



CITY OF CAPE TOWN
ISIXEKO SASEKAPA
STAD KAAPSTAD

CITY OF CAPE TOWN

SPORT ASSET MANAGEMENT POLICY

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City of Cape Town Sport Asset Management Policy

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DEFINITIONS

Amateur	means an individual that is engaged in a sport activity that is a pastime rather than a profession.
Amateur Club	means a club whose members are engaged in a sport activity that is a pastime rather than a profession.
Audit Financials	means the examination of an entity's financial statements and accompanying disclosures by an independent bookkeeper, accountant or auditor.
Categorisation	means a grading system used by the City-Department Recreation & Parks to categorise the management and maintenance obligations at various City-Recreation & Parks-managed sport assets as determined by the City-Department Recreation & Parks.
Category A	means a Sport Assets Co-ordinating Committee, club or code that has the capacity to fully manage and maintain a sport asset at his/her own cost, as determined by the City-Department Recreation & Parks.
Category B	means a Sport Assets Co-ordinating Committee that has the capacity to manage and maintain a sport asset in partnership with and as determined by the City-Department Recreation & Parks.
Category C	means a Sport Assets Co-ordinating Committee that require the City-Department Recreation & Parks to manage and maintain a sport asset, as determined by the City-Department Recreation & Parks.
City	means the City of Cape Town, a municipality established by the City of Cape Town Establishment Notice No. 479 of 22 September 2000, issued in terms of the Local Government: Municipal Structures Act, 1998 (Act No. 117 of 1998), or any structure or employee of the City acting in terms of delegated authority
Donations	means donations in cash, in-kind or facility improvements, as approved by the City.
Event	means a sporting, entertainment, recreational or any other social/community type activity hosted at a City-Recreation & Parks-managed sport asset.
Field usage threshold	means the number of hours of use that a grass field can sustain before it is overplayed and intensive rehabilitation is required.
Financial Statements	means a set of documents setting out an organisation's assets, liabilities, income and expenditure over a specified period of time.
Gate-keeping	means unlawfully and unfairly restricting public access to a City sport facility.
Gate takings	means money collected on match days or events for entry into a City sport facility.
Maintenance	means the process of keeping something in good condition.
Maintenance Plan	means a tailored plan for the maintenance of a City sport facility which will be detailed in the occupancy agreement.

Multi-Use Asset Facility	means a City sport facility used for more than one sporting code.
Non-Governmental Organisation	means a citizen-based association that operates independently of government, usually to deliver resources or serve some social purpose and complies with the requirements as determined by legislation.
Non-Profit Organisation	means a trust, company or other association of persons in terms of the Non-Profit Organisations Act, 1997 (Act No. 71 of 1997): (a) established for a public purpose; and (b) the income and property of which 'may not be distributable to its members or office-bearers except as reasonable compensation for services rendered
Occupancy Agreement	means an agreement with respect to City immovable sports assets under which any lessee, tenant or concessionaires occupy a space or area.
Outdoor advertising	means any billboard, banner or sign erected at a City sport facility in compliance with the City's Outdoor Advertising and Signage By-law, 2001, as amended.
Precinct	means the area or perimeter within the boundaries of a City sports facility.
Professional Club	means a club whose members are engaged in a specific sporting activity for which they derive an income.
Semi-professional Club	means a club whose members engage in a specific sporting activity for which they may receive some form of compensation but at a lower rate than a professional.
Single-code sport asset	means a sport facility used for only one sporting code, for example a tennis, bowling or squash club.
Sport	means an activity involving physical exertion and skill in which an individual or team competes against another or others in a structured manner.
Sport Assets Co-ordinating Committee	means a committee consisting of representatives of different sport codes or users at a facility that liaises with a Facility Manager or relevant City Official on an <i>ad hoc</i> basis.
Sport Club	means the lowest unit of organization within a sport code.
Sport Code	means the different types of sport such as the code of football, netball, cricket, rugby etc.
Sport development programme	means the use of sport programmes to facilitate the growth and development of an individual, community or sport club from a low income community.
Sport precinct	means an area suitably zoned, graded, managed and maintained for active sport and recreational purposes, which may include fencing, access control, a parking area, clubhouse and sometimes a grandstand or pavilion.
Sport asset	means a formally zoned and designated piece of land or a surface developed for sporting activities.
Stand-alone asset	means a new or existing facility erect on its own for one specific sporting code.

Volunteer	means a person who freely offers to take part in an enterprise or undertakes a task, normally with no financial remuneration.
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ACRONYMS AND ABBREVIATIONS

ABM	Area Based Management
CBO	Community Based Organisation
EG	Economic Growth
ED	Executive Director
IDP	Integrated Development Plan
MATR	Municipal Asset Transfer Regulations
MAYCO	Mayoral Committee
MFMC	Municipal Facility Management Committee
NDP	National Development Plan
NSRP	National Sport and Recreation Plan
NGO	Non-Governmental Organisation
NPO	Non-Profit Organisation
ODTP	Organisational Development and Transformation Plan
SDS	Social Development Strategy

1. PROBLEM STATEMENT

- 1.1 The City was formed in 2000. With the formation of the new “unicity”, a new approach was required with regards to the administration of sport assets and communication between the City, sport clubs and sporting bodies. In 2019 the Municipal Facility Management Committee (MFMC) was introduced as a mechanism to informally standardise both engagement between the City and sport clubs, and to create a governance framework that would address how sport assets were managed.
- 1.2 Over the years, problems emerged with the system. Some MFMCs have struggled due to the lack of capacity. Others, which have active and committed club or code members, have been weighed down by mismanaged MFMC structures which has sometimes resulted in conflict between sport clubs or codes using the same asset.
- 1.3 The City recognizes the benefits and importance of involving local communities and regular users in the management, maintenance and security of sport assets. This social contract promotes a sense of ownership, pride and communal responsibility. However, clear guidance is needed on the powers, rights, roles and responsibilities of sport clubs or codes and regular users operating on City-Department Recreation & Parks-managed sport assets.

2. DESIRED OUTCOMES

- 2.1 The management of sport assets in a manner that ensures:
 - 2.1.1 Accessibility to all City managed sport assets;
 - 2.1.2 Occupancy agreements that are clear, well-structured and easy to understand;
 - 2.1.3 Co-development of a record of maintenance plans;
 - 2.1.4 Improved coordination within the City; the City Departments managing sport assets;
 - 2.1.5 Designated roles & responsibilities for EG and the Department of Recreation and Parks;
 - 2.1.6 Environmentally, socio-economically and economically sustainable sport facilities;
 - 2.1.7 Preservation of City-Department Recreation & Parks-managed sport assets for future generations; and
 - 2.1.8 Support for an enabling and structured environment for the provision and management of City-Department Recreation & Parks sport assets and sport development.

3. PARAMETERS

- 3.1 This policy covers all outdoor and indoor City-Department Recreation & Parks-managed sport assets where sport is played.
- 3.2 This policy includes City-Department Recreation & Parks-managed sport assets run in partnership with private sector organisations and NGOs.
- 3.3 This policy excludes stand-alone assets such as resorts, public toilets, swimming pools and community halls not located within a precinct or multi-use asset facility.
- 3.4 This policy includes professional clubs and semi-professional clubs that are based at City-Department Recreation & Parks-managed sport assets.
- 3.5 This policy seeks to clarify the roles, rights and responsibilities of the users and partners in the management and maintenance of City sport assets in relation to:
 - 3.5.1 The coordinating role and related responsibilities of users.
 - 3.5.2 The governance and use of the asset especially in relation to financial matters such as revenue generation.
 - 3.5.3 Identified operational matters which require specific contractual agreements.

4. STRATEGIC ALIGNMENT

This policy aligns with the following strategy documents that inform the City's priorities:

4.1 National Development Plan (NDP), 2013

The NDP refers to the role of local government in building social cohesion by providing green spaces and community sport and recreation facilities which enable communities to interact at a local level.

4.2. National Sport and Recreation Plan (NSRP), 2012

The NSRP refers to the role of local community structures in the planning, construction and management of facilities.

4.3. Integrated Development Plan (IDP)

"This policy is aligned to the Integrated Development Plan (IDP) foundations and priorities, in particular to:

- OBJECTIVE 11 Quality and safe parks and recreation facilities supported by community partnerships
- OBJECTIVE 15- A more spatially integrated and inclusive City, through the provision of equitable access to economic opportunities and social amenities."

4.4. Organisational Development and Transformation Plan (ODTP)

This policy is aligned to the following ODTP priorities:

Priority:1 Excellence in basic service delivery - committing to excellence in customer service.

Priority 9: Building integrated communities – using existing facilities to support activities.

Priority 11: Operational Sustainability - ensuring continuity of service delivery by making the most efficient use of resources.

4.5 Municipal Spatial Development Framework (MSDF)

This policy is aligned to the policy statements and guidelines of the both the MSDF and District Spatial Plans, by ensuring that adequate and equitable distribution of social and recreational facilities through spatial distribution exist, create a balance between addressing critical backlogs, addressing the needs of new development areas and provide fewer facilities of a better quality where resources are too scarce to accommodate all requirements and support a mutually beneficial mix of recreational opportunities.

5. REGULATORY CONTEXT

The following relevant legislation, policies and informing documents provide context for this policy:

5.1 National and Provincial Legislation:

5.1.1 Constitution of the Republic of South Africa, 1996

5.1.2 National Sport and Recreation Act, 1998 (Act No. 110 of 1998)

5.1.3 Local Government: Municipal Finance Management Act, 2003 (Act No. 56 of 2003),
Municipal Asset Transfer Regulations

5.1.4 National Building Regulations & Building Standards Act, 1977 (Act No. 103 of 1977)

5.1.5 Occupational Health & Safety Act, 1993 (Act No. 85 of 1993)

5.1.6 Safety at Sports and Recreational Events Act, 2010 (Act No. 2 of 2010)

5.1.7 Western Cape Liquor Act, 2008 (Act No. 4 of 2008)

5.2 **City By-laws, Policies and Frameworks:**

- 5.2.1 Volunteer Policy Framework, 2014
- 5.2.2 Events Policy, 2011
- 5.2.3 City of Cape Town Outdoor Advertising and Signage 2001, as amended
- 5.2.4 Management of Certain of the City of Cape Town's Immovable Property Policy, 2010
- 5.2.5 Asset Management Policy, 2013
- 5.2.6 Informal Trading Amendment By-law, 2013
- 5.2.7 Immovable Property By-law, 2015
- 5.2.8 City of Cape Town Events By-law 2009, as amended
- 5.2.9 Immovable Property Asset Management Policy 2015.
- 5.2.10 City of Cape Town: Municipal Planning By-law 2015, as amended
- 5.2.11 City of Cape Town Supply Chain Management Policy, Amendment 2017
- 5.2.12 Recreation & Parks Leasing Framework for Department Managed Immoveable Property, 2021
- 5.2.13 Sports and Recreation policy /framework

6. **ROLE - PLAYERS AND STAKEHOLDERS**

- 6.1 The Department of Recreation and Parks in the City's Directorate of Community Services and Health is responsible for the implementation and monitoring of this policy.
- 6.2 The Department of Recreation and Parks will consult the following City departments in relation to the management and operations of managed sport assets:
 - 6.2.1 Property Management Department- advises on Department Recreation & Parks-managed sport assets matters, sport club occupancy agreements and maintenance responsibilities.
 - 6.2.2 Revenue Department – advises on municipal utility services accounts and debt management.
 - 6.2.3 Legal Services Department – advises on legal matters affecting sport clubs and sport assets.
 - 6.2.4 Planning and Building Development Management – approve land use and building plans for sport assets.
- 6.3 External role players relevant to the implementation of this policy are:
 - 6.3.1 Sport Clubs.
 - 6.3.2 Governing Bodies.
 - 6.3.3 Sport Federations.
 - 6.3.4 Provincial Sporting Structures.
- 6.4 Stakeholders that may be consulted include the following:
 - 6.4.1 Other Municipalities for purposes of best practice and shared learning;
 - 6.4.2 Local and international partner non-governmental institutions;
 - 6.4.3 Institutions of higher learning; and
 - 6.4.4 Any other individual or institution at the discretion of the City.

7. **POLICY DIRECTIVES**

7.1 **Management and Institutional Structure**

This component deals with formal structures that guide the interaction between the City and sporting bodies or clubs and clarifies the roles and responsibilities of role players.

A strategic objective of the NSRP is to integrate the development of South African sport at provincial and local levels. The NSRP recognizes that to increase participation and to develop sport and recreation, strong coordinated local structures are a prerequisite.

This policy will guide the interaction between the City and its sporting fraternity and clarify the roles and responsibilities of role-players. In considering the most suitable model for the City, a few principles need to be established, namely:

7.1.1 One size does not fit all. Local communities have different needs and any institutional policy must consider this.

7.1.2 Creating a sense of ownership of facilities. The City, Sporting Bodies or Clubs and Sport Assets Co-ordinating Committees must have a say in the management of assets in order to take ownership and to ensure better control.

7.1.3 Recreation should receive a focus and this should, to a large extent, be initiated by Sport Assets Co-ordinating Committees in partnership with the City as these committees are closer to the sporting community and should have their pulse on what is required in the various communities.

7.1.4 Greater access to assets. Communities should have greater access to assets to increase the number of active participants in sport and recreation. Gate-keeping and preventing public access to a sporting asset will not be permitted. Any allegations of gate-keeping will be investigated by the City and if found guilty litigation will be instituted in accordance with the occupancy agreement.

7.1.5 Promotion of sustainable public access within reasonable and responsible field usage thresholds.

7.2 This policy seeks to address:

7.2.1 How the City partners, interacts and communicates with various sport bodies and clubs around the management and maintenance of City-Department Recreation & Parks-managed sport assets throughout the city.

7.2.2 The optimal use of all sport assets, through facilitating the involvement of many sports codes, both well-known and lesser-known, through cooperative and coordinating management structures. Use of sport assets must be sustainable and within sustainable usage, environmental limitations and in terms of an occupancy agreement.

7.2.3 The enhancement of effective oversight of the City, wherein the City will encourage partnerships for effective and prudent management of sport assets.

7.2.4 Ensuring that the City's ownership of its sport assets remains paramount in maintaining and managing assets in the interest of the public and ensuring that assets are accessible to the public.

7.2.5 Ensuring that the naming rights of sport assets remains vested with the City such that no City signage should be removed or altered in any way.

7.2.6 That Sport Assets Co-ordinating Committees must have affiliated clubs, federations, sports codes, and recreation bodies.

7.3 Principles of a Sports Co-ordinating Committee

- 7.3.1 One Sport Assets Co-ordinating Committee per sport precinct or sport assets.
- 7.3.2 All sporting codes including recreation bodies to affiliate with relevant Sport Assets Co-ordinating Committee per precinct or asset.
- 7.3.3 Any club with no affiliation to a Sport Assets Co-ordinating Committee will not be provided with facility usage, unless booking evidence through Department of Recreation and Parks booking system can be provided.
- 7.3.4 Official representative and equal representation of sporting fraternity
- 7.3.5 No club or Sport Assets Co-ordinating Committee can occupy a sport asset or precinct without any occupancy agreement entered into with the City: Department(s): Recreation & Parks and Property Management i.e. lease or management agreement or booking.
- 7.3.6 Department of Recreation and Parks will provide an oversight and governance role into the management, maintenance and upkeep of Sport Assets Co-ordinating Committees and sport assets or precincts.

7.4 Composition of Sport Assets Co-ordinating Committee

- 7.4.1 Each Sport Assets Co-ordinating Committee will consist of mandated representatives from each sporting code and recreation bodies at sport assets.
- 7.4.2 Each sporting code must have equal representation on a Sport Assets Co-ordinating Committee.
- 7.4.3 Duly nominated representative of the sub-council AN EX-OFFICIO MEMBER such as the ward councillor.
- 7.4.4 Sport Assets Co-ordinating Committee will consist of mandated representative from respective City: Department Recreation & Parks-Area Official i.e. Facility Manager or Facility Officer.

7.5 Roles and Responsibility of Sport Assets Co-ordinating Committee

- 7.5.1 Will meet at least once a month.
- 7.5.2 Each Sport Assets Co-ordinating Committee will assist in the management of the activities at the asset or precinct including provision of scheduled games or fixtures and practice sessions of all codes to the City.
- 7.5.3 Sport Assets Co-ordinating Committee will ensure that the playing surfaces are not over utilised in the allocation of fixtures.
- 7.5.4 Sport Assets Co-ordinating Committee in consultation with Department of Recreation & Parks (where required) will submit timeous maintenance plans and schedules in respect of the asset or precinct to the relevant department (Recreation & Parks Area Office) at the City.
- 7.5.5 Provide the City in advance with the list of monthly meetings for the year.
- 7.5.6 Sport Assets Co-ordinating Committee will submit operational and capital items (infrastructural) and building improvements to the City as submissions for evaluation and approval, prior to any construction.
- 7.5.7 In order to be officially recognized a Sport Assets Co-ordinating Committee must have a structured constitution approved by the City, as part of an occupancy agreement.
- 7.5.8 Sport Assets Co-ordinating Committee must submit quarterly financial statements.
- 7.5.9 The City can request annual audited financial statements where necessary.
- 7.5.10 Sport Assets Co-ordinating Committee must host an Annual General Meeting.
- 7.5.11 Also a signed-off membership list of the Sport Assets Co-ordinating Committee to ensure transparency.
- 7.5.12 That the City: Department of Recreation and Parks be notified immediately of any Sport Assets Co-ordinating Committee membership changes with an updated list and be provided with an updated membership list.

7.6 Performance indicators that can be used by City: Department Recreation & Parks in the evaluation

- 7.6.1 Number of Sport Assets Co-ordinating Committees successfully established and operational.
- 7.6.2 Number of capacity building initiatives for Sport Assets Co-ordinating Committees.
- 7.6.3 Number of meetings held per annum by Sport Assets Co-ordinating Committees.
- 7.6.4 Number of occupancy agreements with Sport Assets Co-ordinating Committees or Sporting organisations or clubs.

7.7 Communication

- 7.7.1 The City must provide sport and recreation services on an equitable basis that responds to the needs of a variety of stakeholders, including formal, informal and amateur entities as well as local users of sport assets and beneficiaries of programmes. Effective and constructive channels of communication are required that enable all stakeholders to interact with the City in a fair and transparent manner.

7.8 Sport Assets Improvement and Maintenance

This component deals with the provision and building of new sport assets, repairs, infrastructure improvements, reconfigured precinct or sport asset planning and proper maintenance (taking care of or look after) of our new and existing assets to expand its lifespan and service offering.

One of the strategic objectives of NSRP is to ensure that South African sports and recreation is supported by adequate and well-maintained assets. It is acknowledged that the provision and maintenance of sport assets forms the foundation for the entire sports and recreation system. If the assets are neglected it will have serious consequences for the development of current and future generations. In terms of asset development, new and existing assets should be developed after thorough consultation with the City, Sport Assets Co-ordinating Committee, local affected communities and relevant sports clubs, organisations or federations for the sporting codes which will be provided for in the new development or reconfigured precinct or asset planning and improve on the following:

- 7.8.1 In the design and planning of new or existing assets, the City should be encouraged to build multi-functional sports assets. This will:
 - (a) Contribute to the optimal use of assets;
 - (b) Contribute to rationalization of assets;
 - (c) Contribute to integrated sport and recreation programmes and activities;
 - (d) Contribute to diversification in sports and recreation;
 - (e) Contribute to the alleviation of spatial imbalances; and
 - (f) Contribute to the planning and investment of asset infrastructure investment.
- 7.8.2 Results in seasonal usage of assets that will contribute to safety and sense of multi-disciplinary community ownership.

This will ensure that new and existing assets comply with principles of relevance and accessibility. New or existing improvements of assets should also only be considered by the City: Department Recreation & Parks after careful consideration of the maintenance impact on City budgets in terms of staff and equipment. Greater focus should be on the development of existing assets outlined in a five-year capital programme where the need is greatest. This five-year capital programme should be reviewed annually by City: Department Recreation & Parks.

7.8.3 The maintenance of assets is the key to ensure that we broaden the base of participation. Neglected and vandalised assets reduce participation, therefore defeating the objective of creating an active nation. In order to ensure that we maintain our assets pro-actively, a preventative, reactive and statutory Maintenance Plan will be developed for all our City managed sport assets. The purpose of the plan is:

- (a) To maintain assets in a pro-active manner to detect minor and major maintenance requirements early to prevent deterioration with resultant major maintenance at later stage.
- (b) To have proper housekeeping schedules in place to ensure the effective internal and external cleaning of assets to enhance the aesthetic appearance, general neatness and to strengthen monitoring and control.
- (c) To determine the age of the assets and to plan for major upgrading where structures such as roofs, ceilings, electrical wiring and equipment, fire systems, plumbing, floors and so on needs replacement when reaching its full lifespan. To plan well in advance to have these items placed on the capital programme to ensure proper budget planning for those major items; and
- (d) To detect vandalism on a daily basis and plan to alleviate it.

The main objective of a preventative, reactive and statutory maintenance plan is to detect maintenance problems early and to plan for corrective action in advance. This strategy aims to be pro-active rather than reactive. It is however important to realise that one cannot always plan for every eventuality and emergencies will be dealt with as and when such emergencies occur.

7.8.4 The City will manage sport assets in a manner that reduces the maintenance liability to the City by promoting a sense of ownership, responsibility and accountability amongst Sport Assets Co-ordinating Committees and sport clubs or codes.

7.8.5 Wherever possible and as determined by the City, the self-sufficiency of sporting assets needs to be enhanced.

7.8.6 The responsible and sustainable use of playing surfaces must be ensured to prevent degradation.

7.8.7 Environmental sustainability should always inform maintenance; this includes recycling, reducing water and electricity usage, and using alternate energy and water sources where possible.

7.8.8 Through partnerships with Sport Assets Coordinating Committees, sport- clubs or codes and sport federations, promote rationalization and optimisation, whereby clubs amalgamate or absorb smaller clubs. The formation of new clubs and new sporting entities is discouraged. This will prevent under-utilisation of sport assets. Proponents of sport projects or youth projects should form associations with established clubs or be incorporated into existing club structures.

7.8.9 The City recognises that due to the legacy of apartheid, sport and recreational assets are of varying standards throughout the City. In an effort to make sure that the City's resources and personnel are deployed to the assets that are most in need, the City has devised a categorisation system to guide engagement with sport- clubs and /or codes.

7.8.10 Sport- Clubs and Codes in Category A and Category B are required to have a sports

development programme, based on the guidelines developed by the City's Department of Recreation and Parks. This meets two criteria, namely integration of sports assets and the IDP goal of building a more integrated and socially cohesive community.

- 7.8.11 Sport Assets Co-ordinating Committees, Clubs and Codes can move between the categories. This will depend on:
- a) a Sport Assets Co-ordinating Committee, club and code's' ability to manage and maintain the asset; and
 - b) a Sport Assets Co-ordinating Committees, club and code's ability to comply with financial accountability requirements.
- 7.8.12 If a Sport Assets Co-ordinating Committee, club and code requests to move into a different category, an Area Official from the Department of Recreation and Parks must prepare a report which will detail the management, maintenance and financial arrangements, for the Recreation and Parks Area Manager to approve.
- 7.8.13 The Department Recreation and Parks shall devise a scorecard and performance indicators in consultation with each Sport Assets Co-ordinating Committee, club and code, based on the terms of the occupancy agreement. This will determine the functions that must be performed to ensure proper management and maintenance of an asset or precinct.
- 7.8.14 Sport Assets Co-ordinating Committees, Clubs and Codes must indicate how they will perform functions and provide evidence that they have the resources to do so.
- 7.8.15 The Ward Councillor as referred to in clause 7.4.3 above will have the opportunity to review the scorecard and performance indicators.
- 7.8.16 Occupancy agreements between a respective club, code or Sport Asset Co-ordinating Committee and the City will be used as the mechanism to clearly articulate the maintenance responsibilities.
- 7.8.17 The occupancy agreement entered into between the City and a club, code or Sport Assets Co-ordinating Committee must include non-negotiable provisions that protect public access to assets.
- 7.8.18 Time must be allocated for public use, this time allocation will be based on the standard operating procedure drawn up by the Department Recreation and Parks.
- 7.8.19 Any occupancy agreement must clearly delineate a club house, a field, and any other structure at the asset or precinct, if applicable. Clauses relating to the rights, obligations, roles and responsibilities pertaining to the club house, field or any other structure must be clearly articulated in the occupancy agreement to avoid any confusion.
- 7.8.20 If a club or code wishes to improve a certain asset over and above the set minimum standards of the City, that club or code will have to seek support from the Sport Assets Co-ordinating Committee or alternate sources i.e. donor funding, club, sponsorship, company, organization or any other financial contribution for the development and maintenance of the asset, and approval from the City or any other relevant controlling authority as determined by the City.
- 7.8.21 While the City encourages the optimal use of assets, it must exercise oversight in that no buildings or structures are developed or upgraded on City land without prior written consent by the City. This is to ensure that assets are developed in line with compliance standards, spatial vision and broader strategies of the City.
- 7.8.22 Any unauthorized building work or structures not authorized by the City previously will be assessed and evaluated in terms of relevant legislative compliance and can be requested to be removed or demolished at the transgressors own cost.

7.9 Performance indicators that can be used by City: Department Recreation & Parks in the evaluation

7.9.1 The City will conduct audits where necessary to determine club membership and frequency of use of assets. This will contribute to a more holistic macro understanding of land use throughout the City.

7.9.2 The City may conduct audits where necessary to evaluate sport development programmes.

7.9.3 Clubs, codes or committees must submit an annual report to the Department Recreation and Parks detailing club or code membership, frequency of use of assets and the number of users.

7.9.4 Percentage operational and capital projects completed per annum.

7.9.5 Submission and record of weekly, monthly, quarterly or annual maintenance schedules.

7.9.6 Submission of maintenance plans.

7.9.7 Submission and records of infrastructure improvements or alterations in terms of NBRs, OHS & Safety compliance certification and any other applicable legislation.

7.10 Bookings

7.10.1 The City aims to provide equitable and affordable access to assets to all individuals and groups irrespective of age, gender, ethnicity and ability by coordinating a transparent and fair booking system for regular and ad hoc users.

7.10.2 A standard booking system will operate at all booking offices and will be in accordance with the tariff schedule adopted annually by Council (except for Category A clubs and codes and Category B clubs and codes where capacity exists).

7.10.3 Bookings must be made through the Department of Recreation and Parks' booking offices, and not at the sport asset (except for Category A and B clubs and codes where capacity exists).

7.10.4 Category A clubs and codes administer their own bookings and must apply the principles of non-discrimination and fairness in all booking procedures, as well as adhere to clause 8.

7.10.5 Category B clubs and codes that have the capacity may administer their own bookings. Resident clubs will be allowed to book the asset for all code related activities for the season, and must apply the principles of non-discrimination and fairness in all booking procedures, and adhere to clause 9. If any category club and code lacks capacity, bookings must be made through the Department of Recreation and Parks' booking office.

7.10.6 Bookings must operate on the basis of openness and transparency. Any form of discrimination and 'gate-keeping' is prohibited.

7.10.7 The City may introduce an online booking system for Category B & C clubs and codes, which will further delineate the booking process with regard to advanced bookings and frequency of bookings.

7.10.8 If there are any complaints or disputes arising as a result of a Sport Assets Co-ordinating Committee, club or code not applying the principles of fairness and non-discrimination, these must be referred to the Director: Recreation and Parks for resolution.

7.10.9 All assets, field, clubhouse and precinct bookings must be formally recorded in a register and submitted with the required acceptable financial report and statements as and when required by the City.

7.10.10 Where block or seasonal bookings are not used the City: Department Recreation & Parks will administer and control bookings.

7.11 Dispute Resolution

- 7.11.1 The occupancy agreement will set out the procedure for dispute resolution between the City and a club, code or Sport Assets Co-ordinating Committee.
- 7.11.2 Dissolution of coordinating committees can occur in terms of breach of occupancy agreement.

8. There are three management models which may be applied and as determined by the City:

CATEGORY A: SELF-SUFFICIENT: USERS WITH COUNCIL OVERSIGHT

- 8.1 Sport Assets Co-ordinating Committees, clubs and codes in Category A exercise the greatest autonomy. These clubs, codes or committees are encouraged to be self-sufficient in the management and maintenance of an asset or precinct. Precinct management is encouraged and includes all common areas.
- 8.2 Rentals are charged in accordance with the City's Department of Property Management's annual financial tariffs. Market based rentals may be levied on any non-sporting and recreation related land use activities or ancillary land use activities, as recommended by Department of Recreation and Parks.
- 8.3 Clubs and/or codes must establish a Sport Assets Co-ordinating Committee, which interacts with the City, and optional entering into individual occupancy agreements with the City.
- 8.4 The occupancy agreement is subject to the MATR, the City's Supply Chain Management Policy and Recreation & Parks' Leasing Framework for Managed Immoveable Property process.
- 8.5 If committees, clubs or codes decide to establish a Sport Assets Co-ordinating Committee, individual club affiliations to the different sporting codes must be properly constituted and officials must be elected based on a constitution accepted at a formal general meeting.
 - 8.5.1 This Sport Assets Co-ordinating Committee will act as a committee of regular users who manage the use and maintenance of the asset or precinct.
 - 8.5.2 The Sport Assets Co-ordinating Committee is required to operate as an accountable and transparent not for profit entity.
 - 8.5.3 Only clubs and codes based permanently at an asset and who use the asset or precinct on a regular basis should elect code representatives to the Sport Assets Co-ordinating Committee.
 - 8.5.4 All clubs, codes or Sport Assets Co-ordinating Committees operating at a City-Department Recreation & Parks-managed sport asset or precinct is required to register with the City at the Local Area Office of the Department of Recreation & Parks.
 - 8.5.5 Sport Assets Co-ordinating Committees must provide a mechanism for discussion of issues relating to the maintenance, operation and management of the occupied sports asset or precinct.
- 8.6 A clause in the occupancy agreement must stipulate that the City is able to book the asset free, if it has not already been booked, when it is required for City events or projects.
- 8.7 If a Sport Assets Coordinating Committee, code or club fails to adhere to the terms of the occupancy agreement, or if a Sport Assets Co-ordinating Committee becomes dysfunctional, the City may terminate or cancel the occupancy agreement, and require a new Sport Assets Co-ordinating Committee to be formed within a three-month period.
 - 8.7.1 The City would manage the asset or precinct during the three-month period.
 - 8.7.2 The Sub-council may nominate one or more *ex officio* representatives to serve on the Sport Assets Co-ordinating Committee. The *ex officio* representative will not be grant voting rights, but would only serve an oversight function.

8.8 Maintenance

- 8.8.1 The Sport Assets Co-ordinating Committee, code or club is responsible for the safety and security of the asset or precinct as well as full maintenance, as set out in the maintenance plan which forms part of the occupancy agreement.

8.9 Asset Improvement

- 8.9.1 Sport Assets Co-ordinating Committees, codes or clubs must seek written approval from the Director: Recreation and Parks as well as the Director:Property Management relating to any planning of any new development, structures, improvements or repairs to their respective asset or precinct in accordance with applicable legislation.
- 8.9.2 Sport Assets Co-ordinating Committees, codes or clubs will be responsible for submission of building plans to the relevant authority, and such plans must be in accordance with the City's Municipal Planning By-law, 2015, as amended and the National Building Regulations & Building Standards Act, 1977 (Act No. 103 of 1977) or any other applicable legislation. Building plans must first be submitted to the Recreation and Parks Area Manager for examination, after which submission must be submitted to the Manager Facilities Maintenance & PMO. Thereafter it must follow the standard municipal planning and building plan process for approval.
- 8.9.3 Sport Assets Co-ordinating Committee, code or club will be liable for all associated professional and municipal fees and costs associated with repairs, maintenance or improvements (internal or external).
- 8.9.4 Sport Assets Co-ordinating Committee, code or club must produce evidence of record keeping of approved building plans and all relevant certification / approvals as required in terms of the National Building Regulations & Building Standards Act, 1977 (Act No. 103 of 1977) or any other applicable legislation upon completion of any repairs, maintenance or improvements.
- 8.9.5 Clubs, codes or the Sport Assets Co-ordinating Committee must demonstrate through financial statements that sufficient funds and resources exist to complete the proposed building work, or individual phases if the work is to be done in phases (as approved by Department of Recreation & Parks).
- 8.9.6 Clubs, codes or the Sport Assets Co-ordinating Committee will receive no compensation for investment in the asset or precinct, or any repairs, maintenance, improvement or modification of an asset or precinct.
- 8.9.7 Any repairs, maintenance, improvement or modification to the asset or precinct, or investment in the asset or precinct will be regarded as a contributory asset.
- 8.9.8 In line with the City's Asset Management Policy, a contributory asset will be regarded as a donation on attainment of Council approval.
- 8.9.9 No ward allocations or City funding may be used for the repairs, maintenance, improvement, modification or development of an asset or precinct in this category, other than any that has been agreed to in the occupancy agreement.

8.10 Revenue Generation

- 8.10.1 A managing entity may only generate revenue from a City-Department Recreation & Parks-owned sport asset or precinct if it is able to comply with the following eight requirements:
- Contribute to the operational enhancement of the asset in the interest of all users.
 - Establish a level of financial independence.
 - Clubs, codes or Sport Assets Co-ordinating Committees are permitted with the Consent of the City to generate revenue from the sport asset or precinct through third

parties, subject to compliance with all applicable relevant legislation, as determined by Department of Recreation and Parks. The occupancy agreement would require that income generated through the use of the assets, precincts, sponsorship and donor funding be accounted for quarterly income and expenditure reports.

- e. The occupancy agreement must stipulate that clubs, codes or Sport Assets Co-ordinating Committees are required to submit operational reports on a quarterly basis to the City.
- f. The occupancy agreement must stipulate that trading opportunities will be managed by the club, code or Sport Assets Co-ordinating Committee and not by an individual user, and the allocation of those opportunities should be advertised and allocated in a fair and transparent process in accordance with the Informal Trading Policy of the City.
- g. The occupancy agreement must stipulate that where revenue generation entails gate takings or paid parking, such gate takings and parking revenue must be managed and controlled only by the club, code or Sport Assets Co-ordinating Committee.
- h. All pubs, bars and restaurants for the on-site sale or consumption of liquor mentioned in the occupancy agreement must be appropriately licensed and be in line with the Western Cape Liquor Act, 2008 (Act No. 4 of 2008), the City's Control of Undertakings that Sell Liquor to the Public By-law, 2013, as amended and any other applicable legislation. No off-site consumption and sale of liquor will be permitted at any City-Department Recreation & Parks-managed sporting asset, precinct or event.
- i. Where Sport Assets Co-ordinating Committees fail to provide the required financial information requested by the City, it will result in the review and possible cancellation of the occupancy agreement.

9. CATEGORY B: MIXED MODEL PARTNERSHIP BETWEEN THE CITY, SPORT ASSETS CO-ORDINATING COMMITTEE OR SPORT CLUB

9.1 Clubs, codes or Sport Assets Co-ordinating Committees in Category B have a more collaborative relationship with the City.

9.1.1 Clubs, codes or Sport Assets Co-ordinating Committees are encouraged to generate an income, but require the Department of Recreation and Parks to contribute to maintenance based on the minimum standards of maintenance set out in the maintenance plan and Department of Recreation and Parks standard operating procedure.

9.1.2 Maintenance is divided between the City and the club, code or Sport Assets Co-ordinating Committee and will be detailed in the occupancy agreement.

9.1.3 Clubs, codes or Sport Assets Co-ordinating Committees that have the capacity may administer their own bookings. Resident clubs or codes will be allowed to book the asset for all code related activities for the season, and must apply the principles of non-discrimination and fairness in all booking procedures. If a category B Sport Assets Co-ordinating Committee, club or code lacks capacity, bookings must be made through the Department of Recreation and Parks' booking office.

9.2 Management and Communication

9.2.1 All single- club or code or Sport Assets Co-ordinating Committee making use of a Department-owned asset must enter into an occupancy agreement with the City.

9.2.2 The club or code must identify one delegated member to do the bookings with the Department of Recreation and Parks' booking office.

9.2.3 At assets that are home to multiple clubs or codes, but each club or code has their own dedicated assets (no shared assets), each club or code must enter into a separate occupancy agreement with the City.

- 9.2.4 At multi-use asset facilities, where summer and winter codes share fields and amenities, each Sport Assets Co-ordinating Committee, club or code must enter into a separate occupancy agreement with the City.
- 9.2.5 Where sports precinct management is required a Sport Assets Co-ordinating Committee must be formed.
- 9.2.6 Only clubs or codes based permanently at an asset or precinct and using the asset as their home ground for official practices, matches and events on a regular basis can elect code representatives to represent the code on the Sport Assets Co-ordinating Committee.
- 9.2.7 If a Sport Assets Co-ordinating Committee, club or code fails to adhere to the terms of the occupancy agreement, or if the club or code becomes dysfunctional, the City may terminate or cancel the occupancy agreement.
- 9.2.8 The City will manage the asset or precinct until a new occupancy agreement is approved.
- 9.2.9 If a Sport Assets Co-ordinating Committee fails to adhere to the terms of the occupancy agreement, or if the Sport Assets Co-ordinating Committee becomes dysfunctional, the City may terminate or cancel the occupancy agreement, and require a new Sport Assets Co-ordinating Committee to be formed within a three-month period.
- 9.2.10 The City will manage the asset or precinct during the three-month period.

9.3 Asset Improvement

- 9.3.1 Any repairs, maintenance or improvements to the asset or precinct, or investment in the asset or precinct will be regarded as a contributory asset.
- 9.3.2 In line with the Asset Management Policy, a contributory asset will be regarded as a donation on attainment of Council approval.
- 9.3.3 The City will assist clubs, codes or Sport Assets Co-ordinating Committees in determining suitable locations within the asset or precinct that may be used for permissible income generating activities or opportunities, in accordance with applicable and relevant legislation.
- 9.3.4 Sport Assets Co-ordinating Committees, codes or clubs must seek written approval from the Director: Recreation and Parks and Property Management relating to any planning of any new development, structures, improvements or repairs to their respective asset or precinct.
- 9.3.5 Sport Assets Co-ordinating Committees, codes or clubs will be responsible for submission of building plans to the relevant authority, and such plans must be in accordance with the City's Municipal Planning By-law, 2015, as amended and the National Building Regulations & Building Standards Act, 1977 (Act No. 103 of 1977) or any other applicable legislation. Building plans must first be submitted to the Recreation and Parks Area Manager for examination, after which submission must be submitted to the Manager Facilities Maintenance & PMO. Thereafter it must follow the standard municipal planning and building plan process for approval.
- 9.3.6 Sport Assets Co-ordinating Committees, codes or clubs will be liable for all architectural and building plan submission fees payable to the City and costs associated with repairs, maintenance, improvements or modification (whether internal or external).
- 9.3.7 Sport Assets Co-ordinating Committee, code or club must produce evidence of record keeping of approved building plans and all relevant certification and approvals as required in terms of the National Building Regulations & Building Standards Act, 1977 (Act No. 103 of 1977) or any other applicable legislation upon completion of any repairs, maintenance, improvements or modifications.
- 9.3.8 Clubs, codes or Sport Assets Co-ordinating Committees will receive no compensation for investment in the asset or precinct, of repairs, maintenance or improvement to the asset or precinct; any investment or improvement will be considered as an enhancement of the asset in the public interest.

9.4 Maintenance Plan

- 9.4.1 The club, code or Sport Assets Co-ordinating Committee must contribute to the 'top up' on the minimum maintenance provided by the City at the club's, code or committee's own expense.

- 9.4.2 The maintenance plan which forms part of the occupancy agreement must clearly demarcate the maintenance responsibilities of the sport club or Sport Assets Co-ordinating Committee and the City.

9.5 Revenue Generation

- 9.5.1 A club, code or Sport Assets Co-ordinating Committee may generate revenue from the City-Department Recreation & Parks-managed sport asset if it is able to comply with the following requirements:
- a. Contribute to the operational enhancement of the asset in the interest of all users;
 - b. Establish a level of financial independence;
- 9.5.2 Clubs, codes or Sport Assets Co-ordinating Committees are permitted with the Consent of the City to generate revenue from the sport asset or precinct through third parties, subject to compliance with all applicable relevant legislation.
- 9.5.3 Trading opportunities will be managed by either the club or code (at single code facilities) or Sport Assets Co-ordinating Committee (at multi-use asset facilities) and not by an individual user. The allocation of those opportunities should be advertised and allocated in a fair and transparent process in accordance with the Informal Trading Policy of the City or as determined by the City.
- 9.5.4 Where revenue generation entails gate taking or paid parking, such gate takings and parking revenue must be managed and controlled only by the club, code or Sport Assets Co-ordinating Committee.
- 9.5.5 The revenue from gate taking must be recorded at the monthly meetings of the Sport Assets Co-ordinating Committee, club or code.
- 9.5.6 The income generated through the use of the assets, sponsorship and donor funding must be accounted for in the annual financial statements of the Sport Assets Co-ordinating Committee and reported to the City as and when required.
- 9.5.7 The Recreation and Parks Area Manager may, from time to time, request financial and operational reports to be submitted to Sub-councils.

10. CATEGORY C: CITY DEPENDENT SPORT ASSETS CO-ORDINATING COMMITTEE OR SPORT CLUBS

- 10.1 Clubs and codes that fall within Category C rely on the City to administer and maintain sport assets or precincts. The City is responsible for maintenance and management of the sport assets or precinct.
- 10.2 A representative and properly constituted Sport Assets Co-ordinating Committee may liaise with the Department of Recreation and Parks about the management of the specific asset or precinct.
- 10.3 The representative advisory Sport Assets Co-ordinating Committee must submit a report to the Recreation and Parks Area Manager on all maintenance and assets related matters.
- 10.4 The City must provide minimum standards of maintenance.
- 10.5 With consent from the Recreation and Parks Area Manager, a Category C Sport Assets Co-ordinating Committee, club or code is able to host a fundraising event, subject to compliance with all applicable and relevant legislation.
- a. All revenue generated from the fundraising event, including gate takings, must be recorded and a financial report submitted to the Recreation and Parks Area Manager.
 - b. Revenue generated from a fundraising event, must be either used for the enhancement and development of the club or code or for the enhancement and development of the assets or precinct in line with the occupancy agreement and maintenance plan.

11. IMPLEMENTATION PROGRAMME

- 11.1 The City's Department of Recreation and Parks will be responsible for the implementation of this policy.
- 11.2 As this policy introduces a refinement to the current user model, there will be a twelve-month transition period to align with the new arrangement as outlined in the policy directives

above.

- 11.3 The twelve-month transition period will begin from the date of Council adoption of this policy.

12. MONITORING AND EVALUATION

- 12.1 An annual report must be submitted to the Section 79 Portfolio Committee by the Department of Recreation and Parks.
- 12.2 This report must include the following:
- 12.2.1 The category status of all sport- clubs and codes and Sport Assets Co-ordinating Committees and those clubs or codes which have changed status to a different category during the calendar year;
- 12.2.2 The percentage of sport- clubs and codes and Sport Assets Co-ordinating Committees which have entered into occupancy agreements with the City as a total of all sport clubs and codes;
- 12.2.3 Public access to Category A assets or precincts, in line with policy provisions;
- 12.2.4 Sport development programmes at Category A and Category B clubs or codes or Sport Assets Co-ordinating Committees;
- 12.2.5 The results of audits undertaken to evaluate sport development programmes;
- 12.2.6 The performance in meeting the minimum maintenance standards for assets; the amount spent on maintenance and repairs by the City and the amount spent on maintenance by sport- clubs or codes or Sport assets co-ordinating committees;
- 12.2.7 Any revenue raised by Category C clubs, codes or Sport Assets Co-ordinating Committee and the allocation of those funds toward the enhancement of the club or code asset or precinct;
- 12.2.8 A summation of the report from clubs, codes or Sport Assets Co-ordinating Committees detailing club membership, frequency of use of assets or precincts and the number of users;
- 12.2.9 The additional development of assets or precincts undertaken by clubs, codes or Sport Assets Co-ordinating Committees that improves the City-Department Recreation & Parks-managed asset or precinct and which Council needs to approve as a donation; and
- 12.3 An annual financial report of clubs, codes or Sport Assets Co-ordinating Committees that fall into Category A and Category B must be submitted to the relevant sub-councils for noting, as and when requested.