

RED CARD TO RED TAPE ONE YEAR ON

OUR YEAR FIGHTING BUREAUCRACY IN
SPORT AND RECREATION



SPORT +
RECREATION
ALLIANCE



RED CARD TO RED TAPE ONE YEAR ON

In March 2011, the Sport and Recreation Alliance, the umbrella body for the governing bodies of sport and recreation, launched its report into the red tape and bureaucracy affecting the sector.

Red Card to Red Tape is now our map and a compass whenever we discuss new priorities and policies with the Government.

A lot has changed in a year. We've had some notable successes with some of the issues we highlighted in *Red Card to Red Tape*.

We're also making good progress in other areas. But there are still more where we'd like more to be happening.

We wanted to keep you up to date with what has been going on since we launched the report and to tell you what red tape we've cut, where we're still hacking away at and where we're still wrapped up in the stuff.

We'd also like to give you the chance to help, if you'd like to make a difference to the 150,000 community clubs in the UK.

WHAT RED TAPE HAVE WE CUT DOWN TO SIZE?

REMOVING RED TAPE FOR OUR COMMUNITY AMATEUR SPORTS CLUBS

THE RED TAPE

Community sports clubs are the epitome of community cohesion, open to people of all ages, backgrounds and abilities. However the Community Amateur Sports Club (CASC) scheme, which provides financial benefits for clubs, had run into difficulties because of some unintended consequences of the original legislation.

Red Card to Red Tape recommended a redrafting of guidance and legislation on rules such as junior voting rights, ordinary benefits, club tours, single sex clubs, volunteering, hired equipment and membership fees to give the scheme a boost.

OUTCOME

The Alliance has met many times with HMRC and with the economic secretary to the Treasury, Chloe Smith, who backed the need for change. We look forward to a reinvigorated CASC scheme for this Olympic and Paralympic year. While new legislation for CASCs was announced at the 2012 Budget and Finance Bill, it will only cover certain technical issues. HMRC is attempting to solve other problems through non-legislative routes with the Alliance.

CHANGES TO THE NATIONAL PLANNING POLICY FRAMEWORK

THE RED TAPE

Red Card to Red Tape recommended that the new National Planning Policy Framework should better protect sport and recreation.

LATEST NEWS

Following extensive campaigning by the whole sports sector, the Government has agreed that if any sports facility is lost due to redevelopment it should be replaced with a facility of equivalent quality – a result which we are really proud of.

INSURANCE WORRIES - VOLUNTEERS AND OCCUPIERS LIABILITY

THE RED TAPE

Some volunteers and participants are put off by the perception of a high risk of being sued for doing something wrong whilst on someone else's property. *Red Card to Red Tape* highlighted the need for greater understanding of liability requirements for volunteers and landowners.

OUTCOME

The Cabinet Office backed our findings in their *Unshackling Good Neighbours* report later in the year. Following discussions with the Alliance, the Cabinet Office created an insurance working group for the voluntary sector and insurance industry; the Alliance leads on occupiers' and volunteers' liability and will create a code with the Cabinet Office during 2012.

VETTING AND BARRING - THE PROTECTION OF FREEDOMS BILL

THE RED TAPE

Red Card to Red Tape highlighted the sector's concerns about the proposed changes to the vetting and barring framework which is set up to protect vulnerable people in the voluntary sector. In particular, we were concerned about the requirements for volunteers and governing bodies' access to criminal records information.

OUTCOME

As the Protection of Freedoms Bill progressed through the Lords, the Alliance was supported by Lord Addington and Baroness Heyhoe-Flint, whose tireless efforts to make the case for the sector led to lengthy debate about key proposals.

The Government responded by amending the Bill to deal with the concerns raised on our behalf, and the Alliance continues to engage with the Home Office to ensure that the new system meets the needs of sport and recreation organisations and participants.

MUSIC LICENSING - NEW TARIFFS FOR NON-PROFIT CLUBS

THE RED TAPE The report highlighted that not-for-profit clubs struggle to pay music licences and that clubs found the fees to be too high.

OUTCOME PRS for Music responded by working with the Alliance to create a new tariff just for not-for-profit sports clubs which saw the minimum fee drop from £91 to £42 and a cap placed on the fee. PRS also has a new tariff for dance teachers and dance schools on the horizon too.

The Department for Business, Innovation and Skills meanwhile has started to examine the role of collecting societies with a view to creating a code of conduct for licensing.

OPENING UP SCHOOL FACILITIES

THE RED TAPE Clubs need regular access to good facilities. Many schools have exactly those resources. The report requested that Government tackled barriers to opening school facilities for the community.

OUTCOME DCMS and Sport England have announced plans in their new strategy to help schools open their facilities to the community by providing support and funding for schools to do so.

ALCOHOL LICENSING - PROPOSED EXEMPTIONS FOR CLUBS

THE RED TAPE *Red Card to Red Tape* recommended that sports clubs were exempt from proposals for a late night levy designed to tackle anti-social drinking.

OUTCOME The Home Office has recommended that local authorities allow CASCs to be exempt from late night levies. We will continue to ask that local authorities have the autonomy to recommend that all types of sport and recreation facilities clubs are exempt.

REDUCING UTILITY BILLS

THE RED TAPE

The Alliance recommended that utility companies set up a social tariff for not-for-profit sports clubs and that NGBs should help their clubs reduce tariffs.

OUTCOME

While some water companies have consulted on tariffs, the Alliance has gone one step further by teaming up with Utility Aid to provide free energy audits for clubs and governing bodies.

ACCESS TO THE COUNTRYSIDE

THE RED TAPE

Our report highlighted the need for improved access to the countryside for sport and recreation.

OUTCOME

The Alliance has teamed up with the Forestry Commission to create a guide for woodland managers in the Public Forest Estate and for private landowners. A working group has been set up to create the code which should be launched at the end of 2012.

DATA PROTECTION

THE RED TAPE

Red Card to Red Tape recommended extending exemptions of the UK Data Protection Act to cover sports clubs to strip away some of the more onerous requirements when clubs communicate with their members.

OUTCOME

The Information Commissioner's Office has discussed the proposals with the Alliance and believes that sports clubs do not need a formal exemption. They have offered to help create guidance to reassure sports clubs that they do not have to create over burdensome measurement systems.

WHAT RED TAPE ARE WE HACKING AWAY AT?

GIFT AID ON JUNIOR SUBSCRIPTIONS

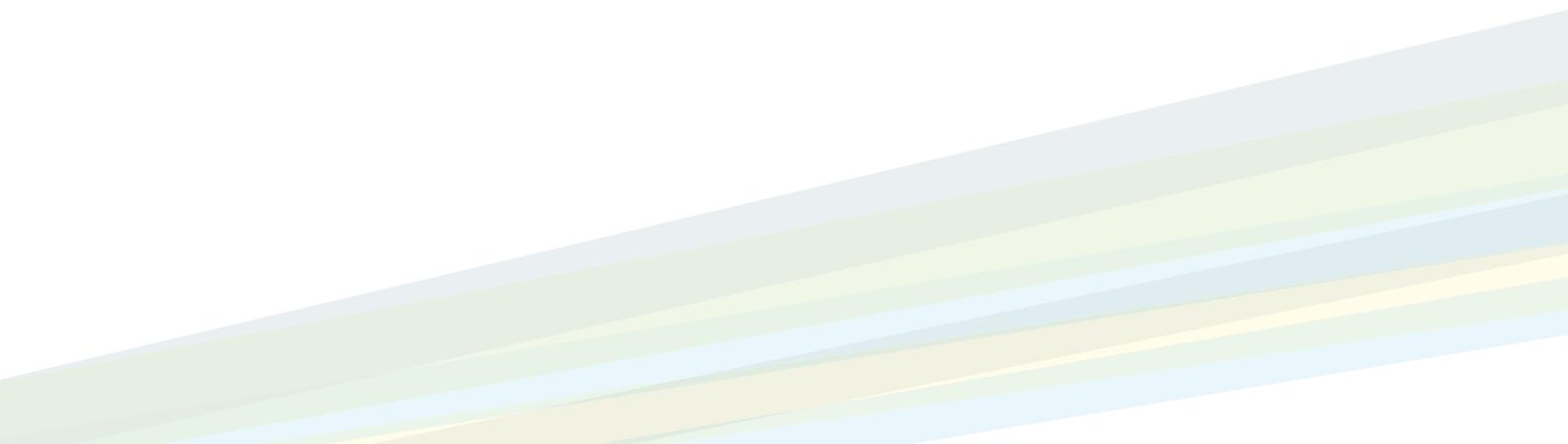
THE RED TAPE Unlike charities, CASCs cannot claim Gift Aid on junior subscriptions.

LATEST NEWS The Alliance has discussed in detail our proposals on Gift Aid on junior subscriptions with the Economic Secretary to the Treasury and with HMRC. We have now agreed the costs involved and refined the policy proposal to ensure it does not have an adverse effect on other sectors. This was not included in the 2012 Budget and it may be a long campaign in the current economic climate to convince the Government to implement our proposals but we think it's a case worth pressing.

PUBLIC RIGHTS OF WAY

THE RED TAPE *Red Card to Red Tape* recommended improved access for sport and recreation on public rights of way.

LATEST NEWS The Alliance now sits on the Rights of Way Review Committee and discussions have started to try to improve access for cyclists and equestrianism.



LICENCES FOR COMMUNITY SPORT AND RECREATION FACILITIES

THE RED TAPE The report asked for simplifications of licensing for sports clubs.

LATEST NEWS In 2012 the Alliance will be reviewing the 33 licences applicable to community organisations with a view to providing guidance and calls for simplification.

WHAT RED TAPE IS STILL CONSTRAINING US?

REVIEW OF ALCOHOL LICENSING FOR SPORT AND RECREATION

THE RED TAPE	Not-for-profit sports and recreation clubs are treated in the same ways as commercial bars and pubs when it comes to alcohol licensing even though their offer is on a different scale and with a different purpose.
PROPOSAL	While The Home Office has already acted to exclude CASCs from the late night levy, the Alliance hopes that it will also consider putting all non-profit sports clubs in Band A for alcohol licensing. The Home Office replied to this recommendation by saying that when considering the implementation of the Police Reform and Social Responsibility Act 2011 “we will consult before introducing the regulations governing the fee structure. We will consider whether there are types of premises, such as community sports clubs, that should be subject to a separate fee category”.

IMPROVED ABILITY FOR VOLUNTEERS TO HELP MAINTAIN FACILITIES

THE RED TAPE	There are 140,000 miles of public rights of way that need to be maintained. Volunteers offering to keep paths clear and maintained on behalf of their local authority are often refused permission on the grounds of training costs and insurance requirements. This has led to ‘guerrilla maintenance’ where volunteers conduct the work without seeking permission.
PROPOSAL	Local authority insurance cover should extend to cover volunteers working on the behalf of the authority in a previously agreed manner for a given time. This epitomises the Big Society and will allow communities to invest time and resources in their local area.

ACTION ON HEALTH AND SAFETY FOR ADVENTUROUS ACTIVITIES

THE RED TAPE

Lord Young recommended the repeal of statutory licensing of adventure activities and the introduction of a Health and Safety Executive 'Code of Practice'. The Alliance is deeply concerned that HSE is set on allowing 'self-assessment' to show compliance with the 'Code' because we don't believe that this will give the reassurance required by local authorities, schools and parents - some form of 'on the ground' inspection is required. The Alliance also fears that there will not be a single UK-wide solution which is necessary since many schools, local authorities and providers operate across the home nations.

PROPOSAL

The current licence should be replaced with a single, non-statutory accreditation scheme that is UK-wide and not restricted by activity or age. The Alliance has called for a small amount of transition funding to ensure there is a voluntary multi-activity accreditor in place that could ensure compliance with the Code for outdoor activity centres where activities are not covered by a single NGB.

A REVIEW OF VAT ON CAPITAL EXPENDITURE ON FACILITY CONSTRUCTION

THE RED TAPE

Treasury provide DCMS with funding for the construction or improvement of community sports facilities. This money is distributed through Sport England and NGBs to clubs. Clubs build new sports facilities or improve existing facilities and pay VAT on their expenditure. 20% of the money supplied by Treasury is processed by HMRC and returned as VAT, minus all the work and time which goes into managing it.

PROPOSAL

VAT should not be levied on capital expenditure which has been funded through Sport England. Community Amateur Sports Clubs (CASCs) should be given the same zero-rating reliefs on construction expenditures that charities already receive.

WHAT'S GOING ON NOW?

We at the Alliance are committed to continuing to press the case for lighter regulation of sports clubs.

Red Card to Red Tape

remains the foundation of our campaigning in this sphere and we are working with the Government to keep de-regulation high up the agenda of its Departments.

In particular we are working with the Cabinet Office to ensure that the sport and recreation sector is covered in its Red Tape Challenge, which aims to highlight the red tape affecting specific sectors of the economy.

The sport and recreation version of the Red Tape Challenge was launched on 29 March 2012 and we will be using it to encourage clubs and governing bodies to put all the issues from the report which remain unresolved firmly back on the Government's agenda.

For more information visit www.redtaapechallenge.cabinetoffice.gov.uk/themehome/sports-and-recreation/

This section focuses on specific elements for the sector but you can enter grassroots challenges and the Cabinet Office is keen to hear from clubs too – just add your comments in the 'Sports' or 'Other Cultural Regulations' sections. More on the regulations facing volunteers will come out in May.

For more information on *Red Card to Red Tape*, including a summary of all its recommendations, visit www.sportandrecreation.org.uk/redcard.

To offer your help to push our recommendations, please contact James MacDougall, our head of policy at jmacdougall@sportandrecreation.org.uk.

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