

Original Article

Public-private partnership as a source of financing of sport and recreation infrastructure in Poland

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Abstract:

Regular physical activity has many beneficial effects on both physical and mental health. In Poland, local government units are obliged to create conditions which promote sport development. Local authorities have to fulfil many different public tasks and at the same time limited sources of financing, so it is worth analysing public-private partnership (PPP) as an alternative form of performing public tasks connected with sport, physical culture and tourism. The main aim of this paper is to assess the significance of PPP as a source of financing of sport and recreation infrastructure in Poland. The methods of literature studies as well as law regulation and the statistical analysis of the data regarding PPP market in Poland have been used. The data was obtained from the Polish Official Public-Private Partnership Platform coordinated by the Ministry of Development Funds and Regional Policy. The analysis covers the period from 2009 to 2020. The results of the study show that PPP contracts in the field of sport and recreation have a significant share in Polish PPP market, although their value and the number of concluded contracts vary from year to year. All analysed contacts were carried out by local authorities from eight voivodeships and the largest number of PPP contracts was concluded in one voivodeship. It may be pointed out that generally Polish local government units are interested in PPP contracts, but it is not a common solution used both in constructing new sport and recreation infrastructure and in managing the existing one. A comparison of a larger number and value of announcements (not reflected in concluded PPP contracts) with a much smaller number and value of concluded contracts may indicate that there are still some barriers to using PPP contracts in Poland. The conducted assessment of PPP contracts in sport and recreation may be the basis for further research in this field.

KeyWords: public-private partnership, financing, sport, local government units

Introduction

Sport and physical activity are indicated as an important element of healthy lifestyle. Regular physical activity has many beneficial effects on both physical and mental health. According to research results, physical activity may reduce the risk of or prevent noncommunicable diseases such as cancer, diabetes, heart diseases (Geidl, Schlesinger, Mino, Miranda, Pfeifer, 2020) and is suggested as a therapeutic method in depression (Zhang, Xiang, Li, Pan, 2021; Fortier, McFadden, Faulkner, 2020). In addition, it has a positive effect on cognitive function (Wei, Hou, Xie, Chandrasekar, Wang, Li, Xu, 2021) as well as on body posture and balance (Behring Bianchi, Dias Antunes, Quevedo dos Santos, Bulla, Schunk Silva, Pasqual Marques, Marques Gomes Bertolini, 2020). Finally, some studies indicate that regular physical activity may change some psychological aspects, especially those related to self-esteem and the body perception (Ziemianek, Jendrysik, Horodecki, Knapik, 2015).

Physical activity is recommended for children, adolescents and adults. According to the World Health Organisation, people who are insufficiently active have a 20% to 30% increased risk of death compared to people who are sufficiently active. It should also be emphasised that more than 80% of the world's adolescent population is insufficiently physically active (WHO). So insufficient physical activity causes specific costs for the society and the state in the form of, for example, additional expenditure on health care system, a reduction of the number of active people in the labour market or higher employees absenteeism.

The promotion of physical activity may be considered as one of the public tasks. It is confirmed by the fact that all European countries run sport for all policy – a part of sport policy aimed at popularizing an active lifestyle (Król, 2020, p. 1038). Not only state governments but also local authorities (state and local government unit) of European countries undertake different actions, which facilitate taking up the recommended physical activity. In Poland there is a three-level system of territorial division: communes (municipalities), medium-sized administrative units (poviats) and voivodeships. Pursuant to the Polish law municipalities are obliged to meet the collective needs of the community by fulfilling commune's own tasks. One of them is connected with physical culture and tourism, including recreational areas and sport facilities (Act of 8 March 1990 on Municipal Local

Governments, Art. 7, section 1, item 10). Also at the level of poviats and voivodeships, the scope of tasks covers tasks in the field of physical culture and tourism (Act of 5 June 1998 on Poviats Local Governments, Art. 4, section 1, item 8; Act of 5 June 1998 on Voivodeship Local Government, Art. 14, section 1, item 11). This statutory duty is also confirmed by the art. 27, section 1 of the Act of 25 June 2010 on Sport, which indicates that creating conditions which promote sport development is the task of local government units.

Promoting physical culture or physical activity may be understood as an investment in the self-development of local government units, which can result in better health of the inhabitants who are taxpayers, and cause higher income and lower expenses of particular units (Żołądkiewicz-Kuzioła, Krupa, Walczak, 2020, p. 2849). Due to the fact that local authorities have many public tasks to fulfil and at the same time limited sources of financing (Łakomy-Zinowik, 2017, p. 79) or growing debt (Szafran, 2014, p. 231), it is worth analysing public-private partnership (PPP) as an alternative form of performing public tasks related to sport, physical culture and tourism.

The issue of PPP is of interest to many researchers. The publications concerning Poland include general topics in the field of PPP such as: theoretical aspects of PPP concept (Derlukiewicz, Mempel-Śnieżyk, 2016), the development of Polish PPP market (Filipiak, 2018; Wolniakowska, Ławińska, 2017; Hajdys, 2016; Jachowicz, 2016) or more detailed analysis of the PPP contracts in tourism (Żegleń, 2017), transport infrastructure (Zagozdzon, 2020) or healthcare sector (Kosycarz, Nowakowska, Mikołajczyk, 2018). To the best of the author's knowledge, earlier studies in this area do not include the presentation of PPP as a source of financing sport infrastructure in Poland. The PPP market in Poland is still in the stage of development, which also justifies undertaking further research in this field.

In view of the above, the main aim of this paper is to assess the significance of PPP as a source of financing of sport and recreation infrastructure in Poland. In order to achieve this purpose the idea of PPP is presented in the first part of the paper. The second part of the paper covers the analysis of the data concerning Polish PPP market with particular emphasis on the issue of financing of sport and recreation infrastructure. Discussion and conclusions are presented in the final part of the paper.

Material & methods

In the first part of the paper concerning theoretical information about the PPP idea (definition, legal regulations) the methods of literature studies as well as law regulation analysis have been used. In the second part of the paper the statistical analysis of the data regarding PPP market in Poland has been applied.

The information on PPP projects was obtained from the Polish Official Public-Private Partnership Platform coordinated by the Ministry of Development Funds and Regional Policy. The platform was initiated by the Minister of Infrastructure and Economic Development on 26 January 2011 as an agreement of public entities which are willing to cooperate and share knowledge on PPP (PPP). The platform includes a database of concluded PPP contracts (available at: <https://www.ppp.gov.pl/baza-zawartych-umow-ppp/>). This database contains such project features as: short description of the project, name of public and private partners, gross value of capital expenditure or services, location, sector, implementation status, remuneration model, division of risks, use of European Union funds, legal basis for selecting a private partner. It is possible to generate reports according to the available criteria. In order to realize the research aim, the following information concerning PPP contracts were analysed in the paper:

- the number of announced proceedings,
- the value and number of all concluded PPP contracts in Poland,
- the value and the number of concluded PPP contracts in sport and recreation in Poland,
- the models of cooperation, the size and location (in terms of voivodeships - the highest-level in the administrative division of Poland) of concluded PPP contracts in sport and recreation.

Data obtained from the Polish Official Public-Private Partnership Platform relate to the PPP projects in the period 2009 – 2020. As far as the value and number of all concluded PPP contracts in Poland are concerned, the data is presented for sport and tourism as one sector. The detailed information from the Polish database of concluded PPP contracts made it possible to analyse the value and number of PPP contracts relating to sport and recreation facilities (excluding tourism) which were concluded in each year of a given period.

Results

Public-private partnerships may be defined as “long term contractual arrangements between the government and a private partner whereby the latter delivers and funds public services using a capital asset, sharing the associated risks” (OECD, 2012, p. 18). It should be emphasised that there is no widely accepted definition of PPP (Hodge, Greve, 2007), which makes the analysis of PPP difficult. Even in the European Union there is no separate act or definition of PPP, so this type of partnership is regulated by soft law and thus is not harmonized (Szafran, 2014, p. 234).

According to the Polish law PPP “consists in joint implementation of the project based on a division of tasks and risks between the public entity and the private partner” (Act of 19 December 2008 on public-private partnership, Art. 1, section 2). By the agreement in the form of PPP “the private partner commits to implement the project at a remuneration and to cover in whole or in part the expenditure for project implementation or to have them covered by a third party, while the public entity commits to cooperate with the aim of achieving the

project objective, in particular by making its own contribution (Act of 19 December 2008 on public-private partnership, Art. 7, section 1). PPP is a solution which provides access to private capital and avoids cutting investment expenditures on the provision of public services. The advantage of PPPs is that they are not only cheaper compared to the traditional form of investment, but also faster and more efficient. In addition, the quality of service is much better, owing to the experience of the private operator (Foryś, Jarosz, 2019, p. 36).

The Polish legislation indicates two main procedures which should be applied to the selection of a private partner of the a project. The first procedure is based on the provisions of the Act of 11 September 2019 Public Procurement Law and the second one refers to the provisions of the Act of 21 October 2016 on the concession contract for construction works or services (Act of 19 December 2008 on public-private partnership, Art. 4, section 1 and 2). The choice of the procedure depends on the remuneration and risk connected with the contract for construction works or services (Act of 21 October 2016 on the concession contract for construction works or services, Art. 3). There are four main models of cooperation between the public sector and private investors: (1) PPP under the Public Procurement Act, (2) PPP under the concession for constructions works and services act, (3) concessions for construction works, (4) concessions for services (Węgrzyn, 2016, p. 83).

The idea of using the private sector to finance public tasks has been known in Europe for a long time, but the rapid growth of the European PPP market has been observed since the second half of the 1990s (Szafran, 2014, p. 232). According to the European PPP Expertise Center (EPEC), 1,749 PPP projects were concluded in the European Union's PPP market in the period from 1990 to 2016, with a total value of EUR 336 billion. However, it should be noticed that after the financial and economic crisis the number of new PPP projects has decreased considerably since 2008 (ECA Special Report, 2018, p. 15).

In the case of Poland the development of the PPP market has been observed since 2009. It stems from the fact that a new legislation that regulates the functioning of the PPP market was implemented in 2008 (Łakomy-Zinowik, 2017, p. 81). The value and the number of concluded PPP agreements in Poland in the period from 2009 to 2020 are presented in table 1.

Table 1. The value and number of concluded PPP contracts in Poland from 2009 to 2020

Sector	The value of concluded contracts		The number of concluded contracts	
	PLN mln	share in %	Number	share in %
Other	59	0.72	12	7.79
Housing	6	0.07	1	0.65
Power engineering	34	0.42	3	1.95
Education	88	1.08	5	3.25
Transport	105	1.29	9	5.84
Culture	132	1.62	6	3.90
Public buildings	153	1.88	4	2.60
Water and sewage management	181	2.22	18	11.69
Health protection	207	2.54	4	2.60
Energetic efficiency	359	4.41	23	14.94
Sport and tourism	428	5.26	22	14.29
Revitalization	943	11.58	4	2.60
Transport infrastructure	1,433	17.60	24	15.58
Telecommunications	1,656	20.34	9	5.84
Waste management	2,356	28.94	10	6.49
Total	8,140	100.00	154	100.00

Source: own preparation based on (PPP Report, 2021, pp. 4-5) and PPP database.

The analysis of the data concerning the PPP market in Poland indicates that 154 PPP contracts, with the total value of PLN 8.14 billion were concluded in Poland. Taking into consideration the contract's sectors, the largest in terms of value was the waste management sector with transactions worth over PLN 2.36 billion. Telecommunications and transport infrastructure were the second and the third largest sectors in terms of value. The largest number of contracts was recorded in transport infrastructure (24 agreements) and the second largest in terms of the number of contracts was energy sector (23 agreements). Sport and tourism was the fifth largest PPP sector in terms of value (the value of concluded contracts in a given period reached PLN 428 million) and the third largest in terms of the number of concluded contracts (22 projects). It is also worth noticing that the number and value of announcements not reflected in concluded PPP contracts is much higher. In the analysed period, 600 projects with a total value of PLN 25.7 billion were announced in all sectors. The two leading sectors were: sport and tourism (154 proceedings with the total value of PLN 5.91 billion) and transport infrastructure (88 proceedings with the total value of PLN 7.19 billion) (PPP Report, 2021, p. 10).

As shown in table 2, in Poland in the years 2009 – 2020, 17 agreements were concluded in the field of sport and recreation with the total value of PLN 408.9 million. All contacts were carried out by local authorities. The value of concluded PPP contracts in sport and recreation accounted for 5% of the total value of all concluded contracts and the number of concluded PPP contracts in sport and recreation accounted for approximately 11%

of all concluded projects in a given period in Poland. The largest PPP contracts in terms of value were registered in 2016 and 2015. In 2016, the contract worth PLN 246 million titled 'Provision of services consisting in the organization of events and management of the International Congress Center and the Spodek Entertainment and sport Hall in Katowice' was signed. Its value reached 64.9% of the total value of concluded PPP contracts in Poland in this year. In 2015, there were three PPP contracts in the field of sport and recreation with the total value of PLN 93.4 million. Apart from these years, the value of the PPP contracts in sport and recreation did not exceed PLN 20 million each year.

There were three years in the analysed period (2009, 2017 and 2019) in which no PPP contract was concluded in the field of sport and recreation. The maximum number of PPP contracts concluded each year in sport and recreation was three.

Table 2. The value and the number of concluded PPP contracts in sport and recreation against all concluded PPP projects in Poland from 2009 to 2020

Year	Value of concluded contracts in sport and recreation (PLN mln)	Value of all concluded contracts (PLN mln)	Share of the value of concluded contracts in sport and recreation in all concluded contracts in a given year (in %)	Number of concluded contracts in sport and recreation	Number of all concluded contracts	Share of the number of concluded contracts in sport and recreation in all concluded contracts in a given year (in %)
2009	0.0	9	0.0	0	2	0.0
2010	19.8	484	4.1	1	8	12.5
2011	1.0	254	0.4	1	11	9.1
2012	15.8	325	4.9	2	15	13.3
2013	3.4	2,118	0.2	1	20	5.0
2014	18.2	234	7.8	2	16	12.5
2015	93.4	984	9.5	3	23	13.0
2016	246.1	379	64.9	2	10	20.0
2017	0.0	263	0.0	0	11	0.0
2018	7.9	849	0.9	3	16	18.8
2019	0.0	1,357	0.0	0	9	0.0
2020	3.3	884	0.4	2	13	15.4
Total	408.9	8,140	5.0	17	154	11.0

Source: own preparation based on (PPP Report, 2021, pp. 4-5) and PPP database.

Taking into account the information from the Polish database of concluded PPP contracts, it is also possible to analyse cooperation models in PPP contracts, the size of the project, as well as the project location (in terms of voivodeships - the highest-level in the administrative division of Poland) (table 3).

Table 3. The characteristics of concluded PPP contracts in sport and recreation in Poland from 2009 to 2020

Models of cooperation/ project size	PPP under the Public Procurement Act		PPP under the concession for constructions works and services act	Concessions for construction works	Concessions for services				Total
	Micro	Small			Micro	Small	Micro	Small	
Silesian	0	0	1	0	5	1	0	1	8
Lower Silesia	0	0	0	0	2	0	0	0	2
Podlaskie	0	0	0	0	2	0	0	0	2
Lublin	0	1	0	0	0	0	0	0	1
Świętokrzyskie	0	0	0	1	0	0	0	0	1
Warmian-Masurian	0	0	0	0	0	0	1	0	1
Greater Poland	1	0	0	0	0	0	0	0	1
West Pomeranian	0	0	0	0	0	1	0	0	1
Total	1	1	1	1	9	2	1	1	17

Source: own preparation based on PPP database.

The data presented in table 3 show that the most popular model of cooperation in PPP market in Poland in the field of sport and recreation was the concession for services. In a given period 13 out of 17 contracts were concluded in this form. It may be due to the fact, that in the act on concession the whole economic risk is carried by the concessionaire (Biadała, 2017, p. 54). In terms of the size of the projects, the most frequent were micro

(less than PLN 5 million) and small (PLN 5-40 million) projects: 8 micro and 4 small contracts were signed. The largest number of PPP contracts in sport and recreation was concluded in the Silesian voivodeship: 8 out of 17 contracts. In Lower Silesia and Podlaskie voivodeships two contracts were signed in each of the voivodships. In the remaining five voivodships, only one project was implemented in each of the voivodships.

The scope of the conducted PPP contracts in sport and recreation in Poland is provided in table 4. Most of the analysed projects concern infrastructure maintenance and management services. When it comes to the construction of a new sport and recreation infrastructure, three contracts were concluded for the construction of a sport hall, a complex of mineral pools and indoor tennis courts. The conducted PPP contracts include a one-off project, as well as agreements concluded for subsequent periods. Only one contract was implemented as a blended project, in which part of the public funding was provided in the form of the European Union funds. The shortest duration of the contract was 7 months while the longest was 27 years.

Table 4. The scope of concluded PPP contracts in sport and recreation in given voivodeships from 2009 to 2020

Voivodeships	Concluded PPP contracts in sport and recreation
Silesian	<ul style="list-style-type: none"> - management of an indoor swimming pool (3 contracts), - provision of maintenance and management services for sport and recreational infrastructure on a slope (3 contracts), - conclusion of a contract for the adaptation, equipment and operation of the Dry Zone in the water park, - provision of services consisting in the organization of events and management of the International Congress Center and the Spodek Entertainment and sport Hall,
Lower Silesia	<ul style="list-style-type: none"> - management of the tourist complex, which consists of a retention and recreation reservoir with its surroundings, i.e. a sandy and grass beach, watering place, - provision of comprehensive management and administration services of the walking hall,
Podlaskie	<ul style="list-style-type: none"> - selection of the operator of sport and recreation infrastructure located at lake (2 contracts),
Lublin	<ul style="list-style-type: none"> - construction of a sport hall with equipment,
Świętokrzyskie	<ul style="list-style-type: none"> - concession for construction works for the project of a complex of mineral pools (blended project),
Warmian-Masurian	<ul style="list-style-type: none"> - concession for services related to the use of the infrastructure of thermal baths,
Greater Poland	<ul style="list-style-type: none"> - construction of indoor tennis courts,
West Pomeranian	<ul style="list-style-type: none"> - provision of services consisting in the organization of events and the management of the sport hall.

Source: own preparation based on PPP database.

Dicussion

During the first years after the introduction of the regulation of PPP market in Poland there was a steady growth in the number of concluded contracts in all sectors (from 2 projects in 2009 to 20 in 2013). Unfortunately, this trend has changed since 2014. As far as the sport and recreation is concerned, both the value and the number of concluded contracts varies in the analysed period.

Although we have over ten years of experience in PPP contracts in Poland, it is not a common solution used both in constructing new sport and recreation infrastructure and in managing the existing one. Taking into consideration the benefits of PPP such as, for example, the possibility of combining public and private expertise in the most effective manner, the possibility of sharing risks with the private partner, the possibility of better maintenance and service levels (ECA Special Report, 2018, p. 14), PPP contracts should be of interest to public authorities committed to meeting the collective needs of communities in terms of sport, recreation and tourism. Moreover, the financial situation of the Polish local government unit should also enhance this interest. The analysed data concerning the number of proceedings in sport and tourism show that local government units are interested in PPP contracts (the leading sector is sport and tourism with 154 proceedings with the total value of PLN 5.91 billion). The small number of concluded contracts may result from the fact that there are still some barriers to using PPP contracts, such as: higher financing costs, competitiveness, changes in the law during the term of the contract, interpretation of the provisions of the PPP Act or a clear division of tasks and risks between the parties (Foryś, Jarosz, 2019, pp. 40-41).

The presented results also indicate some positive elements of the analysed issue. The Silesian voivodeship is the undoubted leader in PPP sport and recreation market. It has conducted the highest number of agreements and may deliver some kind of good practices for other local units in Poland. It is also worth emphasising that two contracts were concluded for subsequent periods in Silesian voivodeship, which may prove good cooperation between the public and private partners.

Conclusions

Access to sport and recreation infrastructure is one of the conditions influencing people's lifestyle and sufficient physical activity. Limited sources of financing of the community needs in the field of sport and recreation, as one of many public tasks, causes that it might be expected that local government authorities in Poland should be interested in PPP as an important form of public task implementation. The results of the study show that PPP contracts in the field of sport and recreation have a significant share in Polish PPP market,

although their value and the number of concluded contracts vary from year to year. All analysed contracts were carried out by local authorities from eight voivodeships and the largest number of PPP contracts was concluded in one voivodeship. It may be pointed out that generally Polish local government units are interested in PPP contracts in the field of sport and recreation, but it is not a common solution. The conducted assessment of PPP contracts in sport and recreation may be taken into account as a good basis for further research in this field. One of the questions that arises from the conducted analysis concerns the reasons for the situation that there are so many proceedings in the field of sport and recreation and the number of PPP contracts being implemented is so small. Identifying these reasons may be helpful in extending the use of PPPs contracts in other Polish voivodeships.

Nowadays, due to the Covid-19 pandemic, the use of sport and recreation infrastructure is much more limited. However, it is also the incentive to provide access to this infrastructure in a way that is appropriate to the current situation, which can also be financed by PPP contracts.

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