

## PRESS RELEASE

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7 October 2014 for immediate use

Hitchin Cow Commoners Trust ('the Trust') is a registered Charity. There are eight trustees all of whom are unpaid volunteers.

The Trustees are now able to respond to recent requests for information. Prior to 25<sup>th</sup> September 2014 we were involved in negotiations and protracted litigation with Celeriter Limited who is the only shareholder in Hitchin Town Football Club Limited.

The Trustees can confirm that, after years of negotiation, a lease has been granted to HTFC (Top Field) Limited (formerly Celeriter Limited) for 25 years from 25 September 2014. The lease was completed only days before the parties (ie Celeriter Limited and Hitchin Cow Commoners Trust) were listed to have the matter decided by the Court. Celeriter Limited changed its name to HTFC (Top Field) Limited in August 2014.

The new lease incorporates a break clause for redevelopment. That break clause was agreed at a mediation meeting by Mr Andy Melvin as a Director of HTFC (Top Field) Limited.

The Trust is party to an Option Agreement with New Road (Clifton) Limited and HTFC (Top Field) Limited are aware of the details of the option agreement and have been for several years.

Prior to the signing of the Option Agreement the Trust held several meetings with Celeriter Limited and the supporters of HTFC Limited to discuss the relocation of the football club. Many alternative sites were considered and viewed by Celeriter Limited, the Football Club officials and the Trust. In addition the Trust had meetings and discussions with other sporting associations in Hitchin (including the Hitchin Rugby Club, Blueharts Hockey Club and Hitchin Cricket Club) to discuss the possibility of joining together to develop a large sports centre suitable for a larger variety of sports.

Since the start of the Scheme of Trust there have been many offers to purchase Top Field for redevelopment purposes. Unfortunately none of those interested parties were able to provide alternative proposals for the relocation of HTFC. Neither were they able to fund such relocation and the development of new facilities for HTFC.

The Trust has never considered selling the land at Top Field without securing a suitable site for the relocation of HTFC.

The Trustees received a proposal from New Road (Clifton) Limited which, if approved, means the Trust would be able to provide a new site for the relocation of HTFC together with additional high quality facilities for the people of Hitchin, including practice courts, netball courts, state of the art dressing rooms and community facilities, WITHOUT disruption to Hitchin Town Football Club or its supporters. The proposal from New Road

(Clifton) Limited means they would apply for planning permission for both sites, build the new sports centre, including access roads, football stadium and all of the additional facilities, as set out in the plans already disclosed, and allow relocation of the Football Club BEFORE commencing development at Top Field.

The Trustees believe that the proposed new sporting facility will not only provide a very modern, much larger, more well equipped football stadium with up to date dressing rooms, massage rooms and bar area, but it will also meet the exacting standards of Sport England and the Football Association. Additionally there is room for growth should the Football Club become more successful in the future. The new sporting facility also incorporates netball courts, practice pitch, substantial car parking and community facilities for the people of Hitchin (which the Trust are unable to provide on the present site) thus satisfying the Trust's objectives.

For those that may not be familiar with the objects of the Trust they are

***(1) The object of the charity is for the benefit of the community through the provision of facilities for the charitable use for cricket, football or other sports or for other general charitable purposes for the benefit of the inhabitants of the town of Hitchin.***

***(2) Subject to the provisions of clause 5(6) of this Scheme the land held by the charity in Part 2 of the Schedule to this Scheme is to be used for the purposes of the charity.***

Despite suggestions that the Trust have been secretive we feel that we have been as open as possible with Celeriter Limited, Hitchin Town Football Club, Councillors, Community Interest groups and the local community. The Trust have, over the last two years, held meetings with Celeriter Limited, HTFC, local community interest groups, councillors and objectors to set out the position of the Trust and also details of the development.

The Trust believes that a new 25 year lease will enable the HTFC (Top Field Limited) to apply for grant funding to assist in the restoration of the present facilities at Top Field. It is obvious to all that the site and facilities are very run down and will require a huge financial investment to bring them up to the standard of other clubs of its size and status. Many people have suggested that the Trust should pay for the renovations and new facilities. However the Trust does not have monetary assets; our only asset is the land upon which the Club stands and a small tranche of land on Butts Close, and we would, in any event, be restricted from doing so by the objects of the Trust mentioned earlier.

It should also be noted that until very recently the Trust were repaying the Official Solicitor for the huge costs awarded against it as a result of Court action brought against it many years ago to secure the Charitable status of the Trust. The Court gave the Trust consent to pay the costs off annually (as the Trust had no money) from rent collected under the previous lease to Celeriter Limited.

We acknowledge that the proposal for Top Field and the new development will not gain approval for everyone. There has been much constructive comment and criticism most of which relates to the proposed use of Top Field (rather than the new sporting facilities in Stevenage Road).

The Trust are aware that New Road (Clifton) Limited will shortly be making an application for planning permission, and HTFC (Top Field) Limited and Hitchin Town Football Club, have been aware of that fact for a very long time.

The ultimate decision will be made by North Herts District Council Planning Officers through the planning process. Objections to the planning application will be invited, at the appropriate time, by that department and will no doubt be considered in the usual way. The granting of, and application for, Planning Permission is not within the control of the Trust and the Trustees will abide by the final decision.

If the planning application fails HTFC (Top Field) Limited will still have the remainder of the 25 year lease and the Trust will be in the same position that it was before the negotiations with New Road (Clifton) Limited began.

Should New Road (Clifton) Ltd be successful then there will be a brand new multi-sport facility for the people of Hitchin and a home for HTFC.

The Trustees have acted in accordance with the duties conferred on them and remain impartial.

The Trust thank Mr Melvin for his invitation but feel that it would not be in the best interest of the Trust to attend the meeting on 8 October 2014.

The Trust is contactable at [info@thehcct.org.uk](mailto:info@thehcct.org.uk)

ENDS

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Notes for editor