

MORE THAN A CLUB

Issue 1 February 2020

CLUB
DEVELOPMENT
MAGAZINE



**"Vision without action
is a daydream. Action
without a vision is a
nightmare."**

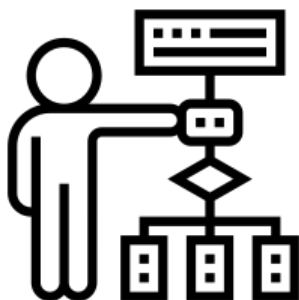


MORE THAN A CLUB

ISSUE 1: CLUB LEGAL STRUCTURES

PAGE 1: INTRODUCTION

A BRIEF INSIGHT INTO "MORE THAN A CLUB" AS WELL AN INTRODUCTION TO LEGAL STRUCTURES.



PAGE 2 & 3: CLUB IN FOCUS: AFC POGMOOR.

AN INTERVIEW WITH AFC POGMOOR CHAIRMAN JAMES LIVESEY.

THE COUNTY FA WOULD LIKE TO THANK JAMES FOR SHARING THE CLUBS JOURNEY WITH US.



PAGE 4: ADDITIONAL INFORMATION AND WHATS NEXT?

HERE WE ROUND UP ISSUE 1 AND SIGNPOST YOU TO OUR CLUB SUPPORT OFFICER- TOM MEASHAM.



ON THE COVER
AFC POGMOOR CASC PRESS
RELEASE



SHEFFIELD & HALLAMSHIRE COUNTY FA

MORE THAN A CLUB



THE CLUB LANDSCAPE HAS CHANGED. ACROSS ENGLAND THERE ARE MORE TEAMS THAN EVER PLAYING FOOTBALL WITHIN 18000 CLUBS RUN BY OVER 400 000 DEDICATED VOLUNTEERS. THE NUMBER OF CLUBS IS GRADUALLY REDUCING BUT THE SIZE AND OPPORTUNITIES OFFERED BY CLUBS HAS INCREASED WITH MANY LARGER CLUBS NOW SUPPORTING OVER 40 TEAMS, THE LARGEST RUNNING OVER 100 TEAMS! (THE FA, 2019).

IT IS WITH THIS IN MIND THAT WE ARE PLEASED TO OFFER OUR NEW ELECTRONIC MAGAZINE "MORE THAN A CLUB." WE ARE AIMING TO KEEP CLUBS UP TO DATE ON THE LATEST DEVELOPMENT ISSUES FACED BY MODERN CLUBS, AS WELL AS SHINING A LIGHT ON THE FANTASTIC ONGOING WORK GOING IN THE COUNTY.

In this first issue we will be focusing upon legal structures of clubs, which for a modern club with multiple teams is becoming more and more important. As clubs grow so does the workload and responsibility for dedicated club volunteers.

When we look at legal structures the most important consideration has to be getting the right structure in place to benefit the club as well as protecting hard working volunteers from liability.

Many football clubs in the county are ran as **unincorporated organisations**- which in a lot of cases is totally suitable. An alternative option for clubs is to **Incorporate** as a **limited company**- this makes the club a separate legal entity, most importantly this means the club members are not personally liable for it's debts.

The importance of liability becomes more in focus for clubs that have significant assets, interest in property or enter contracts

involving risk- as were any claim to be brought against club the liability for individual members of committee of management is both unlimited and "joint and Several."

As well as protecting cub committees, having the most suitable legal structure for a club can have real financial benefits, This can be used to develop/improve club facilities for example.

Adopting a **special tax status** such as becoming a **Charity** or **Community Amateur Sports Club (CASC)** can bring significant tax benefits, new funding sources and the opportunity to access Gift Aid, helping to improve the finances for future development.

For a closer look at a club that have gone through the process of adopting a new legal structure please see our club in focus section on the following page, showcasing the journey of AFC Pogmoor



**For more
info on club
legal
structures
visit- 'Club
Matters'**

[CLICK HERE](#)





AFC POGMOOR CLUB IN FOCUS



“The club’s primary focus is very much on providing a safe and enjoyable environment to play football and less on the stresses of winning and being the best”

James Livesey Shares his thoughts on changing legal structure.

Q. Tell us a bit about the club?

JL. "AFC Pogmoor was formed in 2011 with initially just the 1 team but has since grown to 16 involving 10 boys teams, 5 girls teams and an adult disability side. The club's primary focus is very much on providing a safe and enjoyable environment to play football and less on the stresses of winning and being the best. We try to take a different approach to how the club is structured directing the focus away from the club and more to the individual teams. This has helped to increase volunteer involvement and gets the players more involved with the way their team is run. In the future we hope to see further growth, particularly with our girls section and steps have been taken to secure a lease so the club can build a new more permanent home."

Q. Why did you begin to look at the club's legal structure?

JL. "The main driving force was the application for the lease of land that the club was considering. To secure it there were Council pre-requisites we had to cover, one being the need to attain CASC status which in itself would have placed a lot of responsibility on the Club Committee members which we had to safeguard against."

Q. What structure did you settle on and why?

JL. "AFC Pogmoor's official legal status is now a company limited by guarantee. The main motivation originally stems from the fact that



DID YOU KNOW? MUCKLE LLP

Provide legal support to The Football Association and its County FA's and Chartered Standard Clubs across England and Wales.

WEBSITE

The Muckle LLP website contains the FA Resource area, designed to help guide and educate clubs and people who work in football organisations.

[Click here to access Muckle's website](#)

WHAT CAN THEY OFFER?

Muckle can offer 30 minute free legal support, which in most cases is enough time to get an understanding of what your club requires, They can tailor a support package to based around the needs of your club.

*Please note following the 30 minute consultation Muckle is a paid legal service.

**CHARTER STANDARD
CLUBS CAN CONTACT
MUCKLE LLP VIA**

Call 0191 211 7799; or email at CSLegalHelp@TheFA.com





AFC POGMOOR CLUB IN FOCUS



Barnsley Council wanted to effectively hand over the lease for Woodview, one of Pogmoor's main playing facilities. The offer was attractive but came with the condition that Pogmoor must become a Community Amateur Sports Club (CASC), officially recognising that the club is run for the benefit of the community. We took legal advice on the process as well as advice from the FA. The fact that Pogmoor would be taking on a long term lease and that the Club Committee members would ultimately be personally liable for any breaches of the lease or health and safety incidents- it was determined that to protect these volunteers, the legal status of the club should be changed. The Company Limited by Guarantee seemed appropriate and often used by similar community run clubs. We therefore made the legal change as part of the CASC application process."

Q.What are the main benefits for the club?

JL. "There are clear benefits but also drawbacks:-

Main Benefits

CASC- Supports Woodview Lease application

CASC- Some limited tax benefits, Pogmoor is likely to benefit from Gift Aid relating to fundraising events such as the sponsored walk.

CASC- Reputational, its clear what a CASC stands for and has had some influence on our dealings with other organisations.

Company Limited by Guarantee – Club committee members (all volunteers) are now protected against potential liabilities arising from the relationship with Barnsley council and the lease at Woodview.

Company Limited by Guarantee – Transparent management structure, election process etc

Main Drawbacks

-CASC and Company Limited by Guarantee extra paperwork. Needed to increase the range and responsibilities of the management Committee.

The club went through a thorough process assessing the pro's and cons, as well as taking time to understand the subtle change in ethos of the club. Arguably we're a better run club for going through the process."

Q. How long did the process take? Would you have any advice for other clubs following the same route?

JL. "We started to consider the CASC option around the beginning of 2019 and as this was new to us all we had no idea how long it would take or what it might entail. Luckily we received support through one of the parents and their company's community support programme. We were able to progress at a steady pace but it wasn't until the autumn of that year did we receive final CASC confirmation from HMRC. As for advice to other clubs, I would suggest thinking carefully about CASC before you put pen to paper. Without the support we've had we would never have been able to achieve what we have, both from a legal and financial perspective. We are yet to see any real rewards to having the CASC but we're sure these will come in time making all our efforts worthwhile."



“The fact that Pogmoor would be taking on a long term lease and that the Club Committee members would ultimately be personally liable for any breaches of the lease”

UNSURE IF YOUR CURRENT LEGAL STRUCTURE IS SUITABLE?

Q1 Does your club employ staff?

Q2. Does your club own or lease property?

Q3. Does your club enter into contracts or arrangements involving risk?

Q4. Is your club considering the future development of its facilities?

ANSWER YES TO ANY OF THE ABOVE?

You may need to seek advice on the legal structure of your club.

Your County FA club support officer Tom Measham is happy to help.

Tom.Measham@sheffieldfa.com

0114 2615515



SHEFFIELD & HALLAMSHIRE COUNTY FA

MORE THAN A CLUB



FOR ALL YOUR CLUB'S DEVELOPMENT NEEDS PLEASE FEEL FREE TO GET IN TOUCH WITH TOM MEASHAM, CLUB SUPPORT OFFICER

TOM.MEASHAM@SHEFFIELDDFA.COM

IF YOUR CLUB HAS GOT A STORY TO TELL AND WANT TO SHARE, PLEASE DO GET IN TOUCH WITH TOM MEASHAM



IS THERE AN AREA OF CLUB DEVELOPMENT THAT YOU WANT TO KNOW MORE ABOUT? SEND YOUR QUESTIONS IN AND WE WILL LOOK TO ANSWER THEM IN FUTURE ISSUES

ISSUE 2- BIGGER & BETTER, COMING IN MARCH, OUR CLUB IN FOCUS WILL BE KIVETON PARK FC



@SHCFA #MTAC

