (FMAs); (ii) present a draft Policy in relation to the use of Council playing fields and associated documentation for review and comment; (iii) introduce Phase 1 of a draft Framework for in the form of 'Agreements for Use'; and (iv) seek Committee authority to take the next steps as outlined in section 2.5.
1.2	Members will be aware that a review of Facility Management Agreements began in April 2011, the findings of which were presented at a Members workshop on 19 December 2011.
1.3	Prior to this workshop in November 2011, Committee received a request from a sports club for an FMA for a pitch on a multi-pitch, multi code playing fields site, in return for some investment in and around the pitch. This request was deferred on the advice of the Town Solicitor and Assistant Chief Executive who advised that a framework and set of criteria should be developed against which all requests coming from sports clubs / organisations could be assessed on a consistent basis.
1.4	At the workshop in December 2011 Members clearly acknowledged that the FMA review demonstrated that a fundamental revision was needed going forward and that developing a revised proposal would be a complex issue, the details of which needed further more in-depth consideration.
1.5	Officers continued to work on the development of a consistent approach and scoring criteria against which requests could be assessed and Party Briefings took place from

	<p>February to April 2011. At these briefings an FMA review paper including a scoring matrix was discussed and the feedback from Members was generally that a consistent approach would be necessary and that the scoring matrix would be a useful tool to assess requests from clubs to the Council on a consistent basis. More details on the findings from the FMA review and the Committee decision trail relating to FMAs is attached at Appendix I.</p> <p>Over the last year the Council context has also changed and this draft policy reflects the environmental and governance changes, the principles of the Investment programme, the Local Investment fund and the evolving area working and project management boards. Throughout the FMA review period Committee has continued to consider individual requests from FMA holders or for new FMAs and there is a growing need for an arrangement which will allow the council the flexibility to react to demand within the city as well as to honour new or emerging commitments made as part of the Community Capital project funding operated by SportNI or emerging LIF / BIF projects.</p> <p>This report proposes a way forward for a replacement agreement – an “Agreement for Use”. This is the first phase of an evolving approach looking at how we manage our assets based on the outcomes the Council needs to achieve from the particular asset. At this stage the proposal relates to Parks and leisure grass pitches and pavilions.</p>
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<b>2.0</b>	<b>Key Issues</b>
2.1	Historically the Council has taken a reactive approach to the implementation of partnership agreements which has resulted in there being a variety of types of arrangements in place. Currently these are in the form of FMAs, leases, licence agreements, funding agreements, project management agreements and “out of hours use” agreements – and are agreements for both “service provision”, individual club use and agreements over land (leases).
2.2	<p><b>Scope of the Proposal: Balancing Interests</b> It is important that any future arrangement between the Council and a sporting organisation or club seeks to maximise the use of the facility (for both partner organisation / club and the local community) as well as providing safeguards around public access. Indeed the purpose of such arrangements is to “add-value” from a Council perspective – either through appropriate physical improvement of the facility OR through engagement in “active” development programmes (in partnership with the Council), which will encourage participation and use of the asset.</p>
2.3	The new proposal needs to find a balance between preserving the best interests of public access versus the level of “dedicated use” required by sporting organisations for competitive play.
2.4	<p>At present there are 3 “levels of use” of playing pitch sites namely:</p> <ol style="list-style-type: none"> <li>1. Public Use; - book and pay as you go, through Outdoor leisure bookings line/ system</li> <li>2. Dedicated use (club and competition use at amateur, intermediate or international equivalent level) – block-booked at a specific point each year via Leagues</li> <li>3. Private use (use by a single club / organisation under an FMA, lease or similar agreement)</li> </ol>
2.5	<p>A draft policy entitled ‘Parks and Leisure playing pitches Agreements policy’ is attached as Appendix 2 and outlines a framework for a revised type of agreement which will allow the department to develop and improve the use of the pitch assets through partnership working.</p> <p>In particular the draft policy proposes a mutually beneficial arrangement [Agreements for Use] which are scoped to accommodate the requirements of the wider sporting community for dedicated use of sites during competitive play periods but with safeguards around</p>

	public use in part through a sports development plan for the site.
2.6	<p><b>Assessment of requests / applications for new style agreements</b></p> <p>Where applicants are bringing investment or physical improvement to the asset, the new arrangement will provide a level of “bookings assurance” (dedicated slots booked for their use, but not exclusive use) depending on their competition play requirements and an assessment of their application against draft assessment criteria and weightings as follows:-</p> <ul style="list-style-type: none"> <li>• Participation (20);</li> <li>• Partnership Working (20);</li> <li>• Demonstration of Social Value through Activity Programming (20);</li> <li>• Level of site management (10);</li> <li>• Strategic Fit (10);</li> <li>• Applicant’s governance and management structure (20).</li> </ul> <p>It is proposed that an additional criterion would be applied for applications which include capital investment, which would count for 30% of the overall score for these projects. This would be:-</p> <ul style="list-style-type: none"> <li>• Amount of Capital Investment / Affordability for Council</li> </ul>
2.7	<p>This approach will replace existing FMA arrangements and will continue to be developed (in conjunction with officers across the Council departments).</p> <p>It is proposed that the existing Support for Sport funding scheme will be further enhanced and that any future financial support would be provided to those clubs / organisations based on their application and an assessment of it against the draft assessment criteria.</p>
2.8	<p><b>Agreements for Use</b></p> <p>“Agreements for Use” will be developed to support the Council’s vision of an Active Belfast and to promote better delivery through partnership working. The rationale behind the changes proposed is to specifically ensure that the Council can still provide open space (accessible to all) whilst also making better use of the downtime on playing pitch sites through dedicated sports development plans.</p> <p>In summary ‘Agreements for Use’ will:</p> <ul style="list-style-type: none"> <li>• be managed through an enhanced Support for Sport grant aid;</li> <li>• through a publicly advertised application process be open to all sporting clubs with a majority of members residing in Belfast city;</li> <li>• be available for up to 5 years or as an external funder may require; (further discussions with key funders will be required in order to refine the level of agreements around land entitlement / ownership);</li> <li>• Applications will be assessed against the proposed criteria;</li> <li>• operate a sliding scale of financial awards and apply the relevant terms and conditions of award (still to be developed);</li> <li>• ensure public access is safeguarded;</li> <li>• be renewable;</li> <li>• include a sports development plan which focuses on wider community involvement in activities onsite;</li> <li>• still allow competition play on sites by agreement holders or other teams as organised by the governing body or leagues.</li> </ul>
2.9	The Council will maintain and replace the physical fabric of the sites including all pitch and pavilion maintenance. All bookings related to them will operate on a first come first serve basis and in agreement with the umbrella leagues/ codes.
2.10	The Council will support applicants to apply for grant aid to support sports development plans for its sites and assure competition use as detailed by the governing body or

	<p>requirements detailed and paid for by the club.</p>
2.11	<p>No pitch/pavilion hire fee will be charged for sports development activities outside of the competitive play carried out by the applicant.</p>
2.12	<p><b>Pitch stock</b></p> <p>Agreements for Use are for standard grass pitches only. Where an applicant is seeking to secure a 3/4G pitch on an existing grass pitch site it is proposed that a different business model would be required due to the difference in play-able time and income which could be generated from this type of asset.</p>
2.13	<p><b>Operational requirements to develop and implement the policy</b></p> <p>It has taken 12 months for the concept of 'Agreements for Use' to be developed to this point. The next stage is planning the operational implementation of it which is likely to require a further year. If Members agree the new policy direction the next phase is to operationally plan how it will be best implemented. In the next months officers will need to progress the following areas of work to prepare for implementation;-</p> <ul style="list-style-type: none"> <li>• Financial assistance – adapting grant aid and refining the assessment criteria and matrix;</li> <li>• Managing and monitoring partner arrangements</li> <li>• Site Management - technical support required</li> <li>• Access and availability of assets and services – Bookings terms and conditions; schedule of charges; public access safeguards ; site assurance terms etc;</li> <li>• Integrating maintenance back into Parks and Leisure schedule;</li> <li>• Finalising and completing the engagement approach outlined in Appendix 4</li> <li>• A transition plan including a notice to terminate all existing FMA holders</li> </ul>
2.14	<p><b>Outline engagement plan</b></p> <p>The enclosed outline engagement plan (Appendix 4) will be finalised by officers, procured and completed and a Committee update will be provided in March / April 2013. Following the engagement exercise officers will have full and final comment on the draft policy and implementation plan. Engagement will be carried out with sporting codes and leagues along with a wider range of organisations at all levels. There will be initial engagement with existing FMA holders due to the impact the co-ordinated approach has on their circumstance.</p>
2.15	<p><b>Existing FMAs</b></p> <p>Existing FMAs will be served notice of 1 and it is proposed that this notice would be served following Member approval of the proposed next steps. Two current FMAs will continue to run in their current form until the expiry of their existing legal agreement. [Clarendon Playing Fields; October 2015 and Musgrave Playing Fields; September 2029].</p> <p>Current FMA holders may however apply for an 'Agreement for Use' from the Council as outlined. Additional support will be available to transform existing FMA holders over the next year in preparation for the new approach. It is likely that Members may be approached by interested parties due to the proposed changes in these arrangements however it is proposed there is a transition year with dedicated support for FMA holders to apply to the new grant aid scheme open to the wider sporting community.</p>
2.16	<p><b>Proposed Next Steps</b></p> <p>The critical next steps which officers will be progressing in the next 6 months are;-</p> <ul style="list-style-type: none"> <li>• Meaningful and ongoing communication and engagement with all stakeholders;</li> <li>• Required changes in operational arrangements to support the new policy completed;</li> <li>• Managing existing FMA and other arrangements to a close and phasing to new approach were suitable;</li> </ul>

	<ul style="list-style-type: none"> <li>Finalising the policy and associated arrangements for implementation in 2013/14 business year.</li> </ul>
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<b>3.0</b>	<b>Resource Implications</b>
3.1	<p><u>Financial</u> Existing FMA payments will be re-distributed in the form of grant aid for “active” sports development plans. The total figure for this has not yet been defined.</p>
3.2	<p><u>Human Resources</u> Ongoing officer time from a range of officers across the department will be dedicated to implementation and ongoing management in the medium to long term. Legal services support and advice from Estates and Property / Projects will also be a requirement during the next stage.</p>
3.3	<p><u>Asset and Other Implications</u> Resource is required for the engagement exercise and this is anticipated to form part of an already agreed research services budget.</p>

<b>4.0</b>	<b>Equality Implications</b>
4.1	The proposed revised approach will be screened in line with the council’s existing equality screening process.

<b>5.0</b>	<b>Recommendations</b>
5.1	<p>Members are asked to:</p> <ul style="list-style-type: none"> <li>(i) note the update provided;</li> <li>(ii) review and comment on the draft Parks and Leisure playing pitches agreements policy, assessment criteria and associated documentation</li> <li>(iii) authorise officers to continue with the next steps as outlined in section 2.16 subject to any amendments proposed and continued progress reports being brought back to Committee at key stages in the process.</li> </ul>

<b>6.0</b>	<b>Decision Tracking</b>
6.1	Members will receive a full and final draft policy and implementation plan for approval at March 2013 Committee.

<b>7.0</b>	<b>Key to Abbreviations</b>
7.1	Facility Management Agreement - FMA

<b>8.0</b>	<b>Documents Attached</b>
	Appendix 1: Further background – review of FMAs and Committee Decision trail summary Appendix 2: Parks and Leisure playing pitches management agreements draft policy Appendix 3: Draft Outline Engagement Plan