

**URGENT ACTION – POW BECK SPORTS VILLAGE PROJECT – URGENT WORKS
TO WHITEHAVEN FC AND WHITEHAVEN RLFC GROUNDS**

EXECUTIVE MEMBER: Councillor Cath Giel, Portfolio Holder for Effective Leadership.

LEAD OFFICER: Julie Betteridge, Head of Development Strategy

REPORT AUTHOR: Clinton Boyce, Legal Services Manager.

SUMMARY: To advise Members of action taken under the Executive's urgent business procedure in respect of the provision of a grant to the Whitehaven Football Club Limited and the Whitehaven Rugby League Football Club Limited to enable them to carry out urgent works to their respective Grounds to protect their existing status in League sports.

RECOMMENDATION: That the urgent action, at Appendix A to the report, is noted.

1. BACKGROUND AND ACTION TAKEN UNDER URGENT BUSINESS PROCEDURE

- 1.1 Members are referred to the action taken under the Executive's urgent business procedure attached as Appendix A. That urgent action form sets out the background to this matter and the works proposed.

2. CURRENT POSITION ON URGENT ACTION

- 2.1 Following the approval of the urgent action being taken a grant offer was issued to the Whitehaven AFC on the 2nd June and to the Whitehaven RLFC on the 12th June 2009.

3. CURRENT POSITION ON POWBECK SPORTS VILLAGE DEVELOPMENT

The key stakeholders in the development of the new stadium have appointed Baines Wilson as solicitors to provide corporate advice relating to the formation of a special purpose vehicle to take the matter forward including the preparation of an initial constitutional document. A more detailed report on progress being made with the Sports Village development will be made to the Executive in August/September 2009.

4. RECOMMENDATION

- 4.1 As set out in the 'Summary and Recommendation' box at the beginning of this report.

5. FINANCIAL AND HUMAN RESOURCES IMPLICATIONS (INCLUDING SOURCES OF FINANCE)

- 5.1 The provision of the grants was fully funded by the West Cumbria Development Fund. Other than the cost of officer time in processing the grants, etc there is no direct cost to the Council.

6. PROJECT AND RISK MANAGEMENT

- 6.1 Grant conditions have been imposed which include ensuring that the works are carried out in accordance with the planned works, require statutory consents to be obtained, to indemnify the Council in respect of claims, etc. A condition has also been imposed requiring the Clubs to participate in negotiations for the successful delivery of the Powbeck Sports Village development.

7. IMPACT ON CORPORATE PLAN

- 7.1 Directly supports objectives for regenerating Copeland.

List of Appendices

Appendix A – Urgent action form.

List of Background Documents

As appendix.

List of Consultees

Head of Legal & Democratic Services (ref MJ)

Head of Finance and Management Information Systems (ref JC)

Portfolio Holder

CHECKLIST FOR DEALING WITH KEY ISSUES

Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

| | |
|---|------------------------------------|
| Impact on Crime and Disorder | N/a |
| Impact on Sustainability | N/a |
| Impact on Rural Proofing | N/a |
| Health and Safety Implications | N/a |
| Project and Risk Management | N/a |
| Impact on Equality and Diversity Issues | N/a |
| Children and Young Persons Implications | N/a |
| Human Rights Act Implications | N/a |
| Monitoring Officer comments | As contained in urgent action form |
| Financial Monitoring Officer comments | As contained in urgent action form |

Please say if this report will require the making of a Key Decision NO



| Ref Number | Date Issued | Officer/Dept | Rec'd by Secretariat | Reported to the Executive |
|--|-------------|--------------|----------------------|---------------------------|
| 03/09 | 28 May 2009 | C Boyce | | |
| Prior to processing this form it must be referenced by the Secretariat | | | | |

REQUEST FOR AGREEMENT TO URGENT ACTION UNDER EXECUTIVE PROCEDURE RULES

Pow Beck Sports Village Project – Urgent Works to Whitehaven FC and Whitehaven RLFC Grounds

STAGE A

| | |
|---|---|
| Portfolio: Effective Leadership – Powbeck Major Project | Originating Officer: Bob Collins, Acting Director Clinton Boyce, Legal Services Manager |
| Date of next Executive meeting: 30 th June 2009 | |
| <p>Actions proposed:</p> <p>To make a grant of £62,445 to the Whitehaven Football Club Limited (WAFC') for the purposes of improving their existing changing rooms and extending their grandstand and to make a grant of £18,000 to the Whitehaven Rugby League Football Club Limited ('WRLFC') for the purposes of improving their toilets and sponsors' lounge. The Council will draw down the total grant from the West Cumbria Development Fund. In making the payment of the grant to the two clubs the Council will be acting under its powers contained in section 19 of the Local Government (Miscellaneous Provisions) Act 1976 (provision of recreational facilities) and/or section 2 of the Local Government Act 2000 (economic and social well being).</p> <p>Good progress is being made between the key partners in bringing forward the first phase of the Pow Beck Valley Sports Village which will be the development of a new joint stadium for the two Clubs.</p> <p>Critical to this development is the successful continuation of both clubs. Unfortunately both clubs require urgent ground and facilities improvements to meet their respective governing body league status eligibility criteria.</p> <p>WAFC must meet the National League Status Step 5 criteria by the start of the new season in August 2009 which requires significant improvements to their changing rooms and shower facilities and increased seated covered accommodation for spectators. This work needs to</p> | |

be carried out immediately prior to the commencement of the new season to avoid the Club being relegated from the Northern Football League which they have taken 17 years to get into. The club would also be removed from the "pyramid" system of football promotion and would only be able to play at local league level where their current reserve team plays.

If the matter was deferred until the next Executive meeting it is unlikely that the works could be completed in time as the decision of the Executive on the 30th June would not be actionable until the 10th July with the delay then being compounded by holidays in the building trade.

WRLFC have submitted a bid to the Rugby Football League for grant aid towards essential ground improvements which must include matching funds and this work must also be carried out urgently to ensure private sector sponsorship is secured to maintain a financially sound business. The current condition of the ground is poor with toilets not having a roof and the floor of the sponsors' lounge being in need of urgent repairs. Televised matches are a good opportunity to raise sponsorship. Unfortunately the condition of the ground means that WRLFC cannot win sponsorship. The next televised match is on the 16th July.

It is essential that both clubs remain active and maintain or improve their respective league status. Even without the Sports Village project this would remain important in promoting the economic and social well being of the Borough.

Financial/Resource Implications:

The grants are provided by the West Cumbria Development Fund and therefore there are no financial implications for the Council.

Reason(s) for urgency:

As set out above under 'Actions proposed'.

Implications of not taking action before next Executive:

Clubs placed at risk because the works cannot be completed in time either for (a) the commencement of the new season resulting in a high risk of WAFC being removed from the Northern League which they have taken 17 years to get into; and (b) in respect of WRLFC prior to the next televised game resulting in loss of income.

Comments of Head of Legal & Democratic Services on grounds of urgency::

Agreed as urgent on the grounds that a delay would have a serious effect on future delivery.

Certified and Agreed as Urgent:

Signed: M. J. G. G.

Dated: 29/5/09

STAGE B

Ref No

03/09

Portfolio Holder

Comments on action proposed:

In agreement as the will and the
overall Pow Beck development.

Action: AGREED/~~NOT AGREED~~

Signature:

Dated:

1 June 09

Overview and Scrutiny Chair

Comments on action proposed:

Action: AGREED/~~NOT AGREED~~

Signature:

Dated:

1/6/09

Head of Finance and Management Information Systems

Comments on action proposed:

We have received, today, the grant from the WCDF
which will fund the award

Action: AGREED/~~NOT AGREED~~

Signature:

Dated:

29/05/09

Head of Legal and Democratic Services (Monitoring Officer)

Comments on action proposed:

Action: AGREED/~~NOT AGREED~~

Signature:

Dated:

29/05/09

Other Consultees (State Name)

Comments on action proposed:

Action: AGREED/~~NOT AGREED~~

Signature:


Dated:

STAGE C

| | |
|--------|-------|
| Ref No | 03/09 |
|--------|-------|

To be completed by Originating Officer

I certify that Stages A and B of this procedure have been completed and the Urgent Action proposed will be implemented on or after the date of this certification

Signature:  Dated: 02/06/09