

SPORT NORTHERN IRELAND

MINUTES

CONFIDENTIAL

First Meeting 2010

Held on Tuesday 2 February in the Wellington Park Hotel, 21 Malone Road, Belfast BT9 6RU

PRESENT

In the Chair:

D Walsh

Members:

O Brown
M Cowan
J D'Arcy
U Duncan
B Macaulay
A Money Penny
B McCargo
D O'Connor
A Strong

Chief Executive:

E McCartan

Staff in Attendance:

N Harkness
S Ogle
A Sloan
R McCormick
P Donnelly
E Bailey
L Beattie
A Campbell
J News
T Smith
W Devlin
M McClintock

In Attendance:

P Curran, Arthur Cox Solicitors
L Mallon, Arthur Cox Solicitors

1 **APOLOGIES**

Apologies were received from Cllr J Rodgers and Mr P Turnbull.

2 **CHAIRMAN'S BUSINESS**

2.1 The Chairman notified Members that there were several items under Chairman's business which he would deal with after declaration of interests.

At this point the only person to declare an interest was Dr O Brown relating to Appeals.

2.2 Stadia

The Chief Executive reported that a third draft of the business case for the stadia was currently being completed with a view to meeting three governing bodies – Soccer, Rugby and Gaelic later in the week. On completion the business case will be forwarded to the Minister. Members noted the delay caused by developments on the political front.

2.3 Galbally Incident

The Chairman informed Members that there had been no breach in terms and conditions of our award and therefore Sport Northern Ireland (SNI) had no grounds on which to withhold any payments due. SNI did review its equality clause and the Permanent Secretary of the Department of Culture Arts and Leisure (DCAL) had undertaken to develop a good relations policy between DCAL and its arms-length bodies. This would be an advisory policy but Members agreed that if it was to be effective it should apply to all the arms-length bodies of all Departments.

2.4 Judo

The Chief Executive confirmed that a letter had been sent to Judo and that an investigation is being carried out to determine whether or not a fraud had taken place. If so, SNI would implement its Fraud Policy.

2.5 Delhi 2010

Members heard of the slow progress and extensive assistance offered through the Sports Institute Northern Ireland (SINI). Members agreed that some success had been achieved with the Commonwealth Games Council, albeit slowly, and commended Dr O Brown for her chairing of this Committee.

2.6 Update on Minister's Initiative for Review of Irish Football Association

Members noted that the Minister had requested SNI to carry out a review of the dismissal by the Irish Football Association (IFA) of Mr Howard Wells. Members were updated on the current situation and heard that consultants had been appointed to undertake this work in accordance with Terms of Reference agreed with the IFA Audit Committee.

The review would take place in a co-joined manner. SNI and IFA Audit Committees would constitute the review team.

2.7 Revision of Funding

The Chairman informed Members that DCAL had indicated a reduction in funding for the next year. As a result of ongoing interaction between SNI and the Northern Ireland Sports Form concerning funding for sport, it was agreed that a consultation day should be held as soon as possible to update stakeholders and governing bodies.

2.8

Appeals

Members considered two appeals: Knocks Grattan Hurling Club and Belfast City Council

Knocks Grattan Hurling Club

The Chair of the Appeals Panel presented the Knocks Grattan appeal and explained that the Appeals Panel had considered every point made in their appeal. The Panel had decided to recommend that the appeal should be rejected on all grounds. The Chair of the Appeals Panel took Members through the Appeals Summary Form which recorded the decision of the Appeals Panel.

Dr O Brown absented herself from discussion and left the room.

After discussion Members unanimously accepted the recommendation of the Appeals Panel to reject the Knocks Grattan appeal.

Dr O Brown returned to the room.

Belfast City Council (BCC)

Mr A Strong declared a conflict of interest and left the room.

The Chair of the Appeals Panel presented the BCC appeal and explained that the Appeals Panel had considered very carefully all points raised by BCC (including in the light of the Minutes of Council of 22 September 2009 and the guiding principles agreed at that meeting) and the recommendation of the Appeals Panel was that the appeal should be rejected on all grounds. The Chair of the Appeals Panel took Members through the Appeals Summary Form which recorded the decision of the Appeals Panel.

Dr O Brown absented herself from discussion and left the room.

Mr P Curran of Arthur Cox Solicitors confirmed that the terms of the appeals procedure require the Appeals Panel to review decisions and make recommendations to a full Sport Northern Ireland meeting for final decision.

Members considered the Appeals Summary Form signed by the Appeals Panel. Members noted that, following consideration of all the arguments put forward by BCC in their Appeal and the relevant facts and circumstances, the Appeals Panel had recommended that Council should reject the Appeal for the reasons set out in the Appeals Summary Form. Members discussed the recommendation made by the Appeals Panel to reject the Appeal. It was unanimously decided to accept that recommendation and to reject the Appeal made by BCC.

Dr O Brown and Mr A Strong returned to the room.

2.9

50 metre Pool: the Manager of the Elite Facilities Programme made a presentation to Council and asked them to consider the risk management options available to SNI in relation to the "up to £15m" capital award to North Down Borough Council in relation to the 50m pool project. Members noted the background to the Funding Agreement which had been developed to reflect the

protections and clauses required by SNI, taking into account the high level of grant.

Mr A Money Penny declared an interest and left the room.

Mrs Campbell's presentation reviewed existing terms and conditions and brought new set of clauses with funding agreement which provided for claw back conditions by provision of a Performance Bond. Members noted the differences between a Performance Bond and a Contractor's Bond and noted that legal advice had been received from Arthur Cox Solicitors. While it may be preferable to have the Performance Bond from a legal perspective, commercial considerations have to be taken into account when balancing risk, costs and the likelihood of a set of circumstances arising.

Members discussed the matter and took into consideration that SNI is dealing with a public body and not a private sector entity.

Members approved the recommendation that the Performance Bond condition should be dropped as long as North Down Borough Council can demonstrate the ability to pay back any grant paid out if they are found to be in breach of the conditions of grant.

Mr P Curran and Mrs L Mallon left the meeting.

Mr A Money Penny returned to the room.

3 **MINUTES**

The Minutes of the Fifth Meeting held on 1 December 2009, having been previously circulated were approved earlier and signed at the end of the meeting.

4 **MATTERS ARISING**

There were no matters arising that were not on the Agenda.

5 **CORRESPONDENCE**

5.1 **The Boys' Brigade**

Members noted letter dated 22 December referring to the Sport in our Community Award. It expressed appreciation of the support given by SNI and all the staff with whom they liaised for the help and encouragement given.

6 **DECLARATION OF INTERESTS**

This matter was dealt with earlier under Item 2.1 - Chairman's Business.

7 **PARTICIPATION UNIT**

7.1 **Ability of the Ulster Council GAA to meet Sport Northern Ireland's Security Restrictions Requirements**

Members received an update on the ability of the Ulster Council GAA to meet SNI's security restriction requirements as advised by SNI's solicitors, Arthur Cox (Paper SNI/10/18). Members approved the approach outlined in Section 5 of the

paper asking the Ulster Council to approve a specific resolution for each award; and gave officers approval to commission Arthur Cox Solicitors to further clarify the situation and, in agreement with the GAA, take appropriate action.

7.2 Capital Budgets Update

Members considered Paper SNI/10/19. Members noted the updated capital profiles for the period 2009/10 and 2010/11.

Members approved the recommendation that SNI officers manage the 2010/11 budget within the revised profiles at table 4.4 of the Paper and utilise any under-spends within Elite Facilities second competition and/or Stadia Safety Phase III projects to meet the remaining pressure of £335,717.

7.3 Delegated Decisions – Places

Members received Paper SNI/10/20 and noted decisions taken in accordance with Council policy.

7.4 Active Communities Update

Members received Paper SNI/10/21 which presented Project Review Reports for three consortium areas and noted action taken in line with SNI's Delegated Authority Policy.

7.5 Awards for Sport Update

Members considered Paper SNI/10/22 which provided an update in relation to the progress of SNI's new small grants programme "Awards for Sport"; and sought approval for the operation of the Awards for Sport Programme in 2010/11.

Members approved proposals set out in relation to the future management of the Awards for Sport Programme in 2010/11 subject to confirmation that there is no legal impediment.

7.6 Adventure Activities Licensing Update

Members received Paper SNI/10/23 which provided an overview and background to the current situation regarding adventure activity accreditation in Great Britain and information on the legislation and development of such a scheme for Northern Ireland. Members agreed the recommendations.

7.7 Update on Sport Northern Ireland's Involvement in the Belfast World Police and Fire Games 2013

Members considered Paper SNI/10/24 which provided an update on the World Police and Fire Games Belfast 2013 and outlined the involvement of SNI in managing the Sports Work Stream of the World Police and Fire Games Belfast 2013.

Members noted that SNI involvement is subject to the implementation of the recommendation of a SNI-commissioned FPM Accountants "fit for purpose" review of the Stakeholder Group; and were advised that they would be able to obtain the report from FPM Accountants in due course. Members congratulated staff on the detail contained in the Paper.

Members considered the recommendation and, after discussion, approved the Terms of Reference for the Sports Work Stream and the Participation Committee's recommendation to Council to propose to the Stakeholder Group the Delivery Model 2 – Greater Belfast plus exceptional venues.

7.8 Activ8 Eatwell

Members received Paper SNI/10/25 and noted the strategic context of the "Activ8 Eatwell" programme; its contribution to broader Government objectives; the aims of the pilot programme; the benefits to participants; and the model of good practice.

Members commended the staff involved in this extremely successful programme.

7.9 Northern Ireland Adult "Sport and Physical Activity Survey" (SAPAS) – Quarter One Headline Findings

Members received Paper SNI/10/41 which provided an update on the background and progress made in relation to Sport Northern Ireland's adult "Sport and Physical Activity Survey". Members also received a visual presentation from the Policy Planning and Research Manager and noted the progress made in relation to SAPAS.

Members noted the vital importance of this survey and congratulated staff on their work in this area.

7.10 Delegated Decisions – Participation

Members received Paper SNI/10/26 and noted action taken in accordance with Council policy.

8 **PERFORMANCE UNIT**

8.1 Rates Relief for Community Amateur Sports Clubs

Members considered Paper SNI/10/27. The Paper outlined the current benefits for Northern Ireland sports clubs of registering as community amateur sports clubs (CASC). It compared and discussed the additional rate relief available to CASCs in England Scotland and Wales; and how SNI could lobby to make the additional benefit available in Northern Ireland. It also outlined the uptake of CASC within Northern Ireland, the number of clubs per sport who have registered, the contributory factors to this and how SNI could raise awareness and uptake of CASC registration in Northern Ireland.

Members approved the recommendations regarding promotional and awareness raising measures; and a course of action for SNI to present the issue of 100% discretionary rates relief for CASCs in Northern Ireland to the Culture Arts and Leisure Committee.

8.2 Update on Coaching Development

Members received an update in relation to current developments in Coaching (Paper SNI/10/28).

8.3 Recognition of Governing Bodies Operating in Northern Ireland

Members considered applications from sports to become Governing Bodies (Paper SNI/10/29).

Members approved the application from Horse Sport Ireland to be the recognised governing body of equestrian sport operating in Northern Ireland; and approved the application from the Irish American Football Association to be the recognised governing body for American Football operating in Northern Ireland, by awarding "conditional recognition".

8.4 Delegated Decisions – Performance

Members received Paper SNI/10/30 and noted decisions taken in accordance with Council policy.

9 **CORPORATE SERVICES UNIT**

9.1 Marketing (Agenda Item 9.10)

Members received the Press and Media Report (Paper SNI/10/40).

Members advised that the Belfast Telegraph and SNI should work together more closely to strengthen the Belfast Telegraph Awards.

9.2 Management Accounts (Agenda Item 9.1)

Members considered the Management Accounts for the nine months period to 31 December 2009 (Paper SNI/10/31) and approved their submission to the Department of Culture Arts and Leisure.

Mr M Cowan left the meeting.

9.3 Accounting for Grant Commitments in the Lottery and Exchequer Financial and Management Accounts (Agenda Item 9.2)

Members considered Paper SNI/10/32 which sought approval for the agreed principle for recording grant commitments in the Lottery and Exchequer Financial Accounts; and issuing Letters of Offer to grant recipients.

Members approved the recommendation.

9.4 Banking Services (Agenda Item 9.3)

Members considered Paper SNI/10/33 which sought approval to change the banking services provider from the Bank of Ireland to Northern Bank. Approval was also sought for provision of delegated authority to SNI officers to formalise the paperwork. Members noted that DCAL had instructed SNI to move to the Northern Bank as it had a contract to provide all of Government in Northern Ireland with a free service.

Members approved the recommendation.

9.5 Conflict of Interest Policy (Agenda Item 9.4)

Members considered Paper SNI/10/34.

Members approved the updated policy on Conflict of Interest and delegated authority to officers should any amendments be necessary as a result of the screening process.

9.6 Fees and Charges (Agenda Item 9.5)

Members considered and approved the charges for facilities and services at the House of Sport in the forthcoming financial year 2010-2011 (Paper SNI/10/35).

9.7 Delegated Decisions – Contracts (Agenda Item 9.6)

Members received Paper SNI/10/36 and noted action taken in accordance with Council policy.

9.8 National Lottery Distribution Fund (NLDF) Balance (Agenda Item 9.7)

Members considered Paper SNI/10/37.

Members approved the revised policy on the management of the National Lottery Fund Balance and delegated authority to officers to make amendments to the policy as a result of Section 75 Screening.

9.9 Draft IFRS Lottery Shadow Accounts (Agenda Item 9.8)

Members received and noted the draft IFRS Lottery Shadow Accounts and an update on work carried out to date by the NIAO (Paper SNI/10/38).

9.10 2009 Lottery Accounts (Agenda Item 9.9)

Members received Paper SNI/10/39 for information and noted the Report on Lottery Distribution Account for the year ended 31 March 2009.

10 **COMMITTEE REPORTS – FOR ADOPTION**

10.1 Participation Committee

Members adopted the Minutes of the Meeting held on 19 November 2009.

10.2 Places Committee

Members adopted the Minutes of the Twelfth Meeting held on 23 November 2009.

10.3 Audit Committee

Members adopted the Minutes of the Fifty-Eighth Meeting held on 14 January 2010.

11 **COMMITTEE REPORTS – FOR INFORMATION**

There were no reports.

12 **PUBLICATIONS**

There were no publications.

13 **DATE OF NEXT MEETING**

Tuesday 13 April 2010.

14 **ANY OTHER BUSINESS**

Mr A Strong expressed a wish to hear about SNI's Environmental Policy at an appropriate later date.

There being no further business the Chairman thanked Members for their attendance and the meeting closed at 3.55 pm.

Signed: _____

Dated: _____

House of Sport
Upper Malone Road
Belfast
BT9 5LT