

**Hanham Folk Centre**  
*Registered Charity No: 301544*

**Operating Agreement  
between  
HFC and Cricket Club Section**

Version 1.0  
(Dated 28 March 2004)

**A. Sports Ground and associated facilities**

Two sections operate at this venue:

**i. Cricket Club**

The Cricket Club has used these facilities since the year 1951 and a rental (a section charge) has been paid to HFC for the use of the ground, pavilion building and equipment garage stores. The members have been responsible for general maintenance of ground and building. The ground area covers some six acres and the pavilion consists of a brick/wooden building, which comprises a bar and lounge area, toilets and shower facilities as well as two garages, which are used to store equipment. There are currently 84 members.

**ii. Tennis Club**

The Tennis Club operates two tennis courts and a small wooden storage/admin building. This Agreement does not concern any aspect of the Tennis Section.

**B. Cricket Club Building Refurbishment**

- i. In March 1999 HFC Management and Executive Committees entered into an unsigned Agreement to allow the Cricket Club to refurbish the pavilion and its facilities. Cricket Club members financed the work through a five year interest free loan from their members. The loans were to be repaid annually over a five-year period, the final payments becoming due in March 2004. It was further agreed that a Ground/Bar Management Committee be set up with responsibility for the efficient running of the bar, all aspects of general maintenance and new projects including overall control of the facility.

**C. Objective**

- i. This Document sets out to achieve an Agreement between HFC and the Cricket Club, which incorporates elements and principles of the March 1999 document. (It should be noted that although there were various documents and letters written in 1999, there was no formal signed Agreement adopted.)

**D. Governing Body**

- i. HFC is a charity, which owns the Sports Ground, Sports Pavilion and all equipment, fixtures and fittings. The Cricket and Tennis sections are part of the Centre's charitable aims and the two sports clubs are allowed to run their own internal affairs subject to the Board of Trustees, as a Corporate Body, retaining overall control. Both section Committees shall ensure that the property, assets and other resources are protected and managed effectively.

**E. Accounting**

- i. All Income and Expenditure associated with the bar and other facilities will be accounted for in the books of HFC and HFC Social Club.
- ii. It is a requirement that good financial records and procedures should be maintained.
- iii. There are some 'shared' costs to be apportioned between HFC and the Ground/Bar Management Committee accounts, which include such items as insurance, admin, banking, IT, cleaning etc.
- iv. Cricket Club section will produce their own operating Profit & Loss account (club running costs and players' subscriptions), which will be presented to the HFC Treasurer annually.
- v. Any surpluses produced by the Ground/Bar Management Committee from the Sports Pavilion bar, after taking into account all known costs, as agreed by the Financial Controllers of both the HFC and Cricket Club Section as well as the Ground/Bar Management Committee, will be allocated, subject to the Board of Trustee's approval, to meet Sports Ground project costs. Any room rental income will be passed to HFC but will be credited to the Ground/Bar Management Committee Profit & Loss account.
- vi. The Cricket Club accepts that the final decision to spend money rests with the Board of Trustees and that, in the event of an emergency, the Trust can use its resources as appropriate to the circumstances.
- vii. The accounts must be independently audited before any funds are released.

**F. Target**

- i. The Cricket Club is required to pay an annual fee known as the section charge, which is payable to HFC for the use of its Sports Ground and facilities. This charge is to be reviewed annually.

**G. Management Committee**

- i. The Committee will consist of Sports Ground Chairman, Folk Centre Chairman and Vice Chairman, Cricket Club Chairman and Vice Chairman, one additional Trustee and up to four members of the Cricket Club Committee.
- ii. There shall be a quorum of at least one third of the number of members of the Committee or three members, whichever is the greater, present at each meeting provided that the Chairman or Vice Chairman of the Folk Centre is present.
- iii. The Objectives of the Committee are to meet and agree a programme of work for the coming year, develop a budget, and report quarterly to the Board of Trustees (through the Cricket Club Chairman). The general principle is that funds raised by the Sports Ground bar will be spent on Capital Expenditure items on the Sports Ground and its facilities, subject to the Board of Trustees approval. Costs relating to cricket playing activities are to be met from the Cricket Club's own funds.
- iv. It is a requirement that all activities are within the law and HFC Charitable objectives as defined by the Governing Body and general rules, and should also ensure that the Charity's ethos and values are protected.
- v. The fundamental purpose of the Committee is to manage and improve the facilities for the overall benefit of Club members, Charity and community. This will be based on both the needs of all the Sports Ground users and the wider needs of the Charity.
- vi. The Cricket Club Chairman will provide a quarterly written report to the Board of Trustees. Its contents should include a project progress update as well as any other relevant issues.

**H. Social Club Committee Meetings**

- i. The Cricket Club must nominate a bar steward to serve on the Social Club Committee, to attend meetings and be responsible for the running and manning of the bars. The Committee is accountable to the Board of Trustees.

**I. Expenditure**

- i. All expenditures over £250 (other than normal day to day costs) must be approved by the Board of Trustees prior to actual expenditure. In the case of an emergency, an emergency application authorisation procedure will apply to enable work to proceed on the authority of three Board of Trustee officers. This can initially be arranged verbally with three from the following: HFC Chairman, Vice Chairman, Secretary and Treasurer. The full Board of Trustee approval must then be completed as soon as possible. Applications should be supported by three written quotations. This will apply to individual items as well as entire projects. Since the Social Club rents the premises from the Folk Centre, all changes and

refurbishment within the Social Club area must be with the approval of the Trustees (Form HFC\_CE).

**J. Disputes**

- i. Any dispute shall be dealt with by reference to an independent person(s) appointed by the Board of Trustees.

**K. Periodic Review**

- i. This Agreement will be reviewed by the Board of Trustees initially after one year from adoption, and then formally every two years in February, prior to the start of the new financial year.

**L. Adoption**

- i. This Document has been agreed by both parties, as indicated by the signatories and comes into force from the date shown below. It has been passed by Resolution at the Board of Trustees meeting held on 1<sup>st</sup> March 2004.

Signed:.....Hanham Folk Centre                      Date:.....

Print: .....

Signed:.....HFC Cricket Club                      Date:.....

Print: .....

**Hanham Folk Centre  
Capital Expenditure Approval**

HFC\_CE

*(for all items/projects over £250)*

Section: \_\_\_\_\_

Date: \_\_\_\_\_

**Details of Proposed Capital Item**

**Summary of Capital Equipment proposed:**  
*(Why is it needed, How would you manage without it, What benefit will it bring to the wider Community)*

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Summary of Costs of Capital Equipment:**

<p><b><u>Cost of Procurement:</u></b></p> <p>1st Quote: £ _____</p> <p>2nd Quote: £ _____</p> <p>3rd Quote: £ _____</p>	<p><b><u>Maintenance and Support Costs:</u></b></p> <p>What is the expected life of this equipment? _____ yrs</p> <p>What is the estimated annual maintenance and running costs? £ _____</p> <p>Quotes are attached YES/NO</p>
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**Project Information:**

Does this Capital Procurement form part of a larger Project? YES/NO

If Yes, What is the estimated total Project Procurement Cost? £ \_\_\_\_\_

What is the estimated total maintenance/running Cost? £ \_\_\_\_\_

Give an outline summary of the entire project

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Board of Trustees Approval**

This proposal was discussed at the BOT meeting held on \_\_\_\_\_

The BOT has decided that this proposal has been **APPROVED / NOT-APPROVED**

The reasons for non-approval, or any conditions attached to the approval are outlined below:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Position: \_\_\_\_\_

HFC\_CE 05/2003