

ARMAGH CITY BANBRIDGE AND CRAIGAVON BOROUGH COUNCIL – SPORTING CLUBS COLLABORATIVE WORKING ARRANGEMENT POLICY

1. Statement of Intent

The policy sets out Council's approach to partnership working across all its sporting activities. It also sets out a framework for partnership working which may involve a financial contribution from Council or the transfer of land/property.

2. Extent of Policy

Council is committed to forming collaborative working arrangements (the arrangement) where the potential outcomes of such collaborations are consistent with the aims and objectives set out in Council's corporate plan as in effect at the time of the particular transaction under consideration.

This policy should be considered in conjunction with the Council's Financial Assistance Policy and Land Property Disposal and Acquisition Policy as an element of Council's decision-making process.

3. Policy Details

Council will only participate in the arrangement having first been satisfied that:

- 3.1 The proposed project / programme is consistent with the Council's Corporate Plan and aspirations for the Borough as of the time of the particular transaction under consideration.
- 3.2 The business plan presented by the potential partner is viable, sustainable and clearly demonstrates a significant financial benefit to Council when weighed against the costs of Council providing the resultant outcomes independently.
- 3.3 It has been demonstrated the partnership will provide a significant benefit to the community or wider public. Council must be further satisfied that the partnership will bring added benefits to the area beyond any benefit to the proposed partner organisation.
- 3.4 A detailed assessment of need for the project has been provided by the potential partner which demonstrates the need for the project from a sporting, social, economic or environmental perspective.
- 3.5 The benefits of the arrangement as described in Clause 3.3 above significantly outweigh the investment by Council of funds, time, assets or other contributions as considered by Council.
- 3.6 The proposed partner organization must not be constituted for profit and there must not be provision for members to be paid a dividend to share in any profits. Organisations must be registered and or located within the district of Armagh, Banbridge and Craigavon.
- 3.7 It is clearly demonstrated that the capabilities of the arrangement and its members are sufficient and relevant to the project/programme.

- 3.8 The purpose and duration of the collaborative working arrangement is clearly set out and conditions under which the arrangement can be dissolved by either party are clearly detailed.
- 3.9 Council will receive appropriate and ongoing recognition, including publicity, commensurate with its role and contribution to the arrangement.
- 3.10 Any Council resources required to support the work of the arrangement, including funding or other in-kind contributions, are clearly identified and approved in advance.
- 3.11 Appropriate ongoing accountability and reporting arrangements are in place; a Service Level Agreement (SLA) having been drawn up and agreed by both parties. Ongoing support from Council will only be considered/progressed when it is demonstrated that the performance targets agreed in the SLA are met by the partner club / organisation.
- 3.12 The transfer of any land or property as a result of the arrangement will be considered in cases where the project can only be realised on this basis and where the combined contribution of the partner organization and any additional funding from a third party sufficiently outweighs the risk associated with the transfer of the asset. In assessing this risk the combined contribution of the partner organization and any additional funding from a third party shall be at least 50% of the combined value of the Council asset transferred plus any Council financial contribution.
- 3.13 Any transfer of land or property within the ownership of Council as a result of the arrangement will be considered and awarded using the criteria and mechanisms set out in the Assets Disposal Policy approved at the time of the particular transaction under consideration.

4. Financial Contributions

- Any capital contribution made by Council to the partnership will be considered and awarded using the criteria and mechanisms set out in the Financial Assistance Policy.
- Any revenue contribution to the ongoing operating costs of the proposed partnership will commensurate with the benefits achieved and be annually considered and approved by Council using the criteria and mechanisms outlined in the Financial Assistance Policy.

5. Forms of Collaborative working

Council will normally consider the following types of partnership working which may involve Members and/or officers:

- One-off meetings or series of meetings to address specific issues.
- Working groups/project teams/steering groups which make recommendations to Council.
- Partnership agreements, management agreements or franchises for the delivery of projects/services.
- Companies limited by guarantee where this is essential and considered appropriate, subject to the above criteria.

- Other arrangements that would deliver successful outcomes and at the same time ensure Councils funds and assets are managed effectively and efficiently

6. Companies Limited By Guarantee

Council recognises the fact that the primary obligation of Elected Members serving as Directors of companies limited by guarantee (if required) is to the Company and not to the Council which appointed them to serve. Such Directors will be bound by the duty to act within their authority and occupying a fiduciary position toward the Company and must exercise care, skill and diligence in performing duties and functions. In addition, Elected Members will be mindful of the fact that the Councillor's Code of Conduct is still relevant and applicable.

7. Related Policies

Financial Assistance Policy, Asset Acquisition and Disposal Policy and Safeguarding Policy.

8. Data Protection Act 1998

The Data Protection Act 1998 protects an individual's rights regarding information held about them. Information held by Council about an individual person must comply with this legislation. An individual has a right to make a written subject access request to receive a copy of data held about them and may have a right to compensation if the information held is inaccurate.

9. Communication of Policy

This policy will be given to any appropriate organisation interested in working in partnership with Council.

10. Policy Screening

This policy has been screened in accordance with the Council's Equality Scheme and Section 75 of the Northern Ireland Act 1998 and deemed not to require equality impact assessment.