

Malmesbury Victoria Football Club

Established 1898

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Members of
The Plaister Autos Wiltshire Football League
The M4 Karting Cirencester & District League
The North Wilts Youth & Minor League

Mr Jeff Penfold,
Town Clerk,
Malmesbury Town Council,
Town Hall,
Malmesbury,
Wiltshire,
SN16

2nd September 2014

Dear Mr Penfold,

RE: Malmesbury Victoria FC – Lease Flying Monk Ground

I am writing further to our meeting on the 21st August 2014, where we discussed a number of points in relation to the current lease that Malmesbury Vics FC has for the use of the Flying Monk Ground.

The meeting was called by yourself in response to a complaint you had received about the storage of certain items at the ground, the general untidiness of the site and some potential breaches of the lease.

As we discussed at the meeting the club has been so focussed on its survival that it has neglected some basic housekeeping issues which has led to the current general untidiness of the site.

Whilst this is not a defence I hope it does help to explain why parts of the ground have not been maintained in the condition that they should have. However as agreed at the meeting we have already started the tidying up process and the items you identified as needing to be moved as a matter of priority have been disposed of.

Moving forward the Club will ensure that it does not allow this situation to occur again and is looking to invest in suitable storage containers etc, that will help prevent this problem occurring again. These improvements will greatly improve the part of the Flying Monk Ground occupied by the Malmesbury Vics Football Club.

However, during our discussion you also mentioned that the Club may be in breach of its current lease with the Town Council as it is occupying parts of the Flying Monk Ground that its lease does not cover.

As we discussed this came as a surprise to me as I had assumed the club was only occupying land it is entitled to use in accordance with its lease.

You explained that the club was only entitled to use the land the clubhouse is built on and the pitch. The external storage areas currently being occupied by the club are not covered by the existing lease.

Clearly there is an issue with the current lease as without these areas being included the club will have a major issue with storage as these areas are used to store essential maintenance equipment, goalposts, marquees etc. As far as I am able to establish these areas have been used for a number years and I suspect that this is where the confusion has arisen with regards to which areas are covered by the lease or not.

To further add to the confusion the club was granted Planning Permission by North Wilts District Council to extend its clubhouse facilities on the 20th December 1993 and Malmesbury Town Council wrote three times on the 19th October 1993 / 18th November 1993 / 16th December 1993 stating that it had no objections to these plans and that the plans would enhance the sporting facilities of the Town. All letters were signed by the then Town Clerk, Mr H.E Ferguson.

The Club enacted this permission by starting work on the footings which are still in place today, but regrettably never finished the work due to a lack of resources.

I have emailed you separately with a copy of the various documents we have in relation to this Planning Application.

It would appear that that this Planning Permission was overlooked by the Club and the Town Council when the current lease was negotiated and signed on 31st March 2010 and consideration should have been given to extending the area leased by the football club to reflect the Planning Permission.

However the current lease is now in force and regrettably does not accurately reflect the position on the ground. Therefore the football club would like to request that the Town Council give consideration to amending the current lease (as per the Planning Permission emailed to you separately) to allow the football club to continue to use the land it has occupied over a number of years. The club would also like to request that the area be extended to 14 metres from the end wall of the current clubhouse which is slightly further than the current Planning Permission.

The additional area would also enable the Athlestan Players to site a much needed storage unit at this end of the Flying Monk Ground.

If the Council is minded to grant this request the Football Club will with immediate effect seek to purchase a storage container that will be placed next to the Clubhouse which will be used to store essential maintenance equipment etc.

The club will also undertake to fence off the new area which will improve security and the look of the overall site.

This general tidying up of the site will also provide some much needed additional parking on the Flying Monk Ground.

The Secretary of the club, Julie Exton has contacted both the Boxing Club and Athlestan Players to advise them of our intention to rectify the anomalies in the areas covered by our lease and neither have raised any objections.

I hope that the Town Council is able to look favourably upon this request so that the football club can legally occupy the land it needs at the Flying Monk Ground and that the Town Council and Football Club can continue to work in partnership with an amended lease that reflects the current position.

Yours sincerely

Jonathan Davies
Joint Treasurer