

**Cricket Pavilion  
Council 19 May 2015**

**RECOMMENDED**

- (i) that the Town Council identifies its preferred option(s) for the future legal arrangement regarding the cricket pavilion**
- (ii) that the Town Clerk and 2 Councillors are nominated to have discussions with the Cricket Club and report the outcome to Council (with a view to Council agreeing what action to request of the Ilminster Education Foundation)**

**Introduction**

1. The Town Council lease the land between the Wharf Lane Recreation Ground and Britten's Field from the Ilminster Education Foundation (IEF). This is where the main cricket square and the cricket pavilion are situated. (The lease is in place until 2050.)
2. The Cricket Club currently have a licence from the Town Council for the cricket pavilion and the Town Council has already agreed to review that licence and offer a 25 year tenure.

**Background Information**

3. The cricket pavilion requires substantial remodelling and modernisation and the Cricket Club wish to fund this work as far as possible by grant funding. Planning Permission has already been given for the proposed work.
4. Many grant awarding bodies require applications to be from either the owners of the property or from the leaseholder (and in the latter case for there to be security of tenure in the lease for a minimum of 20 years).
5. In early March 2015, the Cricket Club wrote to the Town Council requesting that the Town Council formally ask the Ilminster Education Foundation if they would consider allowing a sub lease on the cricket pavilion. The Town Council considered the request at its meeting on 17 March 2015 but following discussion felt that a sub lease was not the only way forward and identified 4 options:
  - (i) A sub lease
  - (ii) The Town Council relinquishing the current lease and new separate leases being negotiated – the Town Council leasing the land excluding the cricket pavilion and the cricket club leasing the cricket pavilion
  - (iii) The Town Council relinquishing the existing lease and the Cricket Club negotiating a new lease direct with the IEF
  - (iv) The lease remaining as it is, with the Cricket Club doing the preparatory work for any funding applications and then depending on the requirements of the funding body the Cricket Club, the Town Council (as leaseholder) or the IEF (as landowner) being the applicant or joint applicants.

Options (i)–(iii) are likely to involve direct and indirect costs for all parties additional to the current licence review. Option (iv) is the approach employed for the Football and Community Facility project which has garnered grants

exceeding £500,000. This method of working shows team work between the club and the local council and implicit is the local council's support for the project.

6. As instructed by the Town Council, a letter was sent to the IEF asking for their opinion of the 4 options - their response is

*"..... Trustees are expecting to hear from you when you have discussed the options with the Cricket Club. I agree that the options you list appear to be the only ones worthy of discussion. My Trustees are keen to help both the Cricket Club and your Council in any way compatible with their obligations to take good care of their portfolio of properties. Any of the first three options will require the Foundation to take professional advice from a Chartered Surveyor whose advice the Trustees are obliged by law to follow.*

*I await the outcome of your discussion whether or not that outcome includes any application to my Trustees."*

**Background papers:**

Letters from the IEF to the Town Council dated 19.02.15 & 15.04.15

Letter from Ilminster Cricket Club to the Town Council 27.02.15

Letter to the IEF from the Town Council dated 24.03.15

NALC Briefing paper on Licences and Leases.

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For Further information contact: The Town Clerk, tel 01460 52149 or email [town.council@ilminster.gov.uk](mailto:town.council@ilminster.gov.uk)