

Iminster Cricket Club License.

Agenda No 12

stuart shepherd <stuartshepherd79@googlemail.com>

Tue 30/10/2018 10:40

To: Joy Norris <town.clerk@ilminster.gov.uk>; [REDACTED]

Dear Joy,

The License to the cricket club for the use of the pavilion was granted in March 1977; a subsequent enquiry as to the status of the licence was made by the then Town Clerk Steve Fisher in 2010. This seemed to conclude that the situation of the license agreement was dubious.

The Iminster Cricket Club wish to move forward in improving the changing facilities in the existing pavilion which is the property of the Iminster Educational Foundation. To enable the club to progress this project further (funding authorities require a minimum of 25 year security of tenure) the Iminster Cricket Club would formally request that the Iminster Town Council request that the Iminster Educational Foundation give the ITC permission to change the current license to a Sub-Lease of their existing Lease agreement.

Regards

Stuart Shepherd Acting Secretary
Iminster Cricket Club



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Extract from Town Council minutes 20.11.18

531 Cricket Pavilion - legal arrangements

A request from Ilminster Cricket Club was considered regarding the legal arrangements for the cricket pavilion as the Cricket Club want to have security of tenure in order to be able to access grants

RESOLVED to request Ilminster Education Foundation to allow the Town Council to offer Ilminster Cricket Club a sub-lease for the cricket pavilion

ILMINSTER TOWN COUNCIL

Council Offices
North Street
ILMINSTER
Somerset
TA19 0DG

Tel: 01460 52149
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Town Clerk: **Joy Norris MILCM ACIS MSc**



14 March 2019

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Dear Mr Wells

The Town Council has considered a request from Ilminster Cricket Club regarding the legal arrangements for the cricket pavilion as the Cricket Club want to have security of tenure in order to be able to access grants. The Council's resolution was *"to request Ilminster Education Foundation to allow the Town Council to offer Ilminster Cricket Club a sub-lease for the cricket pavilion"*

I would be grateful if the IEF would consider this request and advise me of their decision as to whether or not they are agreeable to Ilminster Cricket Club having a sub-lease.

Yours sincerely

Joy Norris

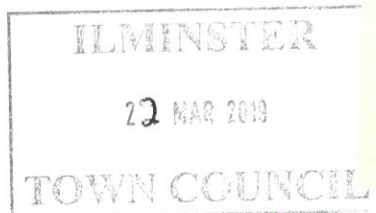
CC: Secretary Ilminster Cricket Club

THE ILMINSTER EDUCATIONAL FOUNDATION

E. A. Wells, M.A.

Clerk to the Trustees

The Town Clerk,
Ilminster Town Council, North Street,
ILMINSTER,
Somerset
TA19 0DG



My ref:

E/Premises

Date :

21st March 2019

Dear Miss Norris,

Lease of Part of Recreation Ground **Subject to Contract**

Thank you for your letter of the 14th March and for ensuring that I received it in time to put before my Trustees that afternoon. Subject to some clarification and a number of legal and practical considerations my Trustees are in principle prepared to consider a sub-letting in accordance with clause 4 of the 1972 lease. They are also prepared, subject again to agreement on details and the legal implications, to the pavilion being demolished and replaced notwithstanding the terms of clause 2 (c) of the lease.

To take this matter further I need confirmation of the following:

1. Exactly what land is to be included in the proposed sub-lease
2. Who on behalf of the cricket club will take responsibility for compliance with the covenants in the sub-lease given that the club is not itself a legal entity.
3. That the terms of the sub-lease are compatible with your Council's obligations under the lease.
4. That all legal and surveying costs that arise from any consent to this concession from the terms of the lease will be borne by your Council as tenant.

I will need to see a plan and a draft sub-lease and the Foundation will need to take legal advice on those as well as securing the agreement of a Chartered Surveyor as required by the Charity Commission.

So far as the intended demolition and re-building are concerned there are further concerns such as the compliance with planning and building regulations, the legal position if the work is not competently carried out or unfinished and the obligations on your Council to ensure that the Foundation is protected against any loss of value of its property as a result of such activities.

I hope this allows your Council and the Ilminster Cricket Club to make progress with a scheme which should be of considerable benefit to the town. It does however throw up a number of quite complex concerns which need to be addressed at an early stage before my Trustees can give any unconditional response.

I look forward to hearing from you further.

Yours sincerely

A handwritten signature in cursive script that reads "E A Wells".

E A WELLS

Clerk

Joy Norris

From: stuart shepherd <stuartshepherd79@googlemail.com>
Sent: 24 May 2019 11:23
To: Joy Norris; Paul Knight; craig rice; Burton Philip; Roger Swann; Michelle Gunn; Jane Dewick; Matt James; stuart shepherd
Subject: Ilminster Cricket Club Pavilion

Dear Joy

Now that the new Council is established (almost) I thought I ought to formally write to request a confirmation that Ilminster Town Council will support the actions of the Cricket Club in making the Pavilion fit for purpose.

ILMINSTER CRICKET CLUB was established in 1860 has played in various grounds before starting to play on their current field in 1971 (the former sports field of Ilminster Boys Grammar School) The Pavilion was built in the 1920's and was extended in the 1980's by a generous donation of one of our members.

18 months ago the representatives of the Somerset Cricket Board and the English Cricket Board met at the Pavilion and discussed the future direction of the club.

They indicated that there would be substantial funding available over the next few years, resulting from Sky TVs sponsorship of cricket.

You have received a confirmation that the Ilminster Educational Foundation have agreed in principle to the rebuilding of the Pavilion in its present situation.

The request from the Cricket Club is for the Ilminster Town Council to endorse in writing their permission to move forward and progress the matter further.

The English Cricket Board will assist in the first instance of funding an architect to design the Pavilion for the next 150 years!

We are also aware that there is funding available from Section 106 monies currently held with SSDC.

There will also be funding directly from the English Cricket Board.

We would also request that Ilminster Town Council act as bankers to handle the payments of the various accounts that will occur during the project.

Obviously the Cricket Club will be putting both physical and financial contributions.

The time frame of this will be dependent on the English Cricket Board.

They will only move once they have received confirmation from both the IEF and the ITC that they are supportive of the project; in fact most funders will only contribute with that confirmation.

For information Ilminster Cricket Club run :-

1. Training sessions for 5-8 year olds throughout the summer.
2. under 10's Under 11's, Under 13's, Under 14's Under 15's Under 16's and Under 19's teams
3. Four Senior Teams and a newly formed Ladies team

Please can you confirm that this item will be on the Agenda of the Full Town Council Meeting on 18th June.

This will enable members of the club to attend.

Sincerely

Stuart Shepherd (Secretary ICC)