

**Sports Club Licence
Council 13 January 2015**

1. The Town Council is asked to consider how it wishes to proceed regarding the requests from the Cricket Club, Football Club and Sports Club on the subject of the Sports Club Licence and instruct the Town Clerk accordingly.

Contextual Information

2. Letters have been received from Ilminster Cricket Club, Ilminster Town Football Club and Ilminster Sports Club (see Appendices 1-3) requesting the Town Council change the existing licence arrangements for The Sports Club. In this context the licence refers to the arrangement between the Town Council and The Sports Club for the building on the Wharf Lane Recreation Ground.
3. The licence is an agreement whereby the licensee (The Sports Club) can occupy the land and, subject to certain conditions, may erect and use a building for purposes ancillary to the playing of games of cricket and association football.
4. The current licence with The Sports Club has been in place since 1977 and includes a requirement that the Trustees should give six months written notice if they wish to bring the licence to an end.
5. It is understood that the Football Club and Cricket Club have an informal agreement whereby the Cricket Club runs the Sports Club building between May and September and the Football Club run it between September and April; each have their own arrangement for how they operate during their running period.
6. The Town Council, upon learning of rumours that meetings were being held to discuss the future of The Sports Club, asked that the three organisations involved put their request in writing and confirm that their respective committees had considered the licensing arrangements.
7. The letters received from the three clubs do not contain identical requests nor suggestions as to the way forward, for example The Sports Club letter says it wishes to terminate the existing licence, the Cricket Club letter says that it wishes to take over the full running of the Sports Club and the Football Club says that until there is certainty over their proposed move to Britten's Field and groundwork has begun, no change should be made and gives a suggested date of May 2015.
8. Legal advice has been sought (from Clark Wilmott whom the Council chose to deal with the licence revisions)
 - Should the Council be minded for the land to continue to be licensed, the most practical way forward would be to agree to a termination of the existing licence and issue a new licence with updated terms.
 - The Town Council do not have to transfer the existing licence
 - The Town Council do not have to issue an new licence
 - The Town Council can insist that any buildings, structures, fixtures, drains placed on or through the land by the licensee are removed if the licence is terminated by the current licensee.

Background Papers

Licence agreement between Ilminster Town Council and the Sports Club

Report prepared

For further information contact the Town Clerk: Tel 01460 52149, or
email town.council@ilminster.gov.uk