

## **THE ROLE OF LOCAL AUTHORITIES IN SUPPORTING YOUTH AND SPORTS ACTIVITIES. CASE STUDY**

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**Abstract:** *Sport is a vector of social cohesion that demands from the state and local authorities intelligent and strategic sports policies based on an inclusive sporting governance model adapted to its own socio-cultural identity. However, the Eurobarometer on Sport and Physical Activity (2013) for the 28 Member States shows that 59% of Europeans don't do sports or never carry out sporting activities, thus causing a negative impact on the health of the population and on the socio-economic level, given that sport has an important place in the European economy (3.65% of European GDP), providing jobs for 5.4% of the working population. From this perspective, the present paper performs a comparative analysis centered on the support mechanisms granted by the EU Member States to physical education and sport, focusing on the financing of sport clubs and the employment of athletes during sporting activities or after its conclusion. For the comparative analysis, the paper selected a number of EU Member States, which it grouped into three categories, which correspond to the states on the first and last places, respectively in the middle of the ranking presented by the Eurobarometer. The analysis carried out in the paper highlights the fact that at the level of the analyzed states there is an increasing involvement of the local authorities in ensuring a comprehensive status of the athlete and also in the promotion and development of the sports sector, even if the magnitude, sometimes overwhelming, of budgetary constraints often conditions the local sports policies, with many common points in this respect, but also significant gaps between these states.*

**Keywords:** *EU, local public administration, youth and sports activities, local sports policies*

### **1. INTRODUCTION**

As part of the policy to promote and strengthen its own physical education and sport system to improve sport in all its forms, EU Member States are constantly reiterating their support for increasing financial support to clubs, leagues and institutions in the various sporting sectors at national, regional and local level. With the promotion of physical and sporting activities, the reality of more developed countries shows that states promote and develop elite sport, such as the countries that formed the socialist axis, the countries that make up the European community, some African countries and Asia or some countries in North America (Cornejo et al., 2000:199).

The development of the sports system, a subsystem of the social system, varies from one state to another, there is no unique pattern of organization and operation, the differences arising from the extent to which it becomes subject to the attention of the public powers and is subject to the public action (Cornejo et al., 2000:197). From this perspective, the efficiency of public actions will depend on a number of aspects which influence the sports systems, such as good knowledge of the elements that make up the sport system, the legal nature of such systems (public or private), culture and national traditions, the existing material basis, the sources of funding (allocation of budgetary resources, outsourcing services, crowd funding) etc., as well as being necessary a more rigorous planning of policies and public management to meet the increasing demands of the population.

Moving the center of gravity of the institutional legitimacy to that based on the performance of governments and public administration, brings to the foreground the capability of the state to solve social problems and, implicitly, the correct division of competences between administrative levels, ensuring synergy of the national policies with the local policies, as well as the degree of acceptance by the population of the implemented solutions. The sport, a factor of economic and social balance, contributes to the achievement by a state and its citizens, of its full potential as a nation, which in turn requires building intelligent and strategic sports policies, with a measurable path and the integration of the territory and communities to help eliminating disparities at the level of the population, in the sense that any person should have the opportunity to reach national champion (Quiñones et al., 2016:74).

Therefore, and as regards the sports policy, state and local communities are responsible for promoting a model of inclusive sports governance, which is the image of your own socio-cultural identity, adapted to the new developments in society, to stimulate a broad participation of the Community which it represents, of the sports associations and non-profit-making sports organizations in the private sector, with the aim of jointly promoting sports outcomes of all forms of sport, the grassroots sport, performance, school, recreational and amateur sport.

Public decision makers, governmental or local, must use within the framework of sports policies promoted a series of instruments, not only by the regulations, but especially the stimulating instruments (the financing of the necessary staff practicing physical education and sport, subsidizing athletes participation at national and international competitions, of the international competitions organization, etc.), the persuasive instruments (promotion of sporting activities), or instruments through which are supplied directly goods and services of the population (building sports facilities, sports schools, etc.)

Despite the efforts made, not just at the level of central and local public administrations, but also by private organizations and by the 35 million amateurs and sports clubs and non-profit-making associations which contribute to the development of the grassroots sport and to spread sports ideals in the EU (European Parliament resolution 2011/2087(INI)), a Eurobarometer survey on sport and physical activity, developed in 2013 for the 28 Member States, shows that 59% of the Europeans never exercised, or

seldom, or never carried out, or rarely, sporting activities (Directorate-General for Communication EU, 2104:4).

According to the poll, in the north of the EU citizens are much more active than those in the south, among the first places in this ranking being Sweden, Denmark, Finland, Germany, the Netherlands, close to the EU average ranking countries like Spain, Hungary, and on the last places, Bulgaria, Malta, Portugal, Romania and Italy. From this perspective, the negative impact reverses both on the health of the general population, both economically and socially, with serious consequences on labour productivity and social inclusion, in other words, the quality of the person's life, conclusion reinforced by the fact that at the EU level, sports occupies an important place in the European economy, since they provide, directly or indirectly, the jobs for 5,4% of the active population and represents an annual added value of approximately 3,65 % of the European GDP (ibidem).

In addition, the education subject of the young athletes and employment during or after sports activity is a central theme of the European public agenda, EU Guidelines on Dual Careers of Athletes underlining the fact that the EU member states have specialized structures which provide counseling and support to athletes in career planning (European Commission, 2013:23). In some EU countries, the athletes can carry out their activity either within the government structures and public institutions, or within the army, the border police, the forestry sector and customs services, most of the EU Member States supporting the initiatives of sports organizations, academic networks and the Olympic Committees carried out in collaboration with the human resource companies and private sponsors on the implementation of the double career programs.

In the following sections, the present paper aims to carry out a comparative analysis centered on the support mechanisms provided by the EU member states to physical education and sport, the focus being on the financing of sports clubs and employment of the athletes during their sporting activity or after its conclusion.

For comparative analysis, the paper has selected a number of EU member states which it has grouped into three categories, which correspond to the states located on the first and last places, respectively, in the middle of the ranking presented by the Eurobarometer on the sport and physical activity in 2013, referred to above. Thus, the countries selected are: Germany and the Netherlands (among the first ranked), Spain (close to the EU average, in the middle of the rank), Romania (among the last ranked).

## **2. INITIATIVES AND SUPPORT MECHANISMS FOR PHYSICAL EDUCATION AND SPORT IN THE NETHERLANDS, GERMANY AND SPAIN**

### **a) the Netherlands**

The main administrative structure which manage the sport organized in the Netherlands are the "Nederlands Olympisch Comité\* Nederlandse Sport Federatie (NOC\*NSF)<sup>1</sup>, which include 74 member organizations which will provide approximately

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<sup>1</sup>The Dutch Olympic Committee\*Dutch Sports Federation (NOC\*NSF) is the umbrella organisation for sports in the Netherlands. As the country's Olympic Committee, it is develops, promotes, and projects the

23000 sports clubs totaling more than 5 million people involved in the organized sports. According to the Eurobarometer in 2013, the proportion of the Dutch public playing sport regularly, is over 60 %, however decreasing compared to 2009, most of the sports being organized in sports clubs at the local level, but looking at country level, the Netherlands has the highest proportion of respondents who did moderate physical activity on at least four of the previous seven days (53%) (Directorate-General for Communication EU, 2104:7 and 22).

As regards the financing, one of the main active actors is Ministry of Health, Welfare and Sport, sports being considered the red wire of health promotion and social cohesion and for the creation of a dynamic company. Thus, in the field of physical education and sport, the Dutch government grants a series of subsidies and guarantees, direct financing to the performance athletes, etc. invests in sporting infrastructure, but supported by the local authorities through various programs and projects, in particular for sports facilities.

In accordance with the statutory allocation of the competences between the three administrative levels - national, regional and local, government has responsibilities for supporting and promoting national sport, the municipal authorities are responsible for facilitating sports activities and maintaining spaces for sports, but the 12 provinces have limited competences, generally providing support for local development programs. An important inclusive role is played by the local authorities which have the obligation to stimulate the participation of certain groups of people to sporting activities, being equally responsible for supporting the local sports clubs, having the obligation to build and maintain sports facilities, to organize in neighborhoods, in schools and in the neighborhood, projects to promote sport (including the performance sport). Municipalities manage a high percentage (approximately 85-90%) of their investments in sports to the sporting centers, which are in fact subsidies granted to the sports clubs for the use of sports facilities. Other funding sources complementary to those arising from the national, regional and local governments, come from the consumers (in particular those who are active members of a sports club), lotteries (earnings from betting that are used to maintain organizational infrastructure, to practice performance sports, the development of talents, improving coaches, the infrastructure of sports and grassroots), and in a small percentage of the media rights.

#### **b) Germany**

In Germany, the public administration of sport complies with the structure of the state, namely the federal state. Thus, both the federal government (through the Ministry of the Interior) as well as the 16 federal states (through the Ministries of Culture or the Interior) are responsible for this area, but there is no relevant ministry of resort for this field. The Ministry of the Interior<sup>2</sup> is the governing body in the field of sport, covering together with its executive agencies a wide range of tasks and activities, including the

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Olympic Movement in the Netherlands and is responsible for sending Dutch athletes to the Olympic Games, the Youth Olympic Games, and the European Youth Olympic Festival. See more <https://www.nocnsf.nl/en/aboutnocnsf>.

<sup>2</sup>Federal Ministry of the Interior of Germany, [http://www.bmi.bund.de/EN/Topics/Sport/Sport-Funding/sport-funding\\_node.html](http://www.bmi.bund.de/EN/Topics/Sport/Sport-Funding/sport-funding_node.html).

financing of sport. At the federal level, the organization of sport is supported both by the Federal Government and by the autonomous civic structures, an important segment being represented by non-profit sports clubs, and at the local level, the responsibility of the sports field rests with the independent structures.

According to the Eurobarometer in 2013, the proportion of the German public which play sport on a regular basis, it is almost 80%, higher than in 2009, and the proportion of people engaging in sport or physical activity at a sport club is very high (21%) (Directorate-General for Communication EU, 2104:7 and 38). Furthermore, Germany will be taking third place with the highest proportions for memberships at a sport club (24%), along with the Netherlands (27%) and Denmark (25%) (Directorate-General for Communication EU, 2104:43). In terms of their local facilities and the opportunities offered by local sport clubs, Germany is among the EU states with the highest degree of contentment from the population, 89% and, respectively, 88% and positively appreciated the efforts of local authorities (71%) (Directorate-General for Communication EU, 2104:59, 61 and 64). As regards the system of financing, sports organizations have at their disposal several sources in order to make revenues, such as membership fees, sponsorship, commercial activities, rights, media rights, public subsidies, lottery funds e.t.c., depending on the legal regime of these non-profit or commercial entities. The financing received from budgetary sources, at the federal and local level, is provided for both performance sport and sport for all, the federal level being responsible for supporting the sporting activities in schools, universities, as well as recreational sports.

Sports clubs generally finance their services from the financial contributions and from the voluntary involvement of members, which are, in fact, the most important funding resource. According to the budget law, the federal funds can be accessed by sports organizations only after they have exhausted all other possibilities of financing, whereas the Federal Government only provides supplementary funding, in accordance with the principle of subsidiarity. The basis for sport funding is the Federal Ministry of the Interior programme to promote high-performance sport and other central sport facilities, projects and measures at national and international level with framework guidelines (high-performance sport programme (LSP) of 28 September 2005, Interdepartmental circular, p. 1270 et seqq.) and supplementary funding guidelines. For integration on the labour market, the performance athletes need support in order to be able to combine sports career, training and future career. They are supported both by non-profit-making associations (particularly by launching projects involving many private organizations), thus concluding a series of cooperation partnerships between the local enterprises, local industry and trade chambers, the union of the landowners, local employers, providing performance athletes on-the-job-training or employment, but also by the public decision-makers, especially for training and employment in the public service.

### **c) Spain**

In Spain, the system of physical education and sport enjoys a system of mutual cooperation between the public and the private sector, based on the principles of harmonizing the interests and the social responsibility for the growth, promotion and

development of physical activity and sport. The main actors in the field of sport from the public sector are: at the central level, the Superior Council of Sport, at the community level, the General Directorates for Sport of the Autonomous Communities, at local level, local entities (municipalities, county councils, city halls). According to the Eurobarometer in 2013, the proportion of the Spanish public playing sport regularly, is almost 45%, close to the EU average (42%), but declining compared to 2009, because Spain shows the largest decreases for engaging in sport or physical activity on the way between home and school, work or shops (Directorate-General for Communication EU, 2104:7 and 39). Also, in comparison with the year 2009, the Spanish citizens begin to be dissatisfied with the sporting services provided by local authorities (Directorate-General for Communication EU, 2104:64).

The common law in the field of sport in 19903, regulated the legal framework for practicing sports in Spain, assigned the powers in the national and international competitions, and covered the organization of grassroots sports and competitions designed to stimulate and promote the sport within the autonomous communities and local councils. According to the Spanish Constitution (Article 43)<sup>4</sup>, the public authorities should promote physical education and sport, and facilitate the proper use of leisure. According to this constitutional principle, the central administrative level grants directly a series of subsidies to the sports federations, and recently, developing a series of initiatives in order to achieve full integration of women into sports.

Regarding the regional level, the functions and competencies for the promoting and developing sport policy in the autonomous Spanish regions are laid down by the Autonomy Regulations and several rules governing the sport in the geographical area of each community. At local level, the main managers of public sports services are municipalities, their competencies are often channeled through municipal sporting services, either by direct or indirect management (trusts, foundations, companies, the Consortium, etc.), the local councils being the most active and efficient promoter of sports activity at the local level by municipal sports schools, sports organizations and sports associations of a local character. Concerning the funding of sport, a key pillar is to increase private contributions, understood as complementary resources to those coming from public funds (the budget of the regional and local governments). The autonomous regions have exclusive responsibility for the promotion and development of sport in their area of competence, sporting outcomes coming from the regional governments being generally direct, and aiming at the maintenance of competitions activities in the framework of regional sports federations, construction and management of sports facilities, subsidies for regional sports clubs and the development of their own sports programs.

At local level, local authorities emphasis on developing and encouraging grassroots sports, providing sports services through municipal sports structures and funding their expenditure to build local sports facilities or local sports clubs.

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<sup>3</sup> See Ley del Deporte, no.10/1990.

<sup>4</sup> Constitución Española, [http://www.boe.es/diario\\_boe/txt.php?id=BOE-A-1978-31229](http://www.boe.es/diario_boe/txt.php?id=BOE-A-1978-31229).

Both the autonomous authorities and local authorities may receive a part of the state government budget for the purposes related to the performance sport: travel expenses of athletes, exploitation and improving technical level of performance spaces and sports facilities for sports events of higher level. Regarding the athletes insertion into the labour market, the legal basis is represented by the Royal Decree no.971/20075. According to this normative act, elite athletes or those who have held this status can find a job or can benefit from credits, on the basis of agreements between the central government and the various companies, bodies and other institutions.

### **3. INITIATIVES AND SUPPORT MECHANISMS FOR PHYSICAL EDUCATION AND SPORT IN ROMANIA**

In Romania, the main administrative structure which manages organized sports, the ministry of resort, underwent a reorganization of the *montagne-russe* type, after its first post-Decembrist legitimacy (1990), the ministry being transformed into agency, later in authority (the National Authority for Sport and Youth disbanded by the Government Decision no. 141/ 2010) and recently, in 2013, again reorganized in the ministry, the Ministry of Youth and Sport. Given the multiple changes in competencies, we can conclude that the Romanian sports did not enjoy a long-term strategic vision, Romania lacking a national strategy to ensure medium and long-term governance in the field of sport (The Romanian Court of Accounts, 2013:5). These negative aspects are also reflected in the Eurobarometer referred to above, the proportion of the Romanian public playing sports regularly, being almost 40%, decreasing compared to 2009 with 11 percentage points, one of the reasons being the lack of an adequate or accessible sports infrastructure (Directorate-General for Communication EU, 2104:7-8 and 55).

Although, a little over three in four EU citizens either totally agree or tend to agree that their local area provides them with opportunities to be physically active, in Romania the level of disagreement is very strong (47%) (Directorate-General for Communication EU, 2104:59). More, though the majority of EU citizens (74%) either totally agree or tend to agree that their local sport clubs and other providers give them many opportunities to be physically active, in Romania the level of disagreement is very strong (50%), a majority of respondents think that their local authority is not doing enough (51%), and Romania has the lowest figure for use of sport clubs (3%) (Directorate-General for Communication EU, 2104:38, 61 and 64). In addition, the lowest figures for memberships at a sport club are in Romania (1%) (Directorate-General for Communication EU, 2104:44). Romania is also one of the EU member states in which volunteering in sport is relatively rare (3%) (Directorate-General for Communication EU, 2104:44).

According to the audit report of sporting performance, drawn up by the Court of Accounts in 2013 (The Romanian Court of Accounts, 2013:8), in the organizational chart of the Romanian sport system, can be found 417 sports clubs, legal entities governed by public law (of which 276 are subordinated to the central public administration and 141

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<sup>5</sup> Real Decreto 971/2007, de 13 de julio, sobre deportistas de alto nivel y alto rendimiento.

are subordinated to the local public administration), 3843 sports clubs –private legal entities and 69 sports clubs organized as joint-stock companies - private legal entities. In 2013, physical education and sport did not benefit from a special attention of the public decision makers, with a decrease of the sporting indicators majority, number of legitimate athletes, number of awards in the international competitions, places in the international rankings etc.

One of the many causes was the legal framework governing the field of physical education and sport that did not corresponded to the evolution of the society and whose gaps and inconsistencies has created a series of convulsions, especially in terms of financing the Romanian sport and the insertion of athletes into the workforce. The national legal framework applicable to this area is based on the Law no.69/2000 of physical education and sport, in the same year, central administration reducing its powers, the state monopoly being transferred to the private sector, preferably to the sport federations.

As regards the financing of sport, according to the Law no. 69/2000, the sports structures may receive money from the state budget and the local budgets, including financing of sports programs of public utility, on the basis of contracts concluded between sports structures and components of central and local public administration, as the case may be. The audit carried out by the Court of Accounts has revealed at that time that the amounts awarded up to that moment to the Romanian sport were below the optimum level, unable to support the performance sports in the international competitions for the next 15-20 years (The Romanian Court of Accounts , 2013:12).

Other funding sources complementary to those coming from the public budgets come from consumers (taxes and excise duties applied at national level for cigarettes, cigarettes and alcoholic drinks, Olympic timbre, membership contributions of the sports clubs, etc.), lotteries (earnings from betting), sponsors, from domestic and international transfers of players, etc. Regarding the sports patrimony, the report pointed out that in the period after 1990, many of the lands and buildings that were part of the sports facilities were retroceded under the Law no. 10/2001 on the legal regime of buildings abusively taken during the period from March 6, 1945 to December 22, 1989, and many sports facilities in the communist period were abandoned or demolished to make room for building projects. In the period 2002-2013, only 5 programs aimed at building or strengthening and rehabilitation of sports facilities were implemented by the governmental level (The Romanian Court of Accounts , 2013:52).

In 2013, there is still no evidence of the sports facilities owned by the former state-owned enterprises, the updating of the data base on the sports infrastructure was done only at the end of the 2016 (The Romanian Ministry of Youth and Sport, 2016). One of the profoundly negative aspects that the Court of Accounts noted in 2013 was the fact that the management of the institutions which have governed the sport over time was not performing and has not revealed the fact that fewer sporting performances were made in sport, but also the fact that the degree of practicing sports among the population has dropped considerably, with negative effects on the health of the population and Romania's image abroad (The Romanian Court of Accounts , 2013:17).



In 2017, at the initiative of the Ministry of Youth and Sport, the Government has adopted the amendment of the Law on physical education and sport no. 69/2000, by the Emergency Ordinance, in order to regulate clearly the financing of sporting activities by the local public administration. According to the new regulation, the athletes will be able to carry out their activity on the basis of a sports activity contract, in which it will be stipulated the value of the monetary rights related to the sporting activity, namely the procedures and terms of payment. The new regulations support the sporting activities and structures at the national level, ensuring the legal conditions for the financing of the sports activity organized at the level of the local public administration, in the context in which the budget year does not coincide with the competitive sports. The normative act creates the legal framework necessary for the local public administration to finance from the local budget the sports programs of the public and private non-patrimonial sporting clubs set up within the administrative-territorial unit, as well as other sports structures, but also the awarding of outstanding performances achieved at official national and international sports competitions. As a novelty, conditions, criteria, the procedure and the amount for each category of expenses (including the payment of the participants to the sporting activity) shall be established by the decision of the deliberative authority of the local public administration.

#### **4. CONCLUSIONS**

This paper highlights the need for a permanent alignment of sports public policies to the fast development of physical education and sport, the competent administrative structures responsible for sports issues being obliged to identify the necessary solutions allowing citizens to exercise a social right to be guaranteed and namely, the right to sports, recognized in 2007 as a human right by the International Olympic Committee and enshrined in its Olympic Book. The comparative analysis carried out in this paper confirms that the declarative support of the Member States intentions to strengthen national systems and to increase the insertion of athletes in the labour market (during sporting activity or after its conclusion) is to a large extent at the level of the initiatives and the support mechanisms they initiate, at national and local level, in the field of physical education and sport.

Started in the framework of sports policies, these initiatives have followed the transition from a model of pyramidal sporting governance at one rectangular, inclusive, involving as many people who play sport on a regular basis, the transition being strongly supported by the local authorities by the offer of local activities and services provided, which allows the permanent practicing of sports at the level of local communities. The European statistics highlighted a polarized difference in the interest of citizens in the analyzed Member States, for the regular practice of sports, with multiple causes, such as those of an economic nature (low salaries, negative effects of the economic and financial crisis started in 2009, the low public budgets, etc.), or those deriving from the existence or lack of a mass culture in terms of practicing physical activity and its importance for health, cohesion, integration and social trust.

Despite these differences, EU membership allowed these states to adopt comprehensive political strategies to improve all forms of sport, by analysis highlighting the increasing involvement of local authorities in the promotion and development of physical activity programs and sports performance, even if the magnitude, sometimes overwhelming, of the budgetary constraints conditions the local sports policies, not allowing them to articulate with other local policies (such as urban policy). Moreover, at the level of the analyzed Member States, regardless of the state form (unitary or federal) is distinguished the tendency accentuated by the consolidation under the National Sports Law, the role and powers of the local authorities in this sector (in particular by supporting local sports clubs and investments in sports infrastructure), stimulating them to be more democratic and more inclusive.

Last but not least, from the perspective of the athletes insertion in the labour market, the analysis reveals that in the countries examined, similar to other EU Member States, the regulation of the athletes insertion is doubled by the programs carried out in a public-private partnership by the local authorities, specially designed to meet the need of professional and financial support, educational counseling, career and labour integration of athletes. As a general conclusion, we can say that the evolution of the role and functions of the local public administration authorities in the analyzed states, as well as their local policies and strategies in the area of physical education and sport, is increasingly aligned with the evolution of the legislative framework in the field outlined at European level, local authorities becoming more and more functional in this sector and more aware of the fact that sport is an integral part of the socio-economic and cultural reality of the collectivities they represent.

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