

Draft Heads of Terms for the Provision of Grant Funding to Yorkshire County Cricket Club (YCCC)

These Grant Conditions are subject to Council and YCCC approvals and subject to contract and subject to the Council being satisfied that the scheme is state aid compliant. *(General Block Exemption Regulations – Article 55 – Aid for sport and multifunctional recreational infrastructures)*

The 'Scheme' is the redevelopment of the North-South stand at Headingley Stadium to meet the ECB's requirements for the hosting of international cricket and the securing of a staging agreement from 2020 onwards.

The 'Works' include:-

- the existing stand profile demolished and replaced with a three-tiered seated stand providing lower, mid and upper tier seating for over 5060 spectators, an increase of over 1400 on the old stand, thereby increasing the ground's capacity up to 18,500;
- a new ground floor concourse with male/female/disabled toilets, permanent concession units, bars, refreshments and food sales;
- a new ground floor concourse to link with existing stadium concourse to provide continuous circulation to all seating areas;
- a new concourse to serve the mid-tier seating level to provide toilet and concession facilities which link with the existing pavilion at board room level ;
- a new concourse to serve the upper tier seating level to provide toilet and concession facilities;
- provision for the expansion of the Taverners Suite and the provision of a new Taverners Terrace Bar to the rear of the lower tier seating that will link with the existing Hirst and Rhodes Suite;
- a new terrace adjacent to the existing Boardroom which will provide linkages to the new stand mid-level seating tier;
- a continuous mid-level viewing suite will also provide panoramic viewing of the stadium and premium hospitality and refreshment facilities.

Pre-Agreement Condition

Prior to entering into the Grant Agreement, the Council must be satisfied that the scheme is State Aid compliant.

Pre-Conditions

Payment of the grant will be subject to the following Conditions

1. The grant will only be awarded to YCCC if the ECB confirm to the Council in writing that the design for the North-South stand meets the ECB's minimum specification for model test match grounds

2. Prior to the award of the grant LCC' Project Monitor will review and approve in writing the design, specification, programme and cost plan for the Scheme;
3. All consents and approvals for the Scheme including the grant of full planning permission must be obtained before the grant is awarded;
4. LCC to be provided with a detailed programme of construction that demonstrates that the works can be delivered in time for the 2019 Cricket World Cup matches to be hosted at Headingley;
5. YCCC must have an agreement in place with Leeds Rugby regarding ownership and control of the North-South stand on terms acceptable to the Council
6. LCC require written confirmation from the ECB of the award of 4 world cup matches to YCCC in 2019 subject to the delivery of the redevelopment of the North-South stand
7. The Council require written confirmation from the ECB of the future staging agreement at YCCC for the hosting of international cricket matches to the Council's satisfaction
8. The Council require written confirmation of the agreement in place between YCCC and Leeds Rugby for the carrying out of works and the payment mechanism for the Scheme by YCCC which is yet to be fully agreed The Council require written confirmation of the provision of all other funding required to deliver the Scheme.
9. The Council will not pay the Capital Grant or any part of the capital grant unless it is satisfied that the grant conditions have been met.
10. If any of the grant conditions have not been met in full within 12 months of the date of the Grant Agreement or such later date that the Council may agree in its absolute discretion, the Council may by notice in writing to the Club determine the grant agreement and any sums paid to the Club shall be repaid to the Council.

Conditions

- This grant is awarded to Yorkshire County Cricket Club purely for its financial contribution to the redevelopment of the North-South stand at Headingley Stadium.
- The Scheme must be competitively procured in accordance with OJEU procurement rules unless an alternative route is approved by the Council in writing
- This grant is conditional on YCCC and partners delivering the redevelopment of the North South stand at Headingley Stadium in time to secure the hosting of four 2019 Cricket World Cup matches at the ground
- The Scheme must meet the ECB's minimum standards specification for model test match grounds and receive ECB approval to the proposed design against those standards
- Payments of the grant will only be made on receipt of an authorised architects instruction and will be paid in stages according to a schedule agreed by the CouncilMaximum amount of the grant is fixed at £4 million

regardless of any Scheme cost increases due to inflation or other requirements

- Written approval of the Council's Project Monitor is required for final design layouts, specification and programme
- The grant will be subject to an Independent assessment of the scheme design, programme and cost/PTE by an organisation nominated by the Council and to the Council giving written approval to the Scheme following that assessment.
- The grant payments will be subject to retention at the same percentage as set out in the contract preliminaries and only released in line with the conditions as set out in the contract preliminaries
- Where an event of default has occurred and is continuing and has not been remedied, the Council may by notice in writing, suspend payment of the Capital grant; vary the maximum sum or terminate this agreement where the Council shall cease to be under any obligation to provide the grant to the club and may require the club to repay part or the whole of the grant to the Council.
- The payment of the grant by the Council is, in the opinion of the Council, outside the scope of VAT but if any VAT shall become chargeable, all payments of grants shall be deemed to be inclusive of VAT and the Council shall not be obliged to pay any VAT over and above the amount of the Grants.
- The agreement/conditions may only be amended in writing duly executed by the Council and the Club
- Until Practical completion or such later date as the Council requires the Club will deliver to the Project Manager a written report each month, updating the Council on general progress and expenditure in relation to the Scheme
- Use of the stand – the stand is only to be used for purposes of spectator accommodation for cricket matches supporting other sporting events at the stadium, hospitality, conferencing and any other ancillary use that supports the operation of the Club
- YCCC will not use the stand for any purpose that brings The Council into disrepute
- As a condition of the grant being awarded, Leeds City Council will retain a place on the Board of the Yorkshire Cricket Foundation for a period of 10 years
- Security to be determined
- Start date – from start of works to the construction of the North-South stand
- Mechanism for Claiming and paying grant
- Publicity – The Council want to be notified and reserve the right to participate in any publicity on scheme development
- Duration of Grant Conditions
- Events of Default
 - Insolvency
 - Misuse of grant
 - Breach

- Fraud
- Misrepresentation