

**Withyham Parish Council  
Report for consideration**

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|-----------|---------------|----------|-------------|
| Report By | For Committee | Date     | Agenda Item |
| D Siddle  | Finance       | Sep 2025 | 7           |

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|--------------|------------------|--------|------------|
| Confidential | Not Confidential | Exempt | Not Exempt |
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**Groombridge Recreation Ground/ Msporti**

**Background**

**Why is this matter on this agenda?**

At the last Finance meeting the Committee noted:

*“use of the Recreation Ground by the M-Sporti football club has caused damage to the grass and that it was always meant to be a temporary arrangement which would be reviewed as the recreation ground is not fit for purpose as a football pitch. The Clerk was asked to place this on a future Council agenda and Cllr Anderson would enquire whether Groombridge Sports Ground Association and St Thomas’ School can find a way for it to return to the Tanyard.”*

Since that meeting it has been brought to the RFO’s attention that Msporti’s presence might be breaching WPC’s lease for Groombridge Recreation Ground. In the lease the permitted use specifically states ‘No commercial use is permitted’. Although WPC are not charging MSporti to use the recreation ground, there may be an argument that WPC may be in breach because MSporti is a commercial organisation which is charging the parents for the afterschool football.

**Why is there an agreement for Msporti to use it?**

The agreement for Msporti to use Groombridge Recreation Ground was initially made in September 2023 at the request of the St Thomas’ School PTA Chair– see appendix 1 for emails from Clerk to Councillors requesting agreement under delegated authority..

The School changed the terms of their arrangement with GSGA for their use of the Tanyard. This affected MSporti as their use no longer came under the school arrangement and so MSporti would be charged to use the Tanyard, which they felt they would be unable to cover under their existing fees to parents.

This arrangement was due to be reviewed before Christmas and the minutes of the December 2023 Council meeting are as follows:

*“Msporti had confirmed to the Clerk that they were happy with the current arrangement. The Chair of St Thomas’ School PTA felt that carers had also preferred it. He confirmed that the Tanyard’s hire charges would have increased the fees paid by carers to MSporti for the club. This arrangement kept fees at their previous level.*

*It was noted that the surface of the ground is more muddy due to the activity, but the club had not needed to be cancelled due to waterlogging, even when very wet.*

*Councillors agreed that it was good that the current arrangement has worked well for the children, carers and MSporti but that it was a shame that it was not viable for the club to take place at the Tanyard as it is more appropriate for playing football. Cllr Anderson would be attending the next Groombridge Sports Ground Association meeting for WPC and would raise this.*

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| 002618 <i>RESOLVED that Msporti could continue to use Groombridge Recreation Ground for the after-school football club. This arrangement would continue to be monitored."</i>                                                                                                                                                                                                                                                                                       |
| <b>Recommendations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| Finance Committee to recommend to Council that Msporti should be given notice to cease their use of the Recreation Ground                                                                                                                                                                                                                                                                                                                                           |
| <b>Reasons for recommendations</b>                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| <ul style="list-style-type: none"> <li>• This was always meant to be a temporary arrangement whilst an agreement was reached between Msporti/the school/GSGA</li> <li>• It has been noted that damage has been caused to the grass</li> <li>• The lease specifically states 'No commercial use is permitted' and Msporti is a commercial organisation</li> <li>• The recreation ground is not fit for purpose as a football pitch whereas the Tanyard is</li> </ul> |
| <b>Staffing Implications</b>                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <p>Notification to Msporti regarding the outcome</p> <p>Messaging around WPC's actions/managing possible negative feedback from carers – Msporti may have to increase fees to cover GSGA hire fees, carers may be unaware that it was always meant as a temporary arrangement, carers may prefer using the recreation ground to the Tanyard</p>                                                                                                                     |
| <b>Councillor Involvement</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <p>Supporting the staff in the above.</p> <p>Possible support to Msporti/ the school/GSGA in brokering a new arrangement</p>                                                                                                                                                                                                                                                                                                                                        |
| <b>Budgetary Implications</b>                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Staffing budgets should this require significant staff time                                                                                                                                                                                                                                                                                                                                                                                                         |
| <b>How does this meet our Parish Plan?</b>                                                                                                                                                                                                                                                                                                                                                                                                                          |
| Protecting our assets (damage to the grass and abiding by the terms of our lease)                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Sustainability, environmental impact and biodiversity impacts</b><br>(refer to Biodiversity Policy)                                                                                                                                                                                                                                                                                                                                                              |
| n/a                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>How does the proposed action reduce crime and disorder?</b>                                                                                                                                                                                                                                                                                                                                                                                                      |
| n/a                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>How does the proposed action seek to eliminate discrimination and advance equalities</b>                                                                                                                                                                                                                                                                                                                                                                         |
| In summer 2023 the Chair of PTA argued that Msporti needed to be sited at Groombridge Recreation Ground because the fee GSGA would be charging would mean passing the cost on to parents and that this would limit access to the after-school football club. Also that the school is very limited on outdoor space and cannot offer opportunities for children to engage in meaningful outdoor activity which after-school sports clubs helped to address.          |

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| <b>Health &amp; Safety Implications</b>                                                                               |
| The Recreation Ground, and its surfacing, are not intended for this use                                               |
| <b>Persons consulted</b>                                                                                              |
| GSGA has confirmed that "With regards mSporti, we'd be happy to re-engage, but this has proved difficult in the past" |

**Appendix 1 - emails from Clerk to Councillors requesting agreement for Msporti to use Groombridge Recreation Ground under delegated authority**

**From:** Clerk <[clerk@withyhamparishcouncil.org.uk](mailto:clerk@withyhamparishcouncil.org.uk)>

**Sent:** Thursday, August 17, 2023 11:51:58 AM

**Subject:** Your comments please following further info request: After-school Football Club at Groombridge Recreation Ground

Dear Councillors

I emailed you in July with a request for Groombridge Recreation Ground to be used on Wednesdays in term time for the Msporti after school football club (please see below).

The majority of councillors were in favour of this in the absence of the Tanyard being viable financially, but felt that the Tanyard would be a more suitable venue. I therefore fed this back to the Chair of the PTA who had made the enquiry and MSporti tried to negotiate a better fee with GSGA, but unfortunately they have not been unable to reach an agreement on the use of the Tanyard.

On the basis of this please can I seek your support by email for me to authorise the club to run at Groombridge Recreation Ground on the basis that they require nothing from us except for the cutting etc that we already do, are mindful of other recreation ground users and abide by all the usual conditions for use. I would suggest that this is done on a trial basis up to Christmas so that we can assess how this works on both sides.

I look forwards to receiving your responses by next Wednesday 23<sup>rd</sup> August,  
Many thanks  
Debbie

**From:** Clerk

**Sent:** Thursday, July 13, 2023 12:55 PM

**Subject:** Your comments please: After-school Football Club at the Rec

Dear Councillors

I have been contacted by the Chair of the PTA at Groombridge St. Thomas Primary School with the following request:

*"As with many schools, our primary school faces a challenging financial outlook. Consequently, the school will be paying for use of the Tanyard on a pay-per-use basis, rather than an annual charge, and use will be for the school only in support of the curriculum.*

*Under the annual payment system, MSporti previously had use of the Tanyard for the after-school football club. They will now no longer have this access unless they pay a £60 per session fee. MSporti is reluctant to go ahead on this basis as it would*

*mean passing the cost on to parents, which over the course of an academic year will add up to a considerable additional sum. The concern from MSPorti is that this would limit access to the after-school football club and make it something of an exclusive offering from which fewer children be would be able to benefit.*

*Our primary school is very limited on outdoor space; it cannot offer the wealth of opportunities for children to engage in meaningful outdoor activity that are available at other schools. After-school sports clubs fill this gap, and it would be a great shame to lose one of the most popular clubs from this offering.*

*I would like to ask, therefore, whether the Parish Council would consider allowing Groombridge Recreation Ground to be used as an alternative location for MSporti to run this particular club? It would be run on a Wednesday between 3.30-4.30pm, term-time only. I appreciate that there would be a reluctance to agree to something which limits access to the Recreation Ground for other members of the community, but I hope that I have been able to demonstrate the need for this club. Outdoor activity is incredibly important for the physical fitness and mental well-being of our children and it allows them to develop a host of other valuable skills.*

*The offering is also valuable to the school from a marketing perspective in terms of attracting new families. We exist in a very competitive environment with many schools competing for a relatively low number of children. Every child enrolled in the school bolsters the school finances, so it is essential that the school can demonstrate that additional activities are available, as they are at other schools, in order to remain an attractive and appealing proposition to families and to enrich the lives of the children.*

*I do hope you will look favourably on this request and allow this much-loved club the opportunity to continue running for the benefit of our children and our school."*

As we do not have a Council meeting until September, which will be leaving it rather close to the new school term, please could I ask instead for email comments from Councillors on whether you support this request.

Based on majority views I can then give approval or not under delegated authority.

Many thanks  
Debbie