Taverham Recreational Facilities

A brief outline of the story, and legalities, of the relationship between Taverham Recreational Facilities and Taverham High School

Key:

THS	=	Taverham High School
TRF	=	Taverham Recreational Facilities
NCHC	=	Norwich City Hockey Club
BHC	=	Broadland Hockey Club
TPC	=	Taverham Parish Council
KMS	=	Kier Managed Services

- In 1993, THS was approached by the two hockey clubs (NCHC & BHC), who were in receipt of approximately £200k from The Foundation for Sport and Art, to set down an all weather hockey pitch. THS did not have capacity, but the hockey club representatives asked GP about the land adjacent to the school. This was TPC land, and led to an approach to TPC that proved very productive.

- The pitch cost of £270k comprised the £200k grant referred to above, £30k hockey clubs' contributions and £40k loan/overdraft facilities from a bank.

- In 1994 TRF was set up as a charitable, non-profit-making, holding company, to enable two things:
  - Firstly, to provide a company to whom TPC could lease the land
  - Secondly, to manage the money and pitch construction on behalf of the hockey clubs;

- TPC leased the land to TRF (50 years in the first instance), and construction began. The pitch was completed, and available for use, from November 1996. Planning Permission incorporated a Section 106 agreement, whereby NCC is obliged to provide TRF with access to the Sports Ground, and parking facilities.

- The three-cornered arrangement (TRF/THS/TPC) was based on mutual advantage and thrived on mutual goodwill and co-operation, and the contributions and benefits to the three partners were as follows:
  - TPC provided the lease on the land (peppercorn rent). In return, TRF would manage the Beech Avenue facility for them, with all costs and income retained by TRF Ltd.
  - THS provided the car parking and changing facilities (with nil charge to TRF Ltd.). In return the school would have (nil charge) all-day use of the pitch on weekdays in term time.
  - TRF provided the pitch and managed the Beech Avenue sports facility. In return, it would have use of the land and parking/changing facilities, with all costs and income retained by TRF Ltd

- The above arrangement was set up as a 'gentleman's agreement. The timing of the school's use of the pitch was set as 8am to 6pm on weekdays in term time. The clubs had access to the pitch via the school, and undertook to lock the changing rooms and school gates if they were departing after the school had visibly finished business and/or if they had unlocked (e.g. at the weekends).

- After some 9 years of use on this basis, the school (in common with most other High Schools) was embracing Specialist Status. As a Sport College, it identified the need to build a changing facility adjacent to the all weather pitch. This would give the school the convenience of some changing rooms near the all weather facility, as well as some small rooms for office and sixth form use, and the hockey clubs would have a pavilion facility for evening and weekend use.

- Motivated by the need for a pavilion and the application for Sports Status, the school located a number of sources of funding to support the construction of the pavilion. The breakdown of eventual funding is given in the Funding Agreement (see Clause 3.2 and Schedule 3).

- The school secured the agreement of the DCSF to permit DCSF Funding (Sports College, Seed Challenge etc.) to be used to construct a building on Parish land. This agreement was dependent on the lease being increased to 99 years. This increase was agreed by the Parish.

- The Parish issued a new lease for 99 years, with effect from January 2005, on two conditions:
  - that TRF should demolish the old pavilion within one year
  - that a community skatepark, or other suitable new sporting provision, should be provided within two years of completion of the pavilion *(this was later amended to a community BMX track, and the timing renegotiated to coincide with the eventual construction of the second hockey pitch).*

- Thus both the all weather pitch and the pavilion are the property of TRF Ltd., constructed on land leased from TPC.

- Two legal documents are pertinent to the plan. The funding for the purchase and construction of this facility was governed by the *Funding Agreement* (between NCC and TRF limited). The *Joint User Agreement*** (between NCC; The Governing Body of THS; and TRF) governs its continuing use.
  ***NB this Agreement was the subject of a Novation after the school's move to Academy status in 2012/13.*

- Following completion of all the above agreements, construction commenced in February 2005, and the pavilion became available for use in November 2005.

- From Easter 2006, for two years, THS became the subject of a PFI build. This resulted in new buildings on a grand scale. The TRF facilities were excluded from the PFI build, and thus from the site management arrangements with KMS. TRF now has to liaise with NCC and KMS regarding access arrangements and site management.

- Clearly, the pavilion has running costs associated with it and, whereas the all weather pitch remains free to THS**, the school must bear its share of the pavilion costs. During the build, TRF produced a Business Plan, showing projected operating costs set against anticipated income from hours of usage etc. The operating costs to THS were calculated as £18k per annum. *(**in 2013 THS made a major contribution to the costs of relaying the carpet)*

- The same Business Plan revealed a shortfall of £80k in the final capital cost of the build. The school agreed to pay off this shortfall, in consideration of 5 years' rent in advance, finishing 31 August 2010. Thus the school's share of the operating costs will be recalculated as appropriate to costs at the time, and will resume in September 2010.

- **Subsequent to the above, TRF and THS drafted an Agreement to replace the 'Gentleman's Agreement' and relating the contribution to the pitch with 15 years' use by the school, i.e. from 2013 to 2028.

These notes were collated in the Autumn of 2008, by Tim Aldous, founding Chair of TRF Ltd and Graham Porter, Headteacher of THS from 1989 to 2007, on the basis of their collective and collaborative involvement in the above events and agreements. They have since been kept up to date by the addition of the last three bullet points.