

YARMOUTH

Community Foundation

Yarmouth School Site Plans and Information

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1. Information on the Yarmouth Community Foundation CIC

This was incorporated on November 18th 2024 by four subscribers, being two trustees of the Herapath-Shenton Trust and two from the Maritime Archaeology Trust. The directors being John Harrison and Kenneth Grist from the former, and Michael Woodhall and Philip Shears from the latter.

The company is limited by guarantee to the extent of £1 per member, as a community interest company and as such is required annually to prepare a community interest statement. Although it has charitable intentions it is not registered as such but has a non-profit making intention, but any profit would benefit the community.

Its objects are :

“To carry on activities which would benefit the community of Yarmouth, Isle of Wight and in particular (without limitation) to make full use of the site known as the former Yarmouth primary school for educational and recreational purposes.”

All profits if any will be used solely to benefit the community of Yarmouth.

Its objects were made wide and it has the power to do any such thing as would pursue such objects. In reality as at present constituted the company will become a property holding company, and be almost dormant, other than any rental income, and administration costs. The Maritime Archaeology Trust have agreed to administer subject to a nominal charge. All leases will be on a full insuring and repairing obligation. The founding Trustees intend to widen membership, such members becoming directors.

YCF Website: <https://yarmouthcf.org/>

2. Yarmouth School Site Plan



Pink land - subject to a long lease to the Maritime Archaeology Trust on a full repairing basis. Certain restrictions placed by YCF as to how the land can be used and who the lease can be transferred to. More information on MAT's plans here: <https://maritimearchaeologytrust.org/yarmouth-centre/>

Green land - is owned by YCF but vacant with right of access reserved across blue land but subject to continuing use covenants from the Crown Estates. Pedestrian access to river.

Blue land - is that retained by the Isle of Wight Council with the intention of applying for and developing affordable/ social housing, but subject to a lease to YCF to be used by MAT for up to 5 years, to be vacated if IWC want to start developing affordable housing. YCF have placed a covenant on the land such that it can only be used for affordable housing, with priority occupation being given to persons working in Yarmouth. In the event that IWC do not get permission or commence development within 5 years YCF will have the right to acquire the land for £1.

Also see Section 4 for further information related to covenants.

3. Purchased Area



The red boxed land is what YCF have bought together with rights of access over the coloured land. The shaded area within the IWC land is reserved for vehicle access for the Scouts and Guides if they were to use the land coloured green in the plan in Section 2.

4. Covenants

The whole of the YCF acquired land is subject to a 30 year covenant imposed and in favour of IWC restricting its use.

The southerly part of the land acquired remains restricted in its usage by a covenant varied on May 14th in favour of the Crown Commissioners. This covers the whole of the green coloured land and part of the pink land (as shown in plan in Section 2). Restrictions are as below. These were varied by The Crown Estate (TCE) as negotiated by IWC, but it should be noted that if a building were erected agreement from TCE would be needed, which might involve consideration if value enhancing. Without the variation IWC agreed the land could only have been used as a playing field in conjunction with the school.

Crown Estate remaining covenant : (extract)

“(1) Not without the consent of The Crown Estate having been first obtained to use or permit to be used any part of the premises otherwise than for public access and for education and outreach activities and events linked to the museum complex adjoining the former Church of England Primary School site including necessary vehicle and pedestrian access, public open space, pleasure ground, playing field, Scout campsite or Scout activity centre.

(2) Not to construct or permit to be constructed or set upon the demised premises any erection, building or works (other than temporary structures) without the consent in writing of The Crown Estate having been first obtained such consent not to be unreasonably withheld or delayed.

(3) At all times to keep the premises thereby granted in proper condition free from all defects injurious to the adjacent lands or the public interest.”

Covenant lasting 30 years in favour of the Isle of Wight Council. (extract)

4.1. for thirty years from the date of this Transfer or such shorter period if agreed by the Transferor in writing at its absolute discretion not to use the Property other than:

4.1.1. to advance education of people of all ages by the establishment of a museum of maritime archaeology and maritime history, by promoting public awareness, enjoyment and participation in maritime history such uses to include a tea room, local history information, gift shop, space for exhibitions, art displays, and for community meetings;

4.1.2. to create an UNESCO recognised international centre of maritime archaeology and coastal science;

4.1.3. to provide a place for relaxation and recreation to improve people's conditions of life and physical and mental wellbeing which is ancillary to (i) and (ii) attached.

4.2. not to use the Property for any illegal or immoral purposes.

Plan showing the blue land over which the Crown Estates has a remaining covenant. varied to allow intended . Pink land covenants released in 1971.

