Public Policy Overview

This overview aims to point groups and local authorities to the most important policy and strategic frameworks but each project will need to decide which are the most significant and where the project is most likely to make a contribution or be affected by public policy and strategy.

* **Sustainable Community Strategy** - every Local Authority in England and Wales has a duty to produce a Sustainable Community Strategy to promote the social, economic and environmental wellbeing of their areas. The Sustainable Community Strategy outlines the steps that the Local Authority will take towards achieving sustainable improvement, and is reached by a process of community planning. Looking at the Strategy will give you a good idea of local priorities and where you fit as a club or community group.
* **Land Use Planning** - every local authority has a duty to plan for sports provision in its area. Requirements for sports pitches, playing fields and other facilities should be set out and protected in the area’s Local Development Framework, known as the Local Plan. The Local Plan sets out planning policies for the area. These are very important when deciding planning applications. Independent planning inspectors must look at all Local Plan documents that Local Authorities in England prepare for an examination. The process should have fully involved everyone who has an interest in the document and they should have had the chance to comment. All adopted plans must be compliant with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance prepared by the government. The Government's NPPF is clear about the role that sport plays in delivering sustainable communities through promoting health and well-being. Looking at your local plan can help you see if the site you use or want to move to is protected and whether there are enough sites already designated for sport in your area. Sport England has guidance for Local Authorities in how to assess need and plan for sport in the planning process: <https://www.sportengland.org/facilities-planning/planning-for-sport/planning-tools-and-guidance/>

The planning system can also provide funding for community infrastructure and facilities through two mechanisms: Section 106 and Community Infrastructure Levy (CIL).

* **Section 106** of the Town and Country Planning Act 1990 allows a Local Planning Authority to enter into a legally-binding agreement or planning obligation with a land developer over a related issue. The obligation is commonly referred to as a ‘Section 106 Agreement’. The agreements can provide financial commitments to provide both capital funds and built facilities,
* **The Community Infrastructure Levy (CIL)** is a new provision that came into force in April 2010, which allows Local Authorities in England and Wales to charge a levy on most types of new development in their area. The proceeds of the levy will be spent on infrastructure to support the development of the area, which can include leisure facilities.
* **Localism** - is the objective, enshrined in the Localism Act of 2011, to devolve more powers and responsibilities from central Government to a local level. In some cases this means local government, in other cases communities or users of services. A number of ‘Rights’ for communities came into force with the Act. The most relevant to asset transfer is the Community Right to Bid, which provides eligible bodies with an opportunity to pause the sale of land registered under the Act as an Asset of Community Value for up to six months, providing them with a window of time with which to raise the finance to purchase the asset on the open market. Local communities can also develop a Neighbourhood Plan, which sits under the Local Plan and sets out in detail how the community wants to see the local area developed. As with a Local Plan, looking at the Neighbourhood Plan can show you if a site is protected under planning law and designated as a site for sport and leisure use. More information about how to use the Right to Bid can be found at <http://mycommunity.org.uk/programme/community-asset-ownership/> and <http://www.sportenglandclubmatters.com/club-planning/planning/facilities/community-assets-guidance/> More information about Neighbourhood Planning can be found here: <http://mycommunity.org.uk/programme/neighbourhood-planning/>
* **Health Strategy** - health services are planned and commissioned (bought) at a local level by Health and Wellbeing Boards and by Clinical Commissioning Groups (made up of GP practices). Each area has a Joint Strategic Needs Assessment (JSNA) which identifies the priorities for each area. Underneath these sit more specific plans, such as for primary care, hospital services, mental health, and so on. Most areas will have plans for tackling big health issues such as obesity and heart disease, where sport and exercise can play a major part in prevention and treatment, so finding these strategies and using them to make your case can be very useful. As Local Authority budgets for sports provision dwindle, there will be more need and dependence on voluntary sports groups and social enterprises to fill the gap and provide sporting opportunities for everyone which help keep people healthy. Local commissioners may be interested in funding sports classes and sessions through schemes like ‘exercise on prescription’.
* **Sports Strategy** - Sporting Future: A new Strategy for an Action Nation is the Government’s new Strategy for sport: <https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/486622/Sporting_Future_ACCESSIBLE.pdf>

The target is to get “more people from every background regularly and meaningfully: a) taking part in sport and physical activity, b) volunteering and c) experiencing live sport.”

At the heart of the strategy is a simple framework which sets out that investment in sport will be judged by impact on 5 outcomes that define why government invests in sport: (1) physical wellbeing; (2) mental wellbeing; (3) individual development; (4) social and community development; and (5) economic development. All new government funding for sport and physical activity will go to organisations that can best demonstrate that they will deliver some or all of the five outcomes, but also that particularly reduce barriers to participation.

*“For this reason we will, in future, prioritise work done to engage those who do sport less than the population as a whole. We will make most progress by focusing on particular sections of society that face common barriers to taking part and who take part in sport and physical activity at below average levels at the moment (for example, those from lower socio-economic groups, women and disabled people). We will ensure that investment is specifically set aside for this purpose.”*

A number of reviews and strategies will flow from this Strategy: a review of the role of County Sports Partnership; a new volunteering strategy for sport and physical activity and an updated Procurement and Leisure Contract Toolkit to support greater consistency within the sector and embed the health and social outcomes of this strategy into public leisure contracts.

* **Economic Strategy** - economic development is planned at two local levels – Local Authorities and Local Economic Partnerships. Most economic development plans recognise the role of local voluntary organisations in providing jobs and volunteering opportunities and helping to regenerate areas or sites that the private and public sector cannot deal with. Sport may not always have an obvious contribution to make to economic development, but if your project is going to improve a derelict site, for example, this can have a knock-on effect on local pride and investment. Creating an enterprise in a deprived area creates a multiplier effect, bringing people into the area to spend money. So this may be another way in which your project can contribute to local strategies.
* **Equalities** - all public bodies and all voluntary organisations have a duty under the Equalities Act to promote equality and avoid discrimination on all grounds. When transferring land and buildings, Local Authorities need to pay attention to the impact this will have on equalities. For example, would the transfer have a negative impact on access to sports facilities for certain groups, for example, women? Or are the plans for use of the site likely to improve access, for example by improving disability access through better changing facilities or increasing coaching for women and girls.
* **Community development** - most Local Authorities have a team, Department or Directorate which is responsible for supporting and providing services for neighbourhoods and local communities. They may have identified priority neighbourhoods or issues they want to support. Community Asset Transfer may be part of their strategy for building community resilience and self-help. If not, it should be! The most pro-active Local Authorities do not wait to be approached. They are looking for opportunities and identifying where facilities and sites might best be operated differently to provide mutual benefits for communities and the Council.

At a national and local level there are various policies and strategic planning tools that have implications for asset transfer and sport. You do not need to understand them all in detail at once. However, both Local Authorities promoting asset transfer, as well as community sports organisations with ambitions for the same, will need to become familiar with the high level aims and uses of the policies and tools summarised here, to ensure that their transfer proposals have maximum effect.