

For publication

County Cricket at Queen's Park Cricket Ground 2022 To 2026 (HW000)

Meeting:	Cabinet
Date:	20 July 2021
Cabinet portfolio:	Cabinet member for health and wellbeing Cabinet member for town centres and visitor economy
Directorate:	Chief Executive

1.0 Purpose of the report

- 1.1 To seek Cabinet approval for Chesterfield Borough Council (CBC) to enter into a new five-year agreement with Derbyshire County Cricket Club Limited (DCCCL) for the joint promotion and delivery of an annual Festival of Cricket at Queen's Park, Chesterfield.

2.0 Recommendations

- 2.1 That approval is given for Chesterfield Borough Council to enter into a new five-year agreement with Derbyshire County Cricket Club Limited for the joint promotion and delivery of an annual Festival of Cricket at Queen's Park, Chesterfield; the agreement to be subject to a review clause at year 3.
- 2.2 That the Chief Executive and Property, Procurement and Contracts Law Manager be authorised to agree the final details of the licence agreement between Chesterfield Borough Council and Derbyshire County Cricket Club Limited.

3.0 Reasons for recommendations

- 3.1 To secure the future of the Chesterfield Festival of Cricket for the next 5 years.
- 3.2 To enable Derbyshire County Cricket Club Limited to agree with the English and Welsh Cricket Board by Autumn of each calendar year the hosting of a Festival of Cricket at Queen's Park Cricket Ground,

Chesterfield, comprising First Class County Championship, One-Day Cup and / or Twenty 20 (T20) cricket matches.

4.0 Background

- 4.1 Cabinet first resolved for Chesterfield Borough Council (CBC) to enter into a five-year agreement with Derbyshire County Cricket Club Limited (DCCCL) for the joint promotion and delivery of an annual Festival of Cricket in October 2005. Cabinet has since resolved that CBC and DCCCL enter into 2 no. further five-year agreements, in January 2011 and July 2015. All 3 no. agreements have included a review clause at the end of year 3, which provides the two parties with the opportunity to take stock on the success or otherwise of the annual Festival, i.e. the value of continuing, what is working well, what might need attention etc.
- 4.2 With the exception of the odd season where bad weather has disrupted one or more Festival cricket matches and the cancellation of the 2020 Festival due to the COVID-19 pandemic, the annual Chesterfield Festival of Cricket has become a staple fixture in the borough's events calendar. The Festival has gone from strength to strength and attracted sell-out crowds especially for DCCCL's Twenty 20 (T20) fixtures against Yorkshire County Cricket Club Ltd. (YCCCL).
- 4.3 DCCCL continues to express its satisfaction with the Chesterfield Festival of Cricket and with last year's Festival constituting the final season of the 2016-2020 agreement, it is now time for CBC to consider if it wishes for DCCCL to continue to bring first class county cricket to the Queen's Park Cricket Ground, Chesterfield.
- 4.4 The intention had been to bring this report to a June meeting of the council's Cabinet, however, with the delay to implementation of Step 4 of the Government's roadmap out of lockdown, the 2021 Chesterfield Festival of Cricket (which had been scheduled for 11 through 18 July) has sadly had to be cancelled.
- 4.5 DCCCL is nonetheless still hopeful of playing their Royal London One-Day Cup cricket match against YCCCL at Queen's Park Cricket Ground on 8 August. This is, of course, dependent on Government resolving to move forward with Step 4, the final step of its roadmap out of lockdown.
- 4.6 In respect of this one-off cricket match it has, however, been agreed in conversation with DCCCL's Chief Executive that its hosting together with a

planned outdoor performance of 'An Evening of Queen – I Want to Break Free Tour' which DCCCL would also like to host at Queen's Park, Chesterfield on Thursday, 5 August be subject to a bespoke licence agreement between CBC and DCCCL.

- 4.7 CBC will therefore not be required to make any payment to DCCCL this financial year, but the council will inevitably incur some indirect costs in supporting DCCCL to host the above events on 5 and 8 August.
- 4.8 It also means that CBC and DCCCL can delay the start of the new five-year agreement until 1 April 2022 and then run it through to 30 September 2026.

5.0 Negotiations with DCCCL

- 5.1 DCCCL is very keen to enter into a new five-year licence agreement as they value the Chesterfield Festival of Cricket and especially the role it plays in bringing first class county cricket to the north of Derbyshire where they have a strong standing membership base.
- 5.2 We have therefore sought to negotiate a new five-year licence agreement with DCCCL that represents the very best deal that we believe can be achieved for CBC whilst recognising the commercial imperatives and realities of operating a first-class professional sports organisation in such challenging times.
- 5.3 Under the terms of the new licence agreement, the latest draft of which is attached for reference at Appendix A, CBC grants DCCCL permission to use Queen's Park for the purpose of holding first class county championship, one-day cup and Twenty-20 (T20) cricket matches on at least five days in the months of June through September in each of the calendar years 2022 through 2026.
- 5.4 The licence also provides that the number of cricket matches may be increased by agreement between CBC and DCCCL but for the avoidance of doubt the number of cricket matches in each calendar year cannot be decreased.
- 5.5 Subject to the financial and other considerations, which are detailed below at sections 7.0 through 14.0, the intention is for the 5 / 6 days of first class county cricket that DCCCL routinely bring to Queen's Park over the period of a week / 9 days to continue to be known as the "sponsors

name> Chesterfield Festival of Cricket, in association with Chesterfield Borough Council”.

6.0 Alternative options

- 6.1 The alternative options are (a) to not enter into a new five-year licence agreement, (b) to enter into a new licence agreement for a shorter or longer period of time or (c) to enter into one-off licence arrangements on a match by match basis.
- 6.2 From internal soundings that have been taken within CBC and by DCCCL’s Chief Executive with his Board and membership, both parties are desirous of entering into a new licence agreement that supports the co-production of an annual Chesterfield Festival of Cricket at Queen’s Park, Chesterfield.
- 6.3 The matter of the term of the licence agreement has been discussed and both parties feel that it makes good sense to continue with the historic commitments that have been made since 2006 to five-year terms with break clauses at the end of year 3; from the perspective of resource planning, communications, attracting sponsorship etc.
- 6.4 It is not considered economic, efficient, or effective for the two parties to move to an arrangement where licence agreements are entered into on a match by match basis.

6.0 Implications for consideration – Council Plan

- 6.1 The Chesterfield Festival of Cricket directly supports delivery of the council’s first two priorities of ‘making Chesterfield a thriving borough’ and ‘improving the quality of life of local people’. With specific regards the year 3 delivery plan, arguments can be advanced that directly evidence the value of the Chesterfield Festival of Cricket to a number of objectives and activities, including ‘establishing Chesterfield Borough as a great place to live, work and visit’, ‘delivering and supporting a programme of borough-wide events’, ‘helping our communities to improve their health and wellbeing’, ‘developing an outdoor leisure programme to enable people of all ages and abilities to improve their physical and mental health and wellbeing’ and ‘responding to and developing plans for re-engaging communities with leisure and cultural facilities to maximise community safety, health and wellbeing and value for money’.

7.0 Implications for consideration – Financial and Value for Money

- 7.1 The cost to CBC of bringing first class county cricket to Queen's Park has varied over the past 15 years according to the number of days of cricket staged, which rose to as high as 11 days in 2010 and through negotiation of the financial terms at the points of renewal of each of the five-year licence agreements.
- 7.2 In 2006, the direct grant paid to DCCCL amounted to £18,000 with RPI indexation applied in each calendar year through 2010. In 2011, the Council agreed to pay a fixed sum of £20,000 in each of the 5 years of the new licence agreement, however, this was negotiated down to £16,500 at the time of the 3-year review in 2013. In 2016, a further reduction in the direct grant paid to DCCCL was negotiated to £15,000 per calendar year for the term of the licence agreement through 2020.
- 7.3 CBC has also sought to reduce the indirect costs to the council of delivering the Festival over the past 15 years in consultation with DCCCL (e.g. provision of our own small marquees in place of rented portacabins for press use) without affecting the quality of the event.
- 7.4 For the 2021 Chesterfield Festival of Cricket, CBC's budget estimates for the financial year 2021/22 had provided for the payment of a sum of £15,000 in direct grant to DCCCL and a further £10,000 to cover indirect costs. These payments have not been made on account of the 2021 Festival being cancelled due to the Covid-19 pandemic; though it is likely that some of the latter will be required should it prove feasible for DCCCL to play their One-Day Cup cricket match against YCCCL at Queen's Park on 8 August 2021.
- 7.5 It is, however, the case that provision has already been made within the medium term financial plan to meet the annual costs of delivering the annual Chesterfield Festival of Cricket in each financial year through 2026/27 (subject of course to Cabinet resolving that CBC should enter into a new five-year licence agreement with DCCCL).
- 7.6 The outcome of CBC's latest negotiations with DCCCL can be summarised as follows:
- For the two parties to enter into a new five-year licence agreement with a break clause after 3 years.

- DCCCL agreement to the provision of at least 5 days of first-class county cricket in each calendar year in the form of a Festival of Cricket to be held in the period June through September.
- CBC to pay a direct grant (*) to DCCCL at a flat rate of £15,000 per annum in each of the calendar years 2022 through 2026.
- CBC and DCCCL to respectively pay for elements of set up and running costs in accordance with clauses 4, 5 and 6 of the licence agreement attached at appendix A to the report. Note: A number of changes were negotiated in 2016 in the CBC's favour with DCCCL agreeing to pick up the full costs of the marquee (approx. £4,000 saving) and of the public address system (approx. £500 saving), and to make a 50% contribution towards the provision of public toilets (approx. £1,000 saving).
- The marquee to be reserved for part CBC use (e.g. to promote Destination Chesterfield and other similar initiatives) on the second day of the County Championship match each year at no cost to the council. And DCCCL to provide food and beverage to the value of £1,000 to help support this event.
- DCCCL to retain any profits made from out-ground bar sales. Note: DCCCL had over the period of the first 2 licence agreements shared these profits with CBC but these proved to be of minimal value.
- Spectator parking in Queen's Park to be limited to the area agreed with all takings retained by DCCCL.
- DCCCL to make available free of charge a minimum of 400 match tickets through local schools to promote and encourage Festival attendance by children, and to also attend the schools and provide coaching sessions for the school children and their supervisors.

** it should be noted that the direct grant of £15,000 principally covers DCCCL's costs of bringing fixtures from the County Cricket Ground at Derby to the Queen's Park Cricket Ground and includes the costs of 24/7 site security for a period of 10/11 days, the costs of bringing specialist equipment to help prepare the cricket square for the matches, the transport of sponsorship boards, and the costs of compensating the various companies who hold bar and catering franchises at the County Cricket Ground for the Festival week.*

8.0 Implications for consideration - Legal

- 8.1 Subject to Cabinet resolving that CBC enters into a new five-year licence agreement with DCCCL, work will be concluded as soon as reasonably practicable between the legal officers of the two parties to finalise the terms of the agreement for the joint promotion and delivery of an annual Chesterfield Festival of Cricket.

9.0 Implications for consideration – Human resources

- 9.1 There are no human resources implications arising from CBC resolving to enter into a new five-year licence agreement with DCCCL.

10.0 Implications for consideration – Risk Management

- 10.1 The principal risk is the potential for the Festival to be disrupted by bad weather. Much of this risk however falls on DCCCL as they are reliant on gate receipts which can vary dramatically according to prevailing weather conditions.
- 10.2 The only risk that CBC needs to be mindful of is that DCCCL will not indemnify the council in respect of any claim or claims which may be made against it for death, damage, personal injury or loss in the event that the council resolves not to close the children's play area in advance of any of the planned cricket matches. In respect of any other claim or claims which may be made against the council DCCCL will indemnify CBC.
- 10.3 Historically, CBC has tended to keep the children's play area open for county championship cricket matches, however, the council has regularly resolved to close the children's play area for one-day and T20 matches where batsmen are more inclined to hit bigger shots for six.
- 10.4 Decisions on this particular matter will need to be made and widely communicated in advance of all planned cricket matches.

11.0 Implications for consideration – Community wellbeing

- 11.1 Without repeating the narrative at Section 7.0, the introduction of professional first-class sport into Chesterfield borough's events calendar is to be welcomed for its ability to unite people from lots of different backgrounds, boost community cohesion, encourage participation in sport, and improve mental well-being (particularly when DCCCL win!).
- 11.2 DCCCL's commitment to take players and coaches into local schools to encourage school children to take up cricket, and to make available free of charge a minimum of 400 match tickets through local schools to promote Festival attendance by the same cohorts of children is also to be applauded and welcomed.

12.0 Implications for consideration – Economy and skills

- 12.1 Although difficult to quantify, there is no doubt that the Chesterfield Festival of Cricket brings monetary value to Chesterfield’s economy. Away teams and their supporters routinely stay in serviced accommodation (hotels / bed and breakfast establishments) within the town and borough, and there is strong evidence (including from direct personal observation) of town centre retail, leisure and hospitality businesses together with those at West Bars and along Chatsworth Road benefitting from increased customer footfall, which is particularly associated with attendances at the one-day cup and T20 cricket matches.

13.0 Implications for consideration – Climate change

- 13.1 The staging of such an event will inevitably have consequences for climate change as supporters will travel to attend the Festival, energy will be consumed in resourcing event fixtures and fittings, e.g. lighting buildings, powering mobile bar and catering facilities, providing water and chemicals for portable toilets etc., and attendees will sadly leave their litter behind.
- 13.2 CBC and DCCCL will work together to mitigate the effects through for example encouraging supporters to come to Chesterfield by train instead of by car, providing facilities to encourage more local supporters to cycle to the Festival, ensuring that suitable and sufficient receptacles are provided to support recycling and encourage attendees to dispose of their litter safely and responsibly, and carrying out Control of Substances Hazardous to Health assessments of chemicals used to support ground preparation.

14.0 Implications for consideration – Equality and diversity

- 14.1 Staging first class cricket in the north of the county enables access to live professional sport for people of all protected characteristics. DCCCL provides tickets at concessionary rates and free match tickets are offered to local schools to engage children and young people. Parking spaces are set aside for disabled people for matches at Queen’s Park and all match day facilities are fully accessible.

Decision information

Key decision number	1043
Wards affected	All

Document information

Report author	
Huw Bowen – Chief Executive	
Appendices to the report	
Appendix A	Licence agreement to use premises at Queen's Park, Chesterfield for an Annual Cricket Festival