

FINANCE COMMITTEE CALL FOR EVIDENCE
COMMUNITY EMPOWERMENT (SCOTLAND) BILL; FINANCIAL MEMORANDUM
SUBMISSION FROM SPORTSCOTLAND

I refer to the Committee's call for written evidence on 26 June as part of its Stage 1 consideration of the Community Empowerment (Scotland) Bill. Whilst we have not specifically responded to the questions laid out in the committee's call for evidence we do offer the following in relation to Part 2 and Part 5 of the Bill

sportscotland is the national agency for sport. We are the lead agency for the development of sport and we have a clear focus on developing and supporting a world class sporting system in Scotland.

Part 2 – Community Planning

We note the proposals contained in section 1 and schedule 1 of the Bill that requires **sportscotland** (listed as The Scottish Sports Council) to participate in community planning. This does, of course, apply equally to a number of other identified 'core partners' as originally trailed in the Scottish Government consultation earlier this year. The suggestion is that national organisations should participate fully in the community planning process and in helping Community Planning Partnerships (CPP) fulfil their core duties linked to local outcomes.

sportscotland already works closely with, and invests, in 32 Local Authorities (and partners) to develop and implement integrated plans which will improve the quality and delivery of sport at all levels. Much of our work with Local Authorities is to achieve focused and shared outcomes. There has been extensive growth in our partnerships and relationships in recent years.

Investment into our Local Authority partners is based on robust plans that have a clear focus on agreed local outcomes. **sportscotland** invests in local authorities against these agreed priorities and outcomes with a clear focus on our Corporate Plan areas of School Sport, Club Sport, People and Places. This includes our flagship programmes of Active Schools and Community Sport Hubs. These are underpinned by an integrated approach to the People [coaches, teachers and volunteers], Places[local facilities] and Partnerships and Planning which are essential to deliver quality experiences in local schools, clubs and communities at a local, regional and national level.

Annual action plans are developed and reviewed by the local partners and **sportscotland** Partnership Managers to ensure that the outcomes and priorities are successfully achieved and delivered. Open and continuous dialogue between local authorities and **sportscotland** results in a strong and effective partnership for local sport.

Whilst we understand that CPPs include a number of statutory partners, local authorities do have a responsibility to lead these partnerships and it is our view that our work in supporting local authorities to deliver local outcomes for sport is not being communicated to the partnership.

This view is backed by evidence based on work conducted by **sportscotland** in the wake of the consultation carried out on the Bill by the Scottish Government. The underlying aim of this work was to help assess the role **sportscotland** could or should play in supporting the work of CPPs as recommended by the consultation and proposed by the Bill. The secretariat of each of the 32 CPPs was approached and interviews conducted, either face to face or by telephone, during the period 23 April – 28 May. In summary the feedback from the 32 CPP secretariats resulted in the following:

- There are few calls for **sportscotland** to be involved with CPPs – certainly not at Board level. Most CPPs have streamlined Board membership to include those agencies that have a day to day presence in the local area.
- Secretariats believe an approach from **sportscotland** would be welcomed, but it should be an approach about how it can specifically contribute to achieving priorities of the Single Outcome Agreement. Involvement would only likely be with relevant working groups.
- Few CPPs have considered sport-related implications of the Community Empowerment Bill. Those organisations that CPP secretariats suggest could have a role to play in supporting community empowerment, in relation to sport, do not include **sportscotland**.
- CPPs have been approached by other agencies mentioned in the Community Empowerment Bill as having a perceived role to play in CPPs. For all those currently not involved, current CPP members suggest only being involved where they can support day-to-day activities.
- There is strong support for **sportscotland** and its contribution, but little call for it to be doing more.

We are, of course, willing to share more of the feedback gleaned from CPPs if the committee would find that useful. It is our view that connecting with CPPs on the back of the existing proposals in the Bill is about working with local authorities to better communicate to the wider partnership our work in delivering local outcomes for sport.

Part 5 Asset Transfer

From a sport point of view we are concerned with some of the language used in the published documents linked to the Bill. In that context we question whether a community empowerment bill that would ‘give local people a greater say in their area, enabling them to deal more easily with **derelict and eyesore properties** and take over **underused or unused** public buildings for the benefit of their community’, is an asset or liability transfer.

We are, of course, in challenging economic times and funding is unlikely to grow. **sportscotland**’s budget accounts for around 10% of Scotland’s public sector investment in sport and we know that it will require robust partnerships and bold decisions to achieve our vision for sport and a legacy from the opportunities we have during what is a golden period for sport.

We would not wish to see liabilities handed to community groups who then need to seek financial or other support from national organisations such as ours which funding rules do not allow us to give. As a distributor of National Lottery resources, continuing to invest in line with national guidance, we are required to ensure we protect the additionality principle. This means lottery investment adds to, and does not replace, other funding sources, achieving additional impact to what otherwise would have been achieved. Furthermore our standard terms and conditions attached to awards state that lottery monies must be used for the purpose set out in the approved application and are non-transferable. Any proposed disposal of assets wholly or partially acquired, restored, conserved or improved through lottery (or Scottish Government funding) cannot be progressed without first giving us written notification and we are satisfied that full market value is being sought.

There are also repayment terms and conditions that could apply in the case of proposed transfer of sports facilities under our current policy guidelines. We can share these terms and conditions with the committee if that was considered helpful. I should also point out that **sportscotland** has raised these matters with the Scottish Government Bill Team which intends to look into the policy implications, if any, of the points raised.

We have also raised with the Scottish Government Bill Team the importance of developing and building capacity in community groups, before asset transfer, and the number of funding sources there are for such work. Funding such as that provided in the Legacy 2014: Sustainable Sport for Communities Fund which is a £1 million partnership between the Robertson Trust and Scottish Government which has a goal to support more sports social enterprises to be able to own and/or manage facilities and deliver sustainable services. We wonder whether some or all of these sources of funding should be rationalised or co-ordinated to support community groups more strategically. We also question whether there will be sustained funding to support the implementation of the Bill and its proposals.

In sport we also have many examples of communities that are already empowered and have taken on the responsibility of asset transfer. The Bill provides further opportunities to enhance this approach. We have provided the Scottish Government Bill Team with case study information that provides learning that could help other communities to build individual and community capacity to take best advantage of the Bill. The Bill could have gone further in terms of demonstrating this type of learning. Much of what is being proposed by the Bill is also resource intensive and will need investment to release capacity in communities. As mentioned previously in this response we would not wish to see liabilities handed over to community groups without careful consideration of financial implications of doing so. We would also caution against strong community groups being able to seek asset transfer that results in 'asset grab' for exclusive use to the detriment of the wider community. It is important to foster inclusivity within the community in any asset transfer. Developing the type of community capacity described above would ensure a focus on the strengths and abilities of individuals who could then empower themselves.