

Policy Update

July 2006

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1. LEGISLATIVE DEVELOPMENTS

1.1 National Lottery Bill

The National Lottery Bill has completed its parliamentary passage and has received Royal Assent. This followed the House of Lords accepting a number of House of Commons amendments to the Bill, which will establish a new lottery distributor, the Big Lottery fund, to replace the Community Fund, the New Opportunities Fund and the Millennium Commission.

Peers had previously expressed concerns towards the relationship between the Government and the Big Lottery Fund and the need for lottery distributors to report annually on the principle of additionality. However, after being provided with a written assurance that the Secretary of State will not be able to issue a direction to specify where lottery money is to be given, Lords accepted the Government amendments.

The Culture Secretary has also confirmed that National Lottery revenue would be diverted from Good Causes to fund the Olympics and that a new pilot scheme will be launched to give the public the opportunity to tick boxes on voting slips at lottery retailers to decide which local projects should get a Lottery grant.

The Olympics statement can be accessed here: www.ncvo-vol.org.uk/press/releases.asp?id=2879 and the tick box pilot statement can be accessed here: www.ncvo-vol.org.uk/press/releases.asp?id=2880.

Scope: UK

1.2 Company Law Reform Bill

The Company Law Reform Bill is intended to keep the regulatory burden on business to a minimum, but will involve an overhaul of all aspects of company law and will impact on the operation of many NGBs. The Bill has passed through the House of Lords and is due to receive its Report Stage in the House of Commons.

Farrer & Co have produced a briefing highlighting the implications of the Bill for NGBs constituted as companies limited by guarantee. The briefing notes that most of the provisions of the Bill could take effect from as early as Spring 2007, thus it is important that NGBs are aware of the Bill and the potential impact upon their organisation.

To access the briefing visit www.ccpr.org.uk and click on 'Policy and Campaigns' and then on 'CCPR Briefings and Consultation Responses'.

Scope: UK

1.3 Charities Bill

Since the last update the Charities Bill has received its Second Reading and Committee Stage in the House of Commons. No date has been set for the Report Stage.

Scope: England and Wales

1.4 Compensation Bill

The Compensation Bill awaits its Report Stage in the House of Commons. Speaking at the Second Reading on 8 June, Parliamentary Under-Secretary of State for Constitutional Affairs, Bridget Prentice, informed the House that the much debated Clause 1 provides “reassurance to those who are concerned about possible litigation, not only in the voluntary sector, but elsewhere too”.

To read her interesting explanation of how Clause 1 will work please visit:

<http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm060608/debtext/60608-0436.htm#06060865000002>

Scope: England and Wales

REGULATION AFFECTING SPORT AND RECREATION

2.1 Managed Migration

CCPR met with DCMS officials to discuss the Home Office’s new migration framework and its implementation with regard to the sporting and recreation sectors. Although the operation of the new framework still awaits clarification, CCPR remains concerned about the potential financial and regulatory impact of the system.

Scope: England and Wales

CCPR Objective: CCPR will work with DCMS and the Home Office to ensure the interests of sport are protected.

Next Steps: On Wednesday 11 October CCPR will host a meeting between Home Office officials and members to discuss the new framework in detail. Attendance will be restricted to one person per organisation. Should you wish to attend please contact Angela Sasso (asasso@ccpr.org.uk).

2.2 Private Security Industry Act 2001

The Home Office’s Partial Regulatory Impact Assessment examining the impact of the PSIA 2001 on sport closed on 16 June 2006. To view CCPR’s response to the consultation visit www.ccpr.org.uk and click on ‘Policy and Campaigns’ and then on ‘CCPR Briefings and Consultation Responses’.

Scope: England and Wales

CCPR Objective: CCPR will campaign to secure a workable solution for sport.

Next Steps: CCPR will inform members of the outcome of the Partial Regulatory Impact Assessment. This is expected in the next few weeks.

2.3 Licensing Act 2003

DMCS has revised its guidance to local authorities with regard to the Licensing Act 2003. The key benefit for sports clubs is that restrictions on guests have been listed as detailed below:

"The 2003 Act does not prevent visitors to a qualifying club being supplied with alcohol as long as they are 'guests' of any member of the club or the club collectively, and nothing in the 2003 Act prevents the admission of such people as guests without prior notice. For the sake of flexibility, the Act does not define "guest" and whether or not somebody is a genuine guest would in all cases be a question of fact. The term can include a wide variety of people who are invited by the qualifying club or any individual member to use the club facilities. The manner in which they are admitted as 'guests' would be for the club to determine and to consider setting out in their own club rules."

The DCMS has also announced that village halls and other community venues may no longer have to name a single person to be in charge of their premises licence - instead the responsibility would fall to the whole management committee. However, the proposed change won't affect those venues holding club premises certificates. DCMS also announced that it would not extend the number of temporary event notices - a temporary licensing system that allows people to carry out licensable activities without applying for a full licence - beyond the current annual cap of 12 for unlicensed venues. For more information visit:

http://www.culture.gov.uk/global/press_notices/archive_2006/dcms094_06.htm

Scope: England and Wales

CCPR Objective: CCPR continues to campaign for a fairer licensing fee structure for sports clubs.

Next Steps: CCPR will make a further presentation to the Independent Licensing Fees Review Panel on 24 July 2006, and will highlight the increase in fees that clubs have suffered since the introduction of the new licensing regime.

3. COUNTRYSIDE AND WATER

3.1 Drought Orders

Thames Water is currently applying for a Drought Order, and CCPR has submitted views to DCMS on the impact a successful application may have on sport and recreation. Our submission informed DCMS' response to DEFRA's seven day consultation on this issue.

As a result of its submission to DCMS, CCPR was invited to attend the Thames Water Drought Order hearing on the 12 July. At this hearing we recommended to Thames Water that alternative source of brown water for use on natural and/or artificial pitches should be available for sports facilities. CCPR also sought assurances from Thames Water that inland reservoirs which are used for water related activities, in particular Dorney Lake for the Rowing World Championship, will be kept at an acceptable level for these activities to take place.

Scope: South East and Southern England

Next Steps: CCPR recommends that NGBs with clubs in the South East and Southern region which may be affected by Drought Orders should contact their local Water Boards to discuss possible alternative sources of water. Should you have any queries please contact Charlotte Edward at cedward@ccpr.org.uk

3.2 Work at Height Regulations

At its meeting on the 4 July, the Health and Safety Commission agreed a consultation document proposing to amend the current regulations. The amendments would bring those paid to lead and train climbing and caving activities in the adventure activity sector within the scope of the Work at Height Regulations 2005, which will complete the implementation of the Temporary Work at Height Directive.

The consultation will comprise of the amended regulations, the sector specific guidance and a Regulatory Impact Assessment. It is proposed that the consultation will be launched on 1 August and will close on 31 October.

Scope: UK

Next Steps: CCPR will be working with the Working at Height working group to co-ordinate a sector response to the consultation.

3.3 DEFRA coastal management consultation

There has been much discussion in recent years about how coastal management in England might be improved. The consultation aims to gather views from a range of individuals and organisations with an interest in the coast, in order to develop a sensible approach for central government to adopt in this area. The ICZM (integrated coastal zone management) initiative is likely to have an impact on recreational activities, especially as DEFRA are exploring options to improve access to the English coast, primarily for access on foot.

Scope: England and Wales

CCPR objective: CCPR will work to ensure that the needs of coastal sport and recreation are considered within future ICZM systems.

Next Steps: CCPR will be responding to the consultation. Please feed any comments to Charlotte Edward at cedward@ccpr.org.uk before 1 September. The consultation is available at <http://www.defra.gov.uk/corporate/consult/iczm-strategy/index.htm>.

3.4 Registration of village greens as a recreational resource

CCPR supports access to all appropriate land for sustainable recreational purposes. Members will be interested to note that on 24 May 2006 the House of Lords reversed the decision in the case of Oxfordshire County Council v Oxford City Council (and another); usually known as the 'Trap Grounds case'. This is an important case for those involved in the registration of village greens and means, among other things, that it is only necessary to provide evidence of 20 years' use by the public for lawful sports and pastimes up to the date of the application for registration.

The judgement may be viewed at <http://www.publications.parliament.uk/pa/ld200506/ldjudgmt/jd060524/oxf-1.htm>

There is further information and comment on the website of The Open Spaces Society: www.oss.org.uk.

Scope: England and Wales

4. FISCAL

4.1 Sports Betting

On 4 July CCPR hosted a meeting of NGBs and interested organisations to discuss recent developments in relation to sports betting, particularly those relating to integrity and revenue. The meeting agreed that representatives wished to adopt a collective approach to these issues.

Scope: UK

CCPR objective: To work with members to develop a clear policy position in this area and to campaign to ensure the views of CCPR members are heard.

4.2 National Minimum Wage Consultation

The Government has asked the Low Pay Commission to prepare a further report on the National Minimum Wage (NMW) and to report by the end of February 2007. CCPR has been invited to provide oral and written evidence to the Commission. This represents an excellent opportunity to ensure the views of sport are heard and CCPR would welcome members' perspectives on the operation of NMW.

Scope: UK

Next steps: CCPR will meet with the Low Pay Commission in the Autumn.

How you can help: Send feedback on the operation of NMW to Ben Andersen-Tuffnell: bat@ccpr.org.uk by **18 August 2006**.

4.3 National Lottery Shares 2009 Consultation Results

The Secretary of State for Culture, Media and Sport announced the results of the 2009 Lottery Shares consultation at the Lottery Monitor conference on 21 June. The consultation asked for views on what proportion of Lottery money should be allocated to the arts and film, sport and heritage after 2009, and what the policy should be on how Lottery money is spent in each of these good causes. It was announced that the current Lottery shares for arts and film, sport and heritage will be retained for ten years from 2009-2019 and the Olympic funding package will remain: £750m from new Lottery games and £410m from existing games after 2009.

The main priorities from 2009 to 2019 will include increasing participation for those who do not currently benefit from the rich cultural and sporting life of the country and 'inspiring young people' with an emphasis on activity and health.

For more information visit <http://www.lottery2009.culture.gov.uk/>.

4.4 Community Amateur Sports Clubs (CASCs)

There are now 3,834 clubs registered as CASCs with an estimated total cash benefit of at least £12.9 million in rate relief, corporation tax savings and Gift Aid repayments. With 67 different sports taking advantage of the CASC scheme, cricket, bowls, lawn tennis and rugby union have the highest number of CASC registered clubs, with a total of 2035 (53% of the total registrations). Football, golf, mixed sports, sailing, shooting and rowing make up the rest of the top ten represented sports with a total of 1225 clubs.

CCPR continues to operate a helpline for clubs and works with DCMS, HMRC, Deloitte, Sport England and Bates, Wells and Braithwaite to administer the CASC scheme. Information on the CASCs scheme is available on the CCPR website www.ccpr.org.uk, or by contacting Ben Andersen-Tuffnell: bat@ccpr.org.uk.

Scope: UK

CCPR Objective: CCPR will campaign for additional benefits to be added to the CASC scheme.

How can you help: Publicise the success and benefits of the scheme within your organisation and to clubs.

4.5 Grants for Community Buildings

A Community Buildings programme with £50m to invest in physical hubs for communities, such as community centres and village halls, has been launched by the Big Lottery Fund. Grants of between £50,000 and £500,000 are available to improve, replace or introduce a building into a community that provides services and activities to meet the needs of a range of people.

Further information can be accessed at: <http://www.biglotteryfund.org.uk/apply-uk>.

Scope: UK

5. HEALTH

5.1 Health Bill

The Bill to ban smoking in enclosed public places in England has completed its passage through the Lords. During the Third Reading of the Health Bill, Health Minister Lord Warner made some minor technical amendments to the legislation, which otherwise remained unchanged from Report stage.

Lord Pendry tabled an amendment to exclude private members clubs from the Bill. However it was defeated by 97 votes to 157.

Scope: England and Wales with regard to smoke free provision

Next steps: The Bill now returns to the Commons for MPs to consider Lords amendments. CCPR will inform members of any further amendments affecting sport and recreation.

5.2 Meeting with Department of Health

On 10 July the Chair of CCPR, Brigid Simmonds, and members of the policy team met with officials from the Department of Health to investigate how CCPR and its members could help in their work to stop the increase in childhood obesity. The meeting discussed a wide range of issues and factors relating to physical activity and obesity, with a focus on habit formation, parental involvement, increasing choice and workplace encouragement.

Following the meeting CCPR has agreed to maintain closer contact with the Department and to provide feedback on how NGBs' successful health initiatives could be transferred to other NGBs and activities, and how large employers can encourage staff to become more active and participate in sport and recreation.

Next steps: CCPR will continue to be a stakeholder on the Healthy Living Social Marketing Programme and to provide advice and guidance as requested.

How you can help: If you run a project or scheme that is focused upon improving participants' health, please send information on it to Judith Wood on jwood@ccpr.org.uk

6. COMPLETED ITEMS

To view CCPR's response to the consultations detailed below visit www.ccpr.org.uk and click on 'Policy and Campaigns' and then on 'CCPR Briefings and Consultation Responses'.

6.1 Early Years Foundation Stage Consultation

The CCPR has responded to this Department for Education and Skills consultation, calling for a requirement to be placed on early years practitioners to help children develop an understanding of the importance of physical activity. Such a requirement already exists with regard to healthy eating.

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