

Development of Walkways & Playgrounds in Association Property

Units are undertaking to develop facilities that are not Association core activities on their properties such as Walk-ways, Playgrounds etc.; these facilities may not be in contravention to Rule 5.1(a) but they are not for the purposes of Associations' games.

Risk

These facilities increase the risk of Personal Injury claims which impacts on the Insurance costs of all units. A large number of Visitors to our property use these facilities and do not make a contribution to the Association by way of membership, development or participation.

Maintenance

Initially these facilities are attractive and add to the facilities of the Club but units should be reminded that they need constant maintenance and upkeep. We would suggest that 5% of the total cost of these facilities is provided each year for maintenance and repairs so as to avoid deterioration of facilities which may lead to claims.

Control by the Association

A number of units lease their properties to a Community Organisation to avail of Leader/DARD funding. In the first instance Clubs should investigate the availability of obtaining these grants directly. In the event of funding being made only to a community Organisation (it should be argued that the Association is the largest Community Organisation in the 32 Counties) a lease is given to the Organisation and the property reverts to the Association at the end of the lease. There is a risk to leasing property on a long-term basis and although a deed of renunciation is effected this has not been tested in the Courts. It is important that these Organisations are properly insured and indemnify the Association for any cases that may arise. It is proposed that the Association is indemnified by a minimum of €6.5m for Public Liability and €13m for Employers Liability. The lease should give adequate use of the facilities to the Club who own the property.

Approval

In advance of any of these projects being approved the unit undertaking to do the development should

- Create a Sub-Committee and all participants using Walkways, Gyms and Playgrounds should be members of the Association;
- Approach your County Committee for guidance on:
 - (1) Risk Management and Health & Safety;
 - (2) Financing;
 - (3) Leasing.
- Central Council have delegated the authority to approve these projects to the NFMC and units are advised to move cautiously before developing such facilities because of the risks outlined above.

