

REQUEST FOR MAYORAL DECISION – MD1279

Title: London Sport

Executive Summary:

London Sport is a new organisation, established following the re-organisation of five existing Pro-Active Partnerships in London. It will be a single, pan-London body, responsible for delivering activities funded by Sport England. It will also help to co-ordinate the development of grassroots sport in London. The Mayor has been invited by Sport England to appoint the Chair and two other board members of London Sport. As a result, the London Community Sports Board is no longer needed and will be disbanded.

Decision:

That the Mayor:

1. Appoints Kate Hoey MP, his Commissioner for Sport, as Chair of London Sport, for a term of three years;
2. Appoints, also for a term of three years, David Sparkes (Chief Executive of British Swimming) and Andy Sutch (Chair of the London Federation and Sport and Recreation) as Board members of London Sport; and
3. Disbands the London Community Sports Board, which was established in July 2009 under MD385.

Mayor of London

I confirm that I do not have any disclosable pecuniary interests in the proposed decision, and take the decision in compliance with the Code of Conduct for elected Members of the Authority.

The above request has my approval.

Signature:

Date:

PART I - NON-CONFIDENTIAL FACTS AND ADVICE TO THE MAYOR

Decision required – supporting report

1. Introduction and background

Introduction

1.1 The five County Sports Partnerships (CSPs) in London, known as Pro-Actives, are to be abolished and a new single organisation, to be known as London Sport, will be established to carry out their functions.

1.2 London Sport will have a board and the Mayor has been invited to appoint the Chair and two other board members. As a consequence, the existing London Community Sports Board will no longer be required and will be disbanded.

1.3 The organisational changes arising from this development are a matter for Sport England and not the GLA. The changes being made by Sport England have been taken following widespread consultation with stakeholders and they have received widespread support. They provide the opportunity for stakeholders, including the GLA, to strengthen their work in sport by being actively involved in the new organisation.

Background

County Sports Partnerships

1.4 County Sports Partnerships (CSPs) are networks of local agencies, staffed by a central team, who receive core funding from Sport England to deliver a number of grassroots sports programmes at a local level aimed at increasing participation in sport and physical activity. The networks include national governing bodies of sport, local authorities, sports clubs and others.

1.5 There are 49 CSPs in England and each receives around £250,000 per annum from Sport England. Although they deliver services for Sport England, CSPs are independent organisations, with their own boards. They are able to generate other income and provide other services.

1.6 In London, there are five CSPs, known as Pro-Active North, South, East, West and Central. Staff are employed by a host organisation, respectively Middlesex University, the London Borough of Croydon, the University of East London, Brunel University and London South Bank University. Each of the five Pro-Actives has its own board.

1.7 London Sport will bring these five bodies together to create a new organisation, established as a company limited by guarantee.

Rationale for change

1.8 There are a number of reasons, primarily related to efficiency and effectiveness, for establishing London Sport. The Pro-Actives have been successful at developing and maintaining local networks and it will be important that those networks continue to flourish. However, having five separate organisations means establishing a strategic approach to policy and funding for London is difficult.

1.9 The benefit of a unified organisation that operates at both a local and strategic level for London is that it can act as a one-stop shop for London for organisations involved in the development of sport in London. It is also more likely to be able to attract funding from potential investors who will value the ability to negotiate with a single organisation for London rather than negotiate separately with five separate organisations. A pan-London organisation will also be able to allocate financial and other resources across London in order to meet local needs in a more flexible way.

1.10 Sport England has committed to providing an additional £200,000 funding for the new organisation over and above the current aggregated budgets for next financial year, 2014-15, and core funding is guaranteed up to 2016-17.

Role of London Sport

1.11 As well as its CSP core functions, London Sport will look to expand by leading or supporting other elements of community sport in London. This will include bringing together various organisations involved in grassroots sport in London to collaborate more closely on strategy, policy and funding decisions.

1.12 In respect of funding decisions, Sport England and the GLA (and potentially others in future) will have a more formal forum to advise on mutual investment decisions, thereby creating a more effective and targeted use of financial resources. The Mayor, for the GLA, and the Chief Executive of Sport England will retain overall control of decisions about funding provided by their respective organisations.

The London Community Sports Board

1.13 To date, some of the work to co-ordinate the sporting landscape in London has been the remit of the London Community Sports Board (LCSB). The Mayor appoints all members to the LCSB. For London Sport, the Mayor will appoint the Chair and two other board members.

1.14 The advent of London Sport offers the opportunity to bring various stakeholders even closer together. Furthermore, London Sport's role as a delivery agent for Sport England programmes will provide the opportunity for the GLA to influence its programme delivery in addition to wider Sport England policy and investment decisions – and potentially those of other stakeholders too in future. In turn, it will also mean that Sport England and other stakeholders will be able to bring their experience to support and strengthen the delivery of Mayoral sports programmes.

1.15 The LCSB is an informal advisory body established by the GLA. London Sport will be established by Sport England and will be a company limited by guarantee with a more formal work programme and remit. The board of London Sport will assume the LCSB's responsibility to make recommendations to the Mayor about funding decisions arising from the Mayor's Sports Legacy Fund.

1.16 Given these factors, it is proposed that the LCSB be disbanded by the GLA as its role is no longer necessary under the new strengthened arrangements. The five Pro-Active boards will be disbanded by Sport England.

1.17 The LCSB has been involved in the discussions on this matter to date and supports the decision to establish London Sport. It is expected that the LCSB will be disbanded within the next six months.

The board of London Sport

1.18 The composition of the board of London Sport will be:

- The Mayor to appoint the Chair;
- The Mayor to appoint two other board members;
- Sport England to appoint two board members;
- London Councils to appoint two board members;
- Five other board members to be appointed by the seven board members listed above.

Appointments process

1.19 It is proposed that the Mayor appoints Kate Hoey MP, his Commissioner for Sport, as the Chair of Sport London for a period of three years. It is also proposed that the Mayor appoints David Sparkes (Chief Executive of British Swimming) and Andy Sutch (Chair of the London Federation of Sport and Recreation) as Board members of London Sport, also for a period of three years. Given the considerable experience of these individuals, it is proposed that they are appointed without advertising for nominees. Furthermore, all

are members of the London Community Sports Board, and their appointment will ensure that there is some important continuity on the new Board of London Sport. This procedure is allowable under the protocol on Mayoral appointments: <http://legacy.london.gov.uk/about/corp-gov/docs/mayor-appts-protocol.pdf>.

Staff matters

1.20 The process for transferring Pro-Active staff from the five host employers to London Sport is a matter for Sport England. It is intended that staff will transfer by April 2014.

2. Objectives and expected outcomes

2.1 The objective of the changes set out in this decision form is to establish a more effective and efficient organisation to deliver sports programmes in London.

2.2 The main outcome will be a better service to stakeholders, including those in the private, public and voluntary sectors (including sports clubs).

2.3 The GLA will benefit by:

- Being involved in the governance of the new organisation via Board appointments; and
- Ensuring that investment from the Mayor's Sports Legacy Fund will be allocated in a more strategic and collaborative way.

3. Other considerations

Risks

3.1 The key risks and mitigating actions are set out below.

| Risk | Mitigation |
|---|---|
| 1. The re-organisational changes are being managed by Sport England, not the GLA. However, any criticism arising from the changes could bring a reputational risk for the GLA through its involvement in the process. | There has been widespread consultation about these changes and they have received strong support. There is a communication plan in place to explain the benefits of the changes to stakeholders. |
| 2. The London Sport business plan does not align with Mayoral sports priorities. | Mayoral appointments to the Board can articulate priorities, although they will owe a fiduciary duty to London Sport rather than the GLA. GLA staff will work closely with London Sport staff to ensure alignment. |

Consultation

3.2 There have been a number of consultations with stakeholders about this proposal. Consultation meetings have been held with local authorities, sports bodies, staff and others. There was also a YouGov consultation as part of the process.

3.3 A steering group, comprising representatives from Sport England, local authorities, the existing five Pro-Active Partnerships and the GLA has been established.

Other

3.4 It is important to note that:

- i. Although the Mayor nominates Chair and Board appointments of London Sport, the GLA will not be a member of the company; and
- ii. Board membership is being structured so as not to create a controlling influence from any single organisation.

4. Financial comments

4.1 There are no financial liabilities arising for the GLA from this new arrangement. London Sport is to be established by Sport England and will assume complete responsibility for its assets and liabilities.

5. Legal comments

5.1 Section 30 of the Greater London Authority Act 1999 (the GLA Act) allows the Mayor, acting on behalf of the GLA and after appropriate consultation, to do anything which the Mayor considers will further, among other things, the promotion of the social development of Greater London. Section 30(5) of the GLA Act provides that the Mayor should exercise the section 30 powers in the way best calculated to promote improvements in the health of persons in Greater London.

5.2 Section 34 of the GLA Act allows the GLA, acting by the Mayor, to do anything which is calculated to facilitate, or is conducive or incidental to, the exercise of any functions of the GLA exercisable by the Mayor.

5.3 It is proposed that the Mayor engages with "London Sport" through the appointment of suitable board members. The Mayor will not, and the GLA will not, become a member of the company. The promotion of sport is a form of promotion of social development, and calculated to promote improvements in health, in Greater London.

5.4 The GLA Protocol on Mayoral Appointments (referred to above) provides for the appointment of GLA officers, functional body board appointments, and, under Part C, appointments to commissions, boards and positions established by the Mayor. On the premise that the Protocol applies to these appointments, the GLA must be satisfied that in all the circumstances the procedure is appropriate and proportionate for the positions in question.

5.5 The articles of the company must reflect the common intentions of those involved as to the Mayor's power of appointment.

5.6 The members of the board of the company, including those appointed by the Mayor, will owe a duty to the company to act in the best interests of the company, rather than in their own interests or the interests of their appointers (as noted in the "Risks " section above).

6. Investment & Performance Board

6.1 This is not a matter that requires IPB consideration.

7. Planned delivery approach and next steps

7.1 As set out above.

Appendices and supporting papers:

MD385 is available via:

<http://legacy.london.gov.uk/mayor/mayor-decisions/docs/20090709-md385-sporting-future.pdf>

Public access to information

Information in this form (Part 1) is subject to the Freedom of Information Act 2000 (FOI Act) and will be made available on the GLA website within one working day of approval.

If immediate publication risks compromising the implementation of the decision (for example, to complete a procurement process), it can be deferred until a specific date. Deferral periods should be kept to the shortest length strictly necessary. **Note:** This form (Part 1) will either be published within one working day after approval or on the defer date.

Part 1 Deferral:

Is the publication of Part 1 of this approval to be deferred? NO

If YES, for what reason:

Until what date: (a date is required if deferring)

Part 2 Confidentiality: Only the facts or advice considered to be exempt from disclosure under the FOI Act should be in the separate Part 2 form, together with the legal rationale for non-publication.

Is there a part 2 form – NO

ORIGINATING OFFICER DECLARATION:

Drafting officer to confirm the following (✓)

Drafting officer:

Simon Cooper has drafted this report in accordance with GLA procedures and confirms the following have been consulted on the final decision.

✓

Assistant Director/Head of Service:

Amanda Coyle has reviewed the documentation and is satisfied for it to be referred to the Sponsoring Director for approval.

✓

Sponsoring Director:

Jeff Jacobs has reviewed the request and is satisfied it is correct and consistent with the Mayor's plans and priorities.

✓

Mayoral Advisor:

Kate Hoey has been consulted about the proposal and agrees the recommendations.

✓

Advice:

The Finance, Governance and Legal teams have commented on this proposal.

✓

EXECUTIVE DIRECTOR, RESOURCES:

I confirm that financial and legal implications have been appropriately considered in the preparation of this report.

Signature

Date

CHIEF OF STAFF:

I am satisfied that this is an appropriate request to be submitted to the Mayor

Signature

Date