

Policy Unit

PRIME MINISTER<sup>(1)</sup>

I am sorry to put these papers back to you, but you did not indicate whether you agreed with the Policy Unit advice.

The background is that Patrick Jenkin (Flag A) and Keith Joseph (Flag B) differ both on whether a circular should be issued on use of recreation facilities, and if so what its terms should be. The Policy Unit advice, which I find persuasive, is at Flag C.

They recommend that:-

- (i) the circular should be issued;
- (ii) there should be no caveats which purport to restrict LA's freedom to shift costs between budgets;
- (iii) paragraph 21 of the draft circular should be re-drafted.

If you agree this line it would mean supporting Mr. Jenkin against Sir Keith Joseph, both on the question of whether a circular should be issued and on the nature of the references to education budgets. Sir Keith has asked for a meeting if his views are not accepted.

Agree:-

- (i) response on the lines recommended by the Policy Unit.
- (ii) short meeting if necessary with Mr. Jenkin, Sir Keith Joseph, and the Chancellor.

DMS

I really think that the timing is wrong for such a circular. We must concentrate on getting the re-levelling bill through now. not.

9 February, 1984

PRIME MINISTERDES/DOE JOINT CIRCULAR ON RECREATION FACILITIES

The Family Policy Group made a clear decision that local authorities should be sent a Circular, instructing them to give people the widest possible use of recreational facilities in schools and elsewhere. This is obviously a sensible policy, and there should be no question of allowing the DES to abandon the Circular now.

Keith Joseph argues that the text, if published at all, should stipulate that any increased costs be treated by LEAs as non-educational expenditure. You have two options:

- either smooth the waters by insisting that the Circular be published, but with the caveats favoured by Keith;
- or take a tough line, and insist that the Circular be published with no caveats, so that LEAs are free to distribute the costs between their budgets as they see fit.

The first of these options will cause less fuss. But the second is intellectually and politically superior on two grounds: (i) the Government cannot consistently claim, when talking about rate-capping, that LEAs should be controlled only in respect of aggregates, and then issue a Circular that attempts to dictate to them how to apportion the costs of recreational facilities between their various budgets; and (ii) the phrases inserted by the DES will not, in fact, achieve anything, since the "creative accounting" that LEAs use to distribute costs between their various budgets may enable them to disregard any advice on this topic, if they see fit.

You may also wish to draw Patrick Jenkin's attention to the drafting of paragraph 21. As it stands, this paragraph seems to say that LEAs should both meet any extra costs within expenditure targets and (additionally) offset these costs by charging fees; whereas it should say that LEAs will be expected first to offset costs by charging wherever possible, and then to meet the remaining deficit within expenditure targets.

OLIVER LETWIN*Oliver Letwin*JOHN REDWOOD*John Redwood*

PRIME MINISTER

Await Chancellor

Joint Circular on Sport and Recreation

I have seen the Environment Secretary's minute of 2 February about this.

He has very fairly represented my views on the detailed points at issue between us. But, as he says, I doubt if this is the right moment to issue a Circular at all. Since my speech at the North of England Education Conference at Sheffield last month, which has attracted a good deal of support, I have come under heavy pressure from local education authorities about the impossibility of their adequately meeting their existing educational obligations, never mind the new ones to which I referred. The redeployment of resources will not always provide an answer to the problem because in many areas savings will be needed to enable the authorities to avoid grant penalties or to pay them. In other words our plans are already vulnerable on resource grounds.

More generally, I do not think it would be right to take any action which would add to our difficulties over rate limitation. A Circular of the kind proposed would give local authorities and Parliamentary critics of the Rates Bill another weapon to use against us.

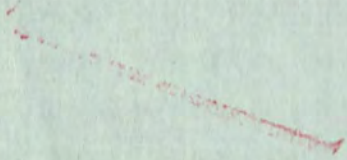
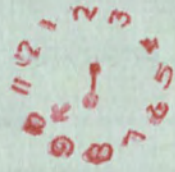
I am sending copies of this minute to the Chancellor of the Exchequer and the Environment Secretary. If you are inclined to reject my view, perhaps the three of us can have a short meeting with you before a final decision is taken.

KJ.

6 February 1984

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August DES

PRIME MINISTER

JOINT DOE/DES CIRCULAR ON "SPORT AND RECREATION: FUTURE PROVISION"

You will remember that the Family Policy Group agreed last April that my Department and Keith Joseph's should prepare a joint Circular to encourage the wider use for the community of existing sport and recreation facilities. I attach a copy of the relevant minutes. A draft has now been completed and I attach a copy for your approval. I should mention that Keith is concerned about issuing the Circular at this time; I refer to this below.

Agreeing a text which serves our objective and takes full account of the concerns of the two Departments has proved very difficult and time-consuming. Both Keith and I are now satisfied that this draft Circular effectively conveys the message sought by the FPG, save for four short passages on which we have been unable to agree. These are all additional words desired by Keith, shown in square brackets in the text (paragraphs 6, 20, 21 and 23). I am sorry to bother you with this, but believe we have to seek your decision on whether or not these phrases should be included.

Paragraph 6 This is the key paragraph in the Circular, containing the "right of access" which was central to our discussions in the FPG last year. In my view, a statement about a "right of access" is an important lever which we need in order to encourage the opening of more schools to the community; without that clear message, the advise in this Circular may be thought to be little different to that issued in the past.

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Keith Joseph has pointed out that the notion of a right of access has no legal justification. While he is prepared to accept the present reference in paragraph 6 to such a right, he has asked for the addition of a phrase to make it clear that any increased expenditure on the use of school facilities for non-educational purposes should not be a charge on the education service, since it has no duty to meet such a charge.

I have resisted this addition, because I believe that, to achieve our objective of increasing shared use of facilities, clear encouragement is needed. Too many saving phrases and doubts in the text could lead to our message being ignored. The need to avoid increased local authority expenditure is already emphasised in paragraphs 19-22. In this paragraph the broad proviso that the primary purposes of school facilities are safeguarded seems to me sufficient.

If you nonetheless decide that a specific reference here to budgets is necessary, I would much prefer to see something less restrictive and would want to agree the final wording with Keith.

Paragraphs 20, 21 and 23

Keith Joseph attaches great importance to the words in square brackets in these paragraphs. He believes that, if we urge local authorities to do something which will cost money, we should put the onus for finding the offsetting savings on those interests within the authorities which will incur the extra expenditure. That seems to him to be the right financial discipline and in accordance with the principles of the Financial Management Initiative.

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It seems to me, however, that to advise local authorities about protecting particular budgets would not be inconsistent with our current policy. Our concern is with the aggregate amount of each authority's spending; it is for the authorities themselves to decide under which programme head they wish to put their expenditure within their overall targets. I should not want to suggest how they treat it, or which budget it should come under.

Keith is concerned that this may not be an opportune time to issue this Circular. He is writing to you separately setting out his views more fully, but in substance his concern is that the Circular is an encouragement for authorities to increase expenditure when our general policy is to contain it. No one knows better than I that the issue of local government spending is a particularly sensitive one at the moment but I think we have protected ourselves in this draft and I remain convinced that this is an important initiative which will encourage gains in value for money. Leisure time and needs are expanding, yet there are seriously under-used recreational resources in the community. This Circular is an essential part of my Department's campaign to unlock these resources.

If you agree that we should go ahead, the next step is for our two Departments to publish the Circular in draft, giving local authorities and other interested bodies the opportunity to comment.

I am sending copies of this minute with the draft text to Nigel Lawson and Keith Joseph.

PJ

P J

2 February 1984

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A JOINT CIRCULAR BY THE SECRETARIES OF STATE FOR THE ENVIRONMENT AND  
EDUCATION AND SCIENCE

SPORT AND RECREATION: FUTURE PROVISION

1. As leisure time has grown in the last two decades, so has the family and community need for sport and recreation facilities and opportunities. Both the public and private sectors have helped to meet this need. Most areas now have Leisure Centres and clubs which have proved popular and effective; many have become centres of family and community life, especially at weekends. Partly as a consequence, the demand for such facilities continues to grow. More are needed, to enrich urban and rural life. It is now widely felt that the greatest benefit, in terms of maximising usage and fostering a real sense of community involvement, lies in the provision of locally based, smaller scale centres.

2. To meet this important need, the Secretaries of State see a continuing role for both the public and private sectors. This Circular describes the steps already in hand and advises local authorities on the scope for further action on their part. In particular, it stresses that the best possible use should be made of existing facilities.



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New Provision

3. The Government must continue to look to the private sector to use its entrepreneurial flair to meet some of the demand for local leisure and recreation facilities. Local authorities, too, should continue to play their substantial role in the provision and maintenance of sport and leisure centres, parks and open spaces, etc. The Government's commitment is demonstrated by the increases in Sports Council grant in recent years from £15.58m in 1979/80 to £28.002 in 1982/83. Within overall public expenditure constraints, this commitment will continue. The Sports Council has a major programme, called SASH (Standardised Approach to Sports Halls), designed to provide in conjunction with LAs up to 240 new community-based low cost sports halls in the next 5 years.

4. Neither the public nor the private sectors could be expected to provide new recreation facilities everywhere they are required or sought, in cities, towns and villages. An extensive new programme should in any case be unnecessary since there are many existing but under used facilities which could be made available to the community.

Community use of existing facilities

5. This Circular is part of the Government's broad initiative to seek wider use of existing sport and recreation facilities owned by the public and private sectors. The Minister for Sport is pursuing with the CBI and the largest companies and corporations the possibility of opening up more private sports clubs and grounds to the local community. He has made similar approaches to the nationalised industries and the Civil Service Sports Council. Against this background, the Secretaries of State ask local

authorities to review their existing facilities to assess how much, and in what way, their community use could be expanded.

6. Where facilities have been provided for community purposes, including those jointly provided with school premises, local authorities should make them available to the maximum feasible extent. The Secretaries of State believe that the local community has a right to be afforded access also to publicly provided school facilities on terms which ensure that the primary purposes of those facilities are safeguarded [and that no new demands are made on the budgets of LEAs].

#### Shared use of schools

7. Most LEAs can show examples of successful schemes for the shared use of school premises. For illustration, examples of good practice are in the Annex. At one end of a wide range of possible schemes, one or more of a school's existing facilities are opened for 'Dual Use' to organisations and individuals other than the primary users; at the other end of the scale is the arrangement called 'Joint Provision' where facilities for a school and the community are planned, provided and managed by more than one agency. This can be very successful and should always be considered when new capital projects are in preparation.

8. In reviewing the potential for shared use schemes there is considerable scope for imagination, whilst taking account of management needs and costs. Many imaginative schemes already exist, some based merely on making available one room for community use. A school hall can be used on some evenings for badminton, or on a weekend for a keep fit class or local dramatics; tennis courts or a

football pitch can be made available to a local club; a gym can meet a variety of community needs, on a controlled basis. Careful account must, of course, be taken of the care and maintenance of the facilities, for example, to avoid damage to playing fields through over-use. Voluntary and user groups can assist in setting rules governing usage and in ensuring respect for them. The views of those responsible for caretaking and cleaning duties should be taken into account at an early stage in the planning process.

9. Management is an important consideration and often the key to successful, cost-effective shared use schemes. LEAs should consider joining with Leisure and Recreation departments of their own or other Authorities in joint management of joint facilities. As experience has shown in many areas, there is also a prime role for the voluntary sector, which can do much to ensure that community involvement takes a practical form.

10. For joint management, there are already examples of joint committees planning and managing joint provision schemes. In establishing joint management committees the statutory responsibilities of the head teacher, the Governors of Voluntary and County Schools, and the LEA, cannot be set aside, but experience shows that the existing legal framework need not inhibit the growth of effective arrangements. These committees usually comprise (in non-metropolitan districts) representatives of County and District Councils, Voluntary and County school governing bodies, head teachers and school staff, and user groups. In some cases there may be a place for an outside body involved in the planning or management of the scheme, such as the Sports Council or the Regional Arts Association.

A substantial role can be assigned by local authorities to such committees, working within clear management responsibilities and objectives with, where appropriate, financial accountability.

11. The Secretaries of State see considerable advantage in a formal joint management structure. This can ease communications between Education and Recreation interests, enabling them to respond quickly to any problems that arise; it provides a single forum to deal both with strategic issues of recreation provision and with day-to-day management matters such as the organisation of bookings and the supervision of cleaning and caretaking. It should help to ensure that school staff, and in particular head teachers, are not burdened with unreasonable additional responsibilities through shared use.

12. Voluntary bodies concerned with sport and recreation clearly have an important role to play in shared use schemes. Indeed, experience indicates that their contribution is frequently essential. Authorities concerned about the management (or cost) implications of expanding shared use may find that voluntary groups will help to provide effective solutions. The Secretaries of State also recognise that the Adult Education service and the Youth Service have an important role in organising sport and recreation opportunities that make use of school and other community facilities.

13. The cost implications of shared use arrangements are discussed in paragraphs 19-22.

#### Wider use of other community facilities

14. Schools are one important source of the additional recreational

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facilities and opportunities required in future years; another lies in expanding the use of other existing facilities in the community. LAs should review their properties and facilities to assess whether these can be used by the community for sport and recreation. For example, many publicly owned buildings (eg halls, warehouses, work shops etc) have in recent years, and for a variety of reasons, become redundant and unused. Authorities should urgently consider their recreational potential, if only for a short term period. Local voluntary groups should be able to advise on ways and means of realising this potential. The costs need not be great, particularly where voluntary sector management accountable to the relevant authority can be used to operate the resulting facility.

15. LAs are also asked to ensure that existing recreation centres and spaces suit the needs of the local community and are used to their fullest capacity. For example, authorities should ensure that policies on times of opening and charging do not put unnecessary obstructions in the way of potential users, including schools. The Sports Council and appropriate voluntary groups should be consulted to assist in overcoming difficulties.

### Surplus School land

16. Regulations issued by DES\* reflect the Government's determination to ensure that schools have sport and play space of a high standard. Further advice was published in Building Bulletin 28, asking LEAs to consider community recreational needs where a surplus of school land arises. In addition, DES Circular 2/81 points to the advantages of taking surplus places out of use at a time of falling

\* The Education (School Premises) Regulations 1981. [SI 1981 No 909]

pupil numbers. In inviting LEAs to review their school stock, the Circular drew attention to the possibility of identifying alternative uses - whether for education, for use by a different service of the authority, or for disposal. To assist this process, LEAs could helpfully seek the views at an early stage of representatives of providers and users of recreation facilities (and especially joint committees where they exist) on potential uses by the community - both their possible scope and how community use might be arranged and managed.

#### Surplus public recreational land

17. LAs are reminded that land which is both held and used as public open space, or for recreation, should not be entered in Land Registers. Such land is a vital and scarce resource to the community. LAs should not therefore dispose of it, or use it for other purposes, unless it is clearly no longer needed. Even then authorities may need to consider the scope for making up the loss by establishing new recreation facilities where they are required.

18. Local planning authorities (LPAs), when considering applications for the development of land currently used as open space, must of course take full account of the limits of alternative land uses, especially where housing and employment opportunities may be at stake<sup>2</sup>. However, open space can be a vital component of the proper planning of an area, both for sport and recreation and also, especially in urban areas, for its visual impact. LPAs should therefore give full weight to the benefits of preserving the amenity which the land already offers.

<sup>1</sup> Land used as public open space, or for recreation, does not qualify for Land Registers maintained under Part X of the Local Government, Planning and Land Act 1980

<sup>2</sup> Subject in Green Belt to MHLG Circular 42/55

Policies and proposals in Local Plans should be formulated

accordingly.

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Expenditure and manpower implications

19. Increasing the amount of time that school premises are in use adds something to revenue costs. There may also be additional capital costs, eg where buildings or entrances have to be adapted, or where extra facilities are provided. These capital and revenue costs will of course be very much lower than those required to provide new purpose-built facilities but they will nevertheless be an important consideration for the authorities concerned.

20. How to meet such costs is a matter for individual authorities to consider when contemplating shared use schemes. Costs should either be allocated to the responsible budget [which will not normally be that for education] or be apportioned between responsible budgets. For example, in a number of areas some at least of the costs of shared use provision are borne by the budget of the Leisure and/or Recreation Department.

21. Authorities will need to consider the capital costs along with competing demands for their existing capital resources. Where schemes give rise to increased current expenditure, the Government looks to the authorities concerned to re-order priorities, (including Manpower) [in the responsible budget], to meet the requirement within their expenditure targets. Revenue costs will be met, in whole or in part, by charging, as for other leisure facilities in the community. Whilst avoiding substantial revenue deficits by recovering the full cost from those able to meet it, authorities may wish to vary charges so as to avoid discouraging groups or individuals with limited resources.

22. Where schemes require capital funding the Sports Council should be consulted: In some urban areas - perhaps those where the need for additional facilities is greatest - Urban programme funding or Urban Development Grant may be available, or there may be voluntary sector grant aid to eligible user groups. If land needs reclamation for sport and recreation use, funds are available under the Derelict Land Grant Scheme. Regional Offices of the Department of the Environment should be consulted on possible grant aid assistance. (A list of DOE and Sports Council Regional Offices is appended).

#### The next steps

23. This Circular asks LAs (including LEAs) to review existing facilities in order to maximise [within the responsible budgets] their use by the community for sport and recreation. More opportunities are needed; the wider use of existing centres and grounds must be explored to help to meet them. The Government is pursuing a number of initiatives to bring about greater use of a valuable community resource, and is particularly anxious that local authorities play their part. Effective planning, involving users and providers, is the key to this extension of use; a great deal of experience in this field has been gained over the last twenty years, and the Secretaries of State hope that this experience can be put to use across the country. They will be looking for the results of authorities' reviews, arising out of this Circular, over the coming year.



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Planning and management

This secondary school of about 1000 pupils has a well equipped sports hall built in 1974. During the course of construction, the District Council agreed to contribute towards the cost to improve the facility in return for some public access. As a result, two squash courts were added, the roof was raised to permit competition and the floor surface improved. The sports hall is now open to anyone on Sunday mornings; four voluntary groups have the use of it on other evenings (except Monday, which is kept for the schools) and on Saturday afternoons. There is a thriving Junior Racquets Club on Saturday mornings. The main activities are squash, badminton, keep fit and tennis. In addition, local junior football clubs make use of the football pitches at weekends; the village cricket club uses the cricket nets.

Finance

The sports hall was built in the school grounds and paid for by the County Council (Somerset initially, then Avon). To the total cost of £120,000 the District Council contributed £30,000. The voluntary clubs pay the County Council annually for their use of the facilities; no deficit is incurred. For the public use on Sundays, the school pay the caretaker to manage the facility and also pay rent to the County Council: they recover most of these costs in charges but a small annual deficit is met by the District Council out of its recreation budget.

Day to day management

The voluntary groups manage their own members and activities and are responsible to the County Council for any losses or damages. For Sunday mornings and other informal events, the school caretaker takes management responsibility, under the Headmaster.

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Planning and management

This Primary School built in 1902 plays host on three evenings a week a local weight-lifting club. The club first began some 50 years ago, when a local weight-lifter obtained access to a large room in a nearby school. On that school's closure, the club moved to a disused annex at Morningside School. The club continues to thrive. Anyone can join; tutors provide instruction and training and oversee safety.

Finance

The club has the room rent-free from ILEA and the school. Members pay a subscription of £40 per annum (the standard ILEA adult education rate). New equipment is supplied either by ILEA, or obtained and paid for by fund raising by club members.

Day to day management

The three classes each week are under the supervision of the Tutor and Assistant Tutor, both qualified (BAWLA) instructors. Management of the club is under the Principal of the Hackney Adult Education Institute.

Planning and management

Manningham is a sports hall built in 19 . by the Recreation Division of Bradford MB. It is a centre provided for the whole of the local community, planned in close consultation with the users - schools, local groups, youth clubs, churches etc. During the day the centre is block-booked by schools; at other times use is by individuals on an informal basis or by organised groups (the disabled and Asian womens' organisations are two examples).

Finance

The scheme was funded through the DOE Urban Programme at a cost of £310,000 (capital and the first five years' revenue costs). Running costs are kept to a minimum through the use of many voluntary workers (several of whom were originally casual users). Charging policy is flexible, with special reduced rates offered to the young and unemployed. Deficits are met by the Council's Recreation Division.

Day to day management

The Centre is run by a Manager and full time staff. A great deal of the supervisory and administrative work is done by volunteers; many of these are users from the local Asian and West Indian communities, who first attended, as users, free informal recreation sessions for the unemployed. Specialist trainers (eg for the handicapped) are also volunteers. Cleaning and caretaking duties are undertaken by Council employees.

Responsibility for the identification and implementation of shared use schemes in Stockport is shared between the Borough's education committee and recreation and culture committee. The latter committee is responsible for parks and amenities, including the preparation and maintenance of school playing fields, as well as for indoor and outdoor recreation facilities and the youth service. They thus have a responsibility to provide indoor and outdoor sporting facilities both for the general public and for schools. For the purposes of planning and implementing shared use schemes, and of considering Borough-wide questions of recreation provision, a Youth and Dual Use facilities joint sub committee has been established on which the education committee and the recreation and culture committee are equally represented. This sub committee is a planning body and formal responsibility rests with the two committees and their divisions at officer level. The education division is responsible for processing and supervising works that are required to school premises to allow them to be brought into joint use (though there is, of course, a process of consultation between divisions at officer level), and management responsibility, covering staffing and control of the premises, caretaking, maintenance, cleaning, programming etc, is transferred to the recreation and culture division when the establishment is ready for use.

Both divisions report to the Joint Sub Committee, and through it to the education committee or the recreation and culture committee as appropriate; for individual schemes, an officers' coordinating committee is established under the chairmanship of the school's head teacher, with representation from the host school, further education, scheme management, and the youth service. This coordinating committee is established at an early stage in the planning process and meets as often as is necessary. It is this coordinating committee which establishes detailed arrangements for the running of the facilities, within guidelines set by the Council's joint sub committee and applied over the whole of the borough.

The Borough's sports and recreation facilities, whether or not attached to school premises, are organised within a 'group management' system which is arranged on a geographical basis, with five area managers responsible for between four and six individual sites each. This arrangement has the advantage of allowing a considerable amount of flexibility in the use of both supervisory and manual staff; this has clear advantages in terms of cost and effectiveness.

## RUSHCLIFFE LEISURE CENTRE, WEST BRIDGFORD

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### Planning and Management

Rushcliffe Leisure Centre is a 'joint provision' scheme, created at the time of the merging of two schools into one in 1968. At that time, Nottinghamshire County Council approached the Rushcliffe DC about partnership possibilities. The two schools already shared a single campus, so the new building was designed in the main, though not entirely, for joint use. The building contains

- (a) for joint use, leisure pool, sports hall, classrooms/meeting rooms, changing rooms and circulation areas;
- (b) for education only, school offices, staff room, teachers' centre, and youth wing;
- (c) for community use only, squash courts, bar, cafeteria, and reception area.

At the same time a number of existing school facilities - concert hall, gymnasium, sports barn, and associated changing facilities - were brought into shared use and came under leisure centre management. This necessitated minor works to isolate these areas from the rest of the school. The centre was planned, and remains managed, by a joint County/Borough Committee.

### Finance

The land and the scheme architect were provided by the County Council; since little of the new development was intended exclusively for school use, the Borough provided the bulk of the cost. A grant was obtained from the Sports Council, and the County Social Services Department gave money for special access provisions for the disabled. Running costs are shared - the County is recharged by the District the full maintenance costs of the school areas and 40% of the costs of the shared facilities.

### Day to day management

The centre is managed by a Director who is an employee of the District Council. Programming responsibilities are clearly defined; the timetabling of use is shared between the school (9am to 5pm each school day) and the Director. This arrangement is, however, sufficiently flexible to allow simultaneous use by school and community to the extent that some 35% of the Centre's income is obtained in off-peak (often school) time. This

flexibility also allows greater intensity of use; the Centre  
aters for over 300,000 non-school users per year. All of the  
centre's staff are District Council employees; formal  
responsibility for cleaning and care-taking falls to the  
district, with the county being recharged a proportion of the  
cost.

Home Affairs Lt 3

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