

**Club Licences and Leases
Council 16 December 2014**

RECOMMENDED

- (i) that the Solicitors are instructed to draft a licence for the Cricket Club for the cricket pavilion and playing area and a lease for the Football Club for the proposed new football and community facility and associated pitches which includes the headings and provisions contained in Appendix 1 to this report and provides for a tenure of 25 years.**
- (ii) Council agrees any additional details to be included in the licence / lease**

Appendices to this report

- 1 Proposed new / revised licence headings
- 2 Response from Ilminster Cricket Club
- 3 Response from Ilminster football Club

Background Information

1. The Town Clerk, using the existing licences, compiled a list of potential headings and conditions to be included in new licences.
2. The Open Spaces Review Group members were asked to discuss the list with their clubs and suggest any additions or changes.
3. The Chair and Vice-Chair of the Open Spaces Committee, the Open Spaces Team, the Deputy Clerk and were also invited to comment upon the potential items to be included.
4. The potential headings and conditions to be included in any lease and /or licence were provided to solicitors when they were asked to submit prices for undertaking the work.
5. Council agreed at its meeting on 13 May 2014 that the licences / leases should be for a 25 year tenure.

Report prepared 09.12.14

Background Papers

Licence between Ilminster Town Council and Ilminster Cricket Club
Licence between Ilminster Town Council and Ilminster Football Club
Licence between Ilminster Town Council and the Sports Club

New / Revised Licence Headings

Purple text indicates provision in existing licence

1. **Tenure**
(IEF lease to ITC expires 2050 – 36 years)
Breaking the licence
2. **Utilities**
Installation, maintenance, usage payment
3. **Council Tax**
Responsibility for payment
4. **Equipment Storage Facilities**
Safe storage of chemicals, petrol, highly inflammable substances
5. **Plan showing what is included**
Buildings, no & layout of pitches, paths / access to buildings
6. **What the building / land may be used for**
Pavilion ancillary to playing cricket
Match schedules
Practices - no and schedule
respect line / cordon only in respective playing season
scorers box, nets
no illegal or immoral purposes
floodlights
7. **Insurance / indemnity**
Responsibilities – buildings & contents, fire, theft, weather, personal injury, public liability
8. **Council / IEF right to inspect**
right to require work
9. **What permissions may need to be requested on an ad hoc basis**
Vehicular access, alterations to building (inside or out) or pitch layout, regular and ad hoc sub-letting, income streams, erection of marquees,
10. **Grounds Maintenance**
 - a. What the licensee is responsible for, mowing / cutting, weed control, white lines / pitch marking, respect line – erection and dismantling, viewing areas, painting and erection and removal of goal posts, rolling, cutting & replacing turf, seeding. Corner flag posts, [removable] dugouts, floodlights
 - b. "Authorised people" e. g. to undertake maintenance work / contractors
 - c. What needs to be notified to ITC e.g. weed killing, sand,
 - d. Agreement to maintenance regime, changes to maintenance regime
 - e. In season / out of season differences, inspections, respect line / cordon – erection and dismantling, erection and removal of goal posts

- f. Paths / access to buildings
- g. Responsibility for deciding if pitches playable
- h. Waste / Rubbish collection & disposal (esp after matches & training)
- i. Damage to ground, fences, trees, other planting – reporting, cost of reinstatement

11. Building Maintenance

Responsibilities – standards, fire extinguishers, general maintenance, internal & external decoration,

Management arrangements

Collection & disposal of waste

(two grandstand urinal and sump)

12. Rents

Rent at start of agreement

Mechanism for reviewing rents & charges and any appeal procedure

Payment schedule

Timeliness of payments

13. Access – key holders – right to hold keys

14. Entrance fees / gate money

15. Voluntary collections of money

16. Mechanism for agreeing interpretation of anything in the licence

17. Complying with ITC byelaws

ILMINSTER CRICKET CLUB SUB COMMITTEE MEETING 15TH APRIL 2014

REPLIES TO NEW/REVISED LICENCE FORM.

1. TENURE.

The time of the licence is important to the Cricket Club, as any prospective funder will require a security of tenure (The original licence was for 10 years) We would consider this a minimum.

2. UTILITIES

All existing utilities are paid for by the club (water usage is shared with the football club when they use the changing rooms in the CC pavilion.) The plans for the improvement of the pavilion will include a maintenance schedule.

3. EQUIPMENT STORAGE FACILITIES.

The CC require the existing storage area to remain. The necessary safety of storage of chemicals etc will be observed.

4. PLANS

The existing plan of the pavilion (already submitted) The main cricket pitch to remain as is.

The second pitch in Brittens field need to be as far north as possible to create a flat pitch

5. USAGE OF LAND BUILDINGS.

The fixture list for both cricket pitches will be provided. The cricket club will maintain the existing score box, nets. Practice times are according to weather conditions, the boundary for both playing areas will be clearly marked,

6. INSURANCE.

The CC has a separate Public Liability cover through English Cricket Board.

The CC understand that the insurance for the other requirements are covered by ITC and paid by CC to ITC.

7. RIGHT TO INSPECT

The CC recognises the right of IEF.ITC to inspect the pavilion, playing areas at any time.

If the pavilion or any other area of the CC responsibilities becomes distressed it is understood that ITC has the right to require work.

8. AD HOC PERMISSION.

THE CC accepts that ad hoc permission for vehicles to access the area of the CC responsibility

Will be required from ITC. Equally erection of temporary buildings etc. However the CC wishes to protect the cricket square (currently maintained by CC) not to allow other users, unless by the CC permission.

9. MAINTENANCE

The maintenance of the cricket squares are the responsibility of CC. All other areas maintained by ITC (an agreed schedule of cutting of outfield needs to be made , particularly in the growing season.

The CC would like to see a maintained path for wheelchair access from Canal Way to CC Pavillion

10. BUILDING MAINTENANCE

The CC are aware of responsibility for health & safety and General maintenance.

11. RENTS

The CC are aware of their responsibility to pay re

Continued from Page 1.

12. ACCESS

The CC would like to have a key (to be placed in a secure place in the pavilion) for the gate from Canal Way for emergency vehicles to have access.

THE CRICKET CLUB WILL PROVIDE A DETAILED FIXTURE CARD, AN UPTODATE ACCOUNTS SCHEDULE AND A LIST OF REGULAR COSTS FOR THE RUNNING OF THE CLUB/

THIS REPORT HAS NO MENTION OF THE FOOTBALL CLUB ACTIONS< OR THE SOCIAL AREA KNOWN AS 'THE SHED'

DURING PART OF THE WINTER SEASON THE FOOTBALL CLUB USE THE CC PAVILION AS CHANGING ROOMS

3/7/14 - John Pullister asks that agreement with FC to not play (to losing side) on pitch just below the Head from Mid Feb h be included in lease (or) agreement between the 2 clubs has been in place for many years).

Licence Headings – football club response
(phone call from Football Club Chairman)

- Football club to do buildings maintenance
- Football club to do pitch maintenance
- Town Council to cut grass on pitches
- Tenure ideally 35 years