	REPORT TO CABINET TO BE HELD ON 11 DECEMBER 2018
	Key Decision: No Forward Plan Ref No N/A
Corporate Priority People and Place	Cabinet Portfolio Holder Cllr Martin Smith – Portfolio Holder for Tourism

REPORT OF: DIRECTOR (RB) – 18/305

WARDS AFFECTED: RAMSHILL

**SUBJECT: IMPROVEMENTS TO THE FLAMINGOLAND
FOOTBALL STADIUM**

RECOMMENDATION (S):

It is recommended that:

1. The £100k secured from the naming rights of the Community Football Stadium at the Sports Village is used by SAFC to undertake improvements to the football ground as set out in this report and subject to the conditions contained at 2 below.
2. The use of the naming rights funding be subject to:
 - All necessary permissions being in place;
 - Securing of £150k of grant from the Football Stadia Improvement Fund (funded by the Premier League); and
 - The balance of funding required to complete the scheme to be provided by Scarborough Athletic Football Club (SAFC) and their Supporters Club.
 - Entry into the agreements referred to in 3 below.
3. If the FSIA funding bid is successful delegated authority be granted to the Director (RB) to:
 - Accept the terms of the FSIA bid and enter into the funding agreement to act as accountable body jointly with SAFC (as attached at Appendix 1); and
 - Enter into an appropriate agreement with SAFC and Everyone Active governing the delivery of the improvement works.

REASON FOR RECOMMENDATION (S):

To undertake improvements to the Community Football Stadium which will improve provision for spectators by providing additional seating and standing capacity that is both raised and covered, as well as increasing capacity for the disabled spectators.

HIGHLIGHTED RISKS:

The Football Stadia Improvement Fund grant has been submitted and a decision is due on 29 January 2019. If this is not successful the scheme will be unable to go ahead in its current form and further options will need to be developed and approved.

There is a risk that the scheme overspends. This would be mitigated by the securing of detailed quotations and adequate contingency. The Council is also supporting SAFC with project management of the scheme. Any overspend would be the responsibility of SAFC. Any additional contribution from the Council would require additional approvals.

The Council, as owner of the facility, will be the second applicant for the Football Stadia Improvement Fund and as such will be jointly and severally liable for the terms and conditions of any grant, along with SAFC. In particular this includes clawback of the grant should there be any non compliance with the terms. This is mitigated by the agreements that will be in place (between the Council, Everyone Active and SAFC) governing the terms on which the works are undertaken and project management support from the Council's Project Manager.

1. INTRODUCTION

- 1.1 This report sets out proposals for undertaking improvements to the Flamingo Land Community Football Stadium.

2. CORPORATE AIMS

- 2.1 The Plan supports the People and Place themes of the Corporate Plan.

3. BACKGROUND AND ISSUES

- 3.1 The current Flamingo Land Stadium was completed in June 2017, as part of the Sports Village Development. The facility is managed on behalf of the Council by Everyone Active under the terms of the Leisure Operating Contract. There is, in addition, a three way agreement in place between the Council, Everyone Active and SAFC which sets our arrangements in relation to the use of the Football Ground.
- 3.2 The Stadium is currently graded as an FA grade C ground with a capacity of 2070. The main stand seats 252 and the ground as a whole provides total roof cover for 565 spectators. The ground meets all current FA requirements for teams playing at Step 3.

- 3.3 SAFC currently play at step 3 of the non-league pyramid (Evo-stik Premier League – Premier Division) and therefore the ground currently meets the FA requirements for SAFC.
- 3.4 SAFC had average crowd attendance of 1070 for last season. Their average for the 6 highest attended league matches was 1526. Three games last season had attendances over 2000 last season, very near to the full capacity for the Ground.
- 3.5 Given the spectator numbers there are some particular issues with the current Ground and areas of need that SAFC would seek to address through the proposed improvements.
- 3.6 The key issues currently experienced are:
- **The lack of covered spectator areas.** With a capacity of only 565 for covered areas, usually at least half of spectators have no cover. This impacts on attendances when the weather is poor, for example the Colwyn Bay Game which fell during a period of bad weather in March had an attendance some 300 below the previous 6 home games. For SAFC a prolonged period of bad weather is likely to impact on their income and sustainability.
 - **Not enough seats.** There are a total of 252 seats in the main stand. All of these are fully occupied at each game. The season tickets are sold out. This is a particular issue for older supporters, those with limited mobility and families.
 - **Limited raised viewing areas and poor sight lines.** There is currently a 313 capacity on a four step terrace. The capacity of the ground allows for flat standing 4 deep around the ground (total flat standing capacity of 1505). In effect this means that once attendances reach over 941 there are spectators with very limited sight lines. 73% of league games last season and all for the current season have had attendances above this level.
 - **Limited spaces for disabled spectators.** There are four specific disabled spaces at the back of the seated area as well as pitch side spaces on the flat standing area. These are full at each game and on average SAFC have twice as many requests as spaces.
- 3.7 In 2017, the Council undertook a procurement exercise in respect of the naming rights for the Stadium. This secured a total of £100k of income from Flamingo Land. The Council has committed that this income will be reinvested back into the facility.

4. CONSULTATION

- 4.1 Dialogue has been ongoing between the Council, Everyone Active and SAFC regarding these proposals. Everyone Active are supportive of the proposals.

- 4.2 SAFC have consulted with their supporters and the proposals have been developed to address the issues that have been identified by spectators and supporters.
- 4.3 Discussions have been held with Flamingo Land, who are supportive of the proposals. The original agreement with Flamingo Land was payment in 5 annual instalments of £20k, however, with flexibility to bring forward payments for a larger improvement scheme. Representatives from Flamingo Land are in agreement with making their payment in full to support this scheme.
- 4.4 Positive discussions have been held with the Football Foundation regarding a grant application being made to the Football Stadia Improvement Fund (FSIF).

5. ASSESSMENT

- 5.1 This proposal is to add a 76m lightweight stand on the eastern “Donkey Field” side of the ground that provides further covered seating for 336 spectators in 6 rows, flanked by two 420 capacity 12 stepped terraces. In addition an additional 8 wheelchair spaces would be created in the main stand, expanding current capacity from 4 to 12.
- 5.2 The proposal for the disabled provision has been approved by “Level Playing Field” and it is considered that the current designated area at the back of the main stand is ideal in terms of access to parking and other facilities.
- 5.3 This proposal will overcome the key issues identified above by increasing cover for spectators, with additional seating and terraced areas. This will also enable provision of a family area within the new seating area. Overall the proposal will raise the capacity of the Ground as shown in the table below:

	Current capacity	Proposed capacity
Seated	252	572
Standing (covered)	313	1173
Standing (uncovered)	1501	1070
Dedicated wheelchair spaces	4	12
TOTAL	2070	2827

- 5.4 The total cost of the proposed works is £290,035. A grant of £150,000 has been applied for from the FA Football Stadia Improvement Fund (FSIF). It is proposed that the Council allocate the £100k of the naming rights funding to the project, with the remaining £40,035 being funded by SAFC. The naming rights funding would only be released once all necessary permissions are in place and confirmation received that the FSIF bid has been successful.
- 5.5 The FSIF application has been submitted and will be considered by the FA funding Panel on 29 January 2019.

- 5.6 The work will be procured in accordance with the requirements of the funder and SAFC will be project managing the works, with support from the Council Projects Team, who will oversee the works and ensure works are undertaken to the required specification and standards. Agreements will be in place between the Council, Everyone Active and SAFC setting out the terms on which works will be undertaken.
- 5.7 Once completed the new stand will be managed and maintained in accordance with the principles and terms of the existing agreements in place between the Council, Everyone Active and SAFC, specifically the Leisure Operating Contract and the three way agreement in respect of the use of the Community Football ground.

6. IMPLICATIONS

6.1 Policy

There are no direct policy implications.

6.2 Legal

The Council will be the second named applicant for the Football Stadia Improvement Fund bid and will be jointly and severally liable for compliance with the terms of the grant (attached as Appendix one). This includes terms relating to clawback of the funding should there be non compliance with the terms of the grant.

An agreement will be drawn up between the Council, Everyone Active and SAFC governing the requirements for the works including issues such as specification, health and safety, method statements, programme of works, contractors to be used and timescales. The agreement will require SAFC to carry out the works in accordance with the terms of the grant. The agreement with SAFC will also include provisions relating to the use of the naming rights fund.

The works will be project managed by SAFC, with support from the Council's Project Manager who will oversee the works to ensure they are undertaken to in accordance with the terms of the grant, to the required specification and standard.

The future operation of the new stand will be governed by the Leisure Operating Contract (LOC) with SLM and the three way agreement between the Council, SAFC and Everyone Active in relation to the use of the football ground.

6.3 Financial

The total cost of the work, including all professional and other fees, is £290,035.

SAFC will be responsible for any cost overruns associated with the works however as far as possible these have been mitigated through detailed quotations, and inclusion of a £20,000 contingency.

The scheme will be funded as follows (prices are exclusive of VAT and SAFC have confirmed they can claim back any VAT paid):

FSIF grant	£150,000
Naming Rights Revenue	£100,000
SAFC	£37,885
SAFC Supporters Club (tbc 30/10/18)	£2,150
Total	£290,035

6.4 **Equalities and Diversity**

This proposal will improve the facilities for disabled spectators at the Football Ground.

6.5 **Staffing Implications**

No specific implications

6.6 **Planning Implications**

Planning approval is required and has been applied for. This proposal is subject to necessary planning permissions being obtained.

6.7 **Crime and Disorder Implications**

No specific implications

6.8 **Health and Safety Implications**

All parties will be required to comply with all health and safety legislation.

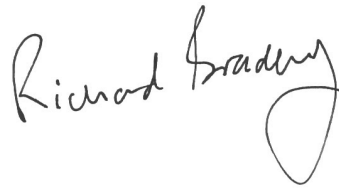
6.9 **Environmental Implications**

No specific implications.

7. **ACTION PLAN**

7.1 Subject to Planning and Funding decisions, it is anticipated that works will be undertaken at the end of the 2019 season. Detailed timescales will be drawn up following confirmation of the funding. Indicative timescales are as follows:

Planning permission	31 December 2018
Funding Decision (FSIF)	29th January 2019
Operating agreements (The Council, EA and SAFC)	February - March 2019
Detailed method statements and programme of works developed	March – April 2019
Works commence	May 2019

A handwritten signature in black ink that reads "Richard Bradley". The signature is written in a cursive style with a large, looped initial 'R' and a distinct 'B'.

Richard Bradley
Commercial Director

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Background Papers:

IF YOU HAVE ANY QUERIES ABOUT THIS REPORT OR WISH TO INSPECT ANY OF THE BACKGROUND PAPERS, PLEASE CONTACT Jo Ireland ON 01723 384315, e-mail jo.ireland@scarborough.gov.uk

Risk Matrix

Risk Ref	Date	Risk	Consequences	Mitigation	Current Risk Score	Target Score	Service Unit Manager/ Responsible Officer	Action Plan
1	26/10	The Football Association (FSIF) grant is not successful.	This would prevent the scheme going ahead as currently proposed and new options would be considered and approved.	Ongoing dialogue with the Football Foundation who are supportive of the proposal	C4	B4	JI	
2	26/10	Works overspend	This would be at SAFC risk, however, the Club have limited resources and this could impact on the successful delivery of the scheme.	£20,000 contingency, detailed quotes have been secured. The stand proposed is a prefabricated construction type and costs are known, reducing the risk of costs overruns in respect of this aspect of the scheme. Support provided by SBC project team.	C4	B2	JI/CB	
	26/10	Non-compliance with terms of the FSIF terms and conditions	Potential clawback of funding from the Council (as second applicant)	Three way agreements in place between the Council, EA and SAFC governing the undertaking of works and project management oversight by the Council's Projects Team.	C4	B3	JI/CB	