
The National Assembly for Wales
(Legislative Competence) (culture
and other fields) Order 2009

Evidence from the Sports Council for Wales

Dr Rachel Hughes, September 2009

Introduction

Sport and physical recreation has the capacity to positively impact on the nation's health, influence educational attainment and behaviour, engage disaffected young people, and serve as a positive capacity building tool for social inclusion. Sport and physical recreation is an important strand in the mix of factors which add value to life in our communities.

Regular participation in sport and physical recreation is vital to healthy living. Compared to England, Wales is an unhealthy nation: heart disease is more prevalent; a greater proportion of the population are obese; and mortality rates are higher. The Wanless Review of Health and Social Care in Wales reinforces the importance of the relationship between lifestyle (diet, physical exercise, and smoking) and general health (WAG, 2003). The Review places the promotion of healthy living as the basis for successful health and social care policy.

Local authorities are the main providers of sport and physical recreation services in Wales. The Wales Audit Office reports that "for a number of years, the proportion of overall resources allocated to sport and recreation services by local authorities has steadily declined and the resources made available have in the main been used to maintain existing service provision rather than to renew or invest" (WAO, 2004:4).

In a discretionary context, the range and quality of sport and recreation services varies significantly between authorities in Wales. Given the wider positive contributions that sport and physical recreation can make and the ambitious targets detailed in the Assembly Government's *Climbing Higher* strategy, an extension to the Local Government Act 2000 by placing a statutory obligation on local authorities in this area is timely.

Background

The Sports Council for Wales is the national agency with responsibility for the development of sport and physical recreation. Our job is to facilitate increased participation, improved sporting performance, and raised standards in sport and physical recreation.

In our Corporate Plan, 2009-2011, we outline a sporting vision for Wales (see *Box 1*). We recognise that there are a number of different factors that contribute to achieving our aims, and we believe local authorities have a key role in delivering this vision.

Box 1: Sports Council for Wales' *Sporting Vision*

- We achieve systematic and continuing success across a range of Olympic, Paralympic, and home country sport bringing enormous pride and enjoyment to our public;
- Children and young people have the best possible PE experiences and opportunities to practice their skills extra-curricular, and to further develop them in our communities;
- Adults take responsibility for their own lives and engage in active participation in our communities;
- Sport and physical recreation is mainstreamed within the policies of public authorities to ensure joined-up thinking and increased opportunities to participate;
- National, regional, and local facilities are planned in such a way as to be sustainable and provide quality experiences for those who use them;
- Wales' coaches and teachers are trained with technical and people skills in order to provide the best possible experiences for those in their care.

Source: SCW (2009a) *Sports Council for Wales: Corporate Plan, 2009-2011*, Cardiff

Wales' Sporting Infrastructure: people and place

It is important to recognise that Wales varies significantly in terms of its sporting infrastructure: both people and place.

Our research¹ shows, for example, that there are significant variations in participation across Wales: in Cardiff and Gwynedd, over 65% of the adult population² regularly³ participate in sport and physical recreation; this compares to 26% and 30% in Neath Port Talbot and Rhondda Cynon Taff respectively.

There are also disparities in levels of participation by gender group: 54% of adult men in Wales regularly participate in sport and physical recreation; this compares to 47% of adult women. This pattern varies considerably geographically. Five local authorities have a difference of 10 percentage points or more between adult male and female participation: Newport (18% points), Swansea (17% points), Merthyr Tydfil, (15% points), Torfaen (14% points), and Bridgend (10% points). Adult male

¹ Sports Council for Wales' *Active Adults Survey*, 2004/05.

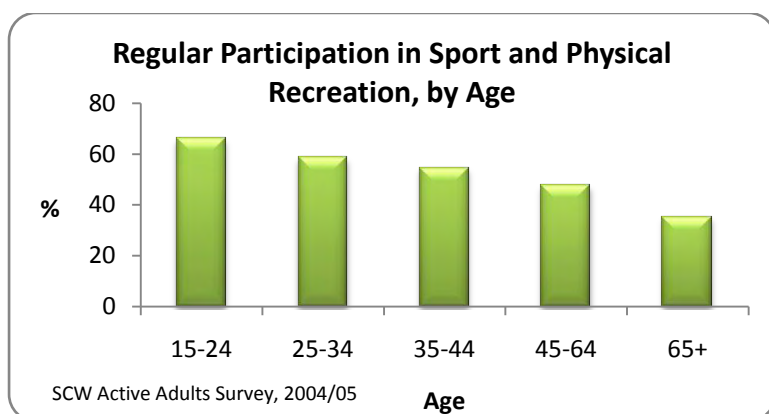
² Adult population: 15+ years.

³ Participate in sport and physical recreation at least once in the last four weeks.

participation is higher than female participation in all but three authority areas (Anglesey, Wrexham and Carmarthenshire).

Similarly, as can be seen in *Figure 1*, there is variation in the levels of participation by age: 66% of 15-24 year olds regularly participate in sport and physical recreation, this drops with age to 35% of 65+ year olds who regularly participate.

Figure 1



The nature of activity that is being undertaken tends to vary over a person's life course. Participation in recreational walking, for example, increases with age.

There is also a clear relationship between participation and social class. The highest levels of participation are seen in socio-economic group (SEG) AB and the lowest in SEG E.

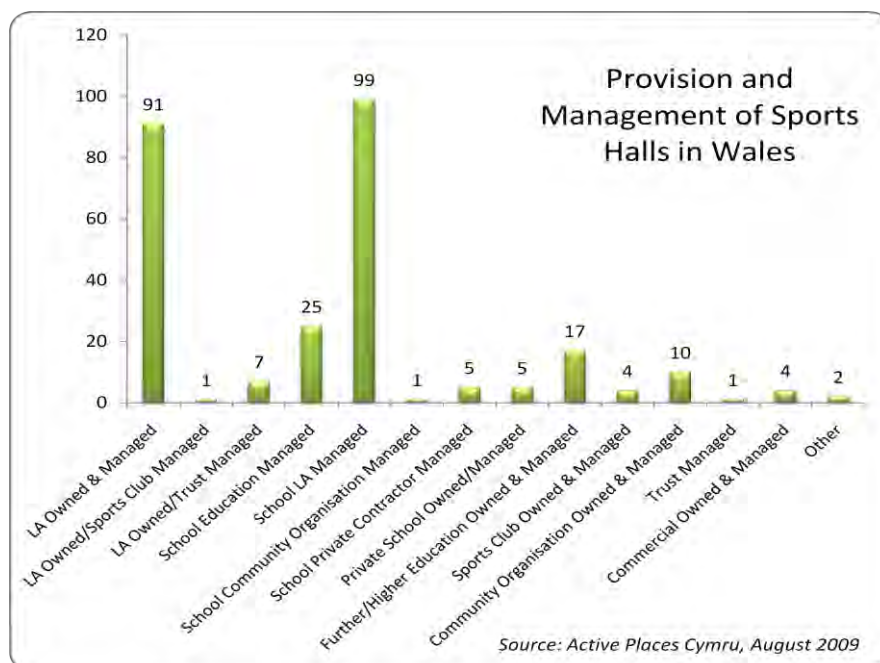
Similar geo-demographic patterns of participation in sport and physical recreation are exhibited by children and young people (see *SCW, 2007, 2009b*).

Through the school environment, local authorities have direct contact with the majority of children and young people; we thus have the potential to have a significant impact on the sporting behaviours of children and young people. To have the same impact on the adult population of Wales is more challenging; partly because contact with adults is far more disparate, but also because our culture does not readily facilitate the Assembly Government's call for increased levels of participation (see *NAW, 2007 and WAG, 2005, 2009a*).

In terms of built facilities, there is also variation in their provision and management. As *Figure 2* exemplifies, there are a range of providers of sports halls in Wales; local authorities, FE/HE sector, community organisations, commercial organisations. Whilst local authorities are the predominant

provider of sports halls in Wales, their management differs: local authority managed; sports club managed; trust managed; School or Education managed.

Figure 2



There are contrasts in the mix of the provision and management of sports halls within and between local authorities (see *Table 1*). Sports halls in the Vale of Glamorgan, for example, are solely managed by the local authority, and in Wrexham the facility at Glyndŵr University adds to what is an area dominated by local authority provision. In contrast, both Caerphilly and Cardiff have a greater range in the types of provision of Sports Halls.

Table 1: Provision and Management of Sports Halls by Local Authority

Local Authority	LA Owned & Managed	LA Owned / Sports Club Managed	School Education Managed	School LA Managed	School Private Contractor Managed	FE/HE Owned & Managed	Sports Club Owned & Managed	Commercial Owned & Managed	Other
Caerphilly	5	1		7	2		1		1
Cardiff	13		3	6		2	1	1	1
Vale of Glamorgan	4		2	4					
Wrexham	4		1	4		1			

Source: Active Places Cymru, August 2009

The Sports Council is fully committed to achieving equality in sport and physical recreation and is pleased to see reference made in the *Proposal for a Legislative Competence Order* that “participation [should] not be dependent on where people live or their background” (WAG, 2009b).

Views on the Legislative Competence Order: Matter 16.4 (sport and recreation)

In principle, the Sports Council supports a statutory obligation that aims to improve sport and physical recreation in Wales.

There are, however, a number of areas relating to the proposed Order that we would like to address.

Placing a statutory obligation on local authorities to ensure there is provision of sporting activities.

We would like to see the current wording strengthened; namely so there is a statutory obligation on local authorities to ensure there is *provision* of sport and recreational activities, and not just support, improve and promote them. We believe that the local authority should be accountable for such provision.

In this sense, we would like Wales to build on the statutory responsibility that is placed on both Scotland’s and Northern Ireland’s local authorities. Outlined in the Local Government and Planning (Scotland) Act 1982, local authorities in Scotland have a responsibility “to ensure that there is adequate provision of facilities for the inhabitants of their areas for recreational, sporting, cultural and social activities”. Similarly, in the Recreation and Youth Service (Northern Ireland) Order 1986, district councils in Northern Ireland “shall secure the provision for its area of adequate facilities for recreational, social, physical and cultural activities”.

We believe that ensuring there is provision for sporting activities shouldn’t, however, be limited to the provision of facilities. We therefore welcome the fact that the Welsh Order refers to sport and recreational *activities*, thereby encompassing the principles of sport development. This allows for local authorities to act as an enabler as well a provider.

As we mentioned in the *Introduction*, sport and physical recreation has the capacity to positively impact on a range of factors which add value to life in our communities. The provision of sport and physical recreation should be a core element in local authorities’ four statutory plans (Community Strategy, Health, Social Care and Well-Being Plan, Children and Young People’s Plan and the Local Development Plan).

We feel that without an obligation to ensure that activities are provided, the case for sport and physical recreation and its wider benefits could potentially be overlooked among competing local authority priorities.

Fully reflect the ethos of the *One Wales* commitment and the need for change.

In the *Proposal for a Legislative Competence Order on Culture and other fields* reference is made to the aim of the *One Wales* commitment; that is to improve cultural service provision, promote the service, increase access to and participation in activities, and encourage co-operation between partners. The Sports Council welcomes this breadth.

Matter 16.4 does not, however, fully take account of the aim of the *One Wales* commitment; increasing access to and participation in activities, and encouraging co-operation between partners is missing. We would like to see that these two aspects are reflected. This would strengthen the Order.

Ensuring that the Obligation is supported by a series of standards and performance indicators.

We would like to see the Obligation supported by a Standards and Performance Indicators Framework. This would help to ensure that the delivery of sport and physical recreation is improved. Without a Standards and Performance Indicator Framework for sport and physical recreation there is the potential that disparity, in terms of service delivery, across Wales could worsen.

The Framework will also act as a mechanism to monitor the implementation of the Obligation, as well as assess the performance of authorities over time.

It is important that the Framework both complements and feeds into the Data Unit's Performance Measurement Framework. At the present time, Leisure has only one Performance Indicator that feeds into the Performance Measurement Framework. We would like to see this expanded and believe that the development of a suite of standards and performance indicators to support the statutory obligation would facilitate this.

The Sports Council would be happy to lead on the development of a suite of standards and performance indicators that support the statutory obligation.

The Sports Council believes that standards and performance indicators should be seen in context, and therefore advocates that local authorities should submit a short annual report to the Welsh

Assembly Government (or nominated body) which outlines how the service contributes to the authority's corporate aims, objectives and priorities. This also allows an authority to demonstrate a locally-flexible approach to its sporting activities.

The submission of an annual report will allow formal scrutiny by Assembly Government (or nominated body) for compliance. In terms of non-compliance, the Sports Council advocates the approach that has been taken in terms of the library sector (see WAG, 2008: 58-59). The ultimate sanction in the cases of failure to deliver a comprehensive and efficient service is that the Assembly Government can institute an inquiry, issue a direction and transfer the functions of the library authority to itself. We would question, however, in reality whether this sanction would ever be invoked.

References

Active Places Cymru (2009) www.activeplacescymru.org.uk. August 2009

NAW (2007) One Wales: a progressive agenda for the government of Wales. Cardiff: NAW

SCW (2007) Children's Participation in Sport and Physical Activity, 2006. *Sports Update 63*, Cardiff: SCW

SCW (2009a) Sports Council for Wales: Corporate Plan, 2009-2011. Cardiff: SCW

SCW (2009b) Young People's Participation in Sport, 2006. *Sports Update 62*, Cardiff: SCW

WAG (2003) The Review of Health and Social Care in Wales. Cardiff: WAG

WAG (2005) Climbing Higher: the Welsh Assembly Government strategy for sport and physical activity

WAG (2008) Achieving higher standards: a performance measurement and assessment framework for public libraries in Wales – April 2008 – March 2011. Cardiff: WAG

WAG (2009a) Climbing Higher: creating an active Wales – a 5 year strategic action plan consultation document. Cardiff: WAG

WAG (2009b) Proposal for a Legislative Competence Order on Culture and other fields. *Memorandum from the Welsh Assembly Government. Constitutional Law: Devolution, Wales*. Cardiff: WAG

WAO (2004) Sport and Recreation. *Wales Themed Paper 1*. Cardiff: WAO