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EPSOM AND WALTON DOWNS CONSERVATORS

Monday 9 November 2020 at 7.30 pm

Place: Remote Meeting

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The members listed below are summoned to attend the Epsom and Walton Downs Conservators meeting, on the day and at the time and place stated, to consider the business set out in this agenda.

Committee Members

Andrew Cooper, Jockey Club Racecourses (the Company)
Simon Dow, Horserace Betting Levy Board (the Levy Board)
Simon Durrant, Jockey Club Racecourses (the Company)
Councillor Liz Frost, the Council
Councillor Bernice Froud, the Council
Councillor Jan Mason, the Council
Councillor Steven McCormick, the Council
Councillor Lucie McIntyre, the Council
Stephen Wallis, Jockey Club Racecourses (the Company)
Councillor Clive Woodbridge, the Council

Yours sincerely



Clerk to the Conservators

For further information, please contact Democratic Services, email:
democraticservices@epsom-ewell.gov.uk or tel: 01372 732000

Public information

Please note that this meeting will be a ‘virtual meeting’

This meeting will be held online and is open to the press and public to attend as an observer using free GoToWebinar software, or by telephone.

A link to the online address for this meeting is provided on the first page of this agenda and on the Council's website. A telephone connection number is also provided on the front page of this agenda as a way to observe the meeting, and will relay the full audio from the meeting as an alternative to online connection.

Information about the terms of reference and membership of this Committee are available on the [Council's website](#). The website also provides copies of agendas, reports and minutes.

Agendas, reports and minutes for the Committee are also available on the free Modern.Gov app for iPad, Android and Windows devices. For further information on how to access information regarding this Committee, please email us at Democraticservices@epsom-ewell.gov.uk.

Exclusion of the Press and the Public

There are no matters scheduled to be discussed at this meeting that would appear to disclose confidential or exempt information under the provisions Schedule 12A of the Local Government (Access to Information) Act 1985. Should any such matters arise during the course of discussion of the above items or should the Chairman agree to discuss any other such matters on the grounds of urgency, the Committee will wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

Questions from the Public

Questions from the public are not permitted at meetings of the Epsom and Walton Downs Conservators.

AGENDA

1. APPOINTMENT OF A CHAIRMAN AND APPOINTMENT OF A VICE-CHAIRMAN OF THE CONSERVATORS (Pages 5 - 8)

This report requests the appointment of a Chairman and Vice Chairman of the Conservators.

2. MINUTES OF PREVIOUS MEETING (Pages 9 - 10)

The Conservators are asked to confirm as a true record the Minutes of the Conservators' Meeting held on 22 June 2020 (attached) and to authorise the Chairman to sign them.

3. MID-YEAR BUDGET MONITORING REPORT (Pages 11 - 18)

This item reports on the income and expenditure position as at 30 September 2020 and seeks guidance on the preparation of the budget and precept for 2021/22.

4. DATES OF MEETINGS IN 2021 (Pages 19 - 20)

The Conservators are requested to agree the dates of their normal meetings to be held in 2021.

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APPOINTMENT OF A CHAIRMAN AND APPOINTMENT OF A VICE-CHAIRMAN OF THE CONSERVATORS

Head of Service:	Amardip Healy, Chief Legal Officer
Wards affected:	College Ward; Woodcote Ward; Town Ward
Appendices (attached):	None

Summary

This report requests the appointment of a Chairman and Vice Chairman of the Conservators.

Recommendation (s)

The Conservators are asked to:

- (1) appoint a Chairman to hold office until the first meeting of the Conservators held after the date of the Annual Meeting of Epsom and Ewell Borough Council in May 2021;**
- (2) appoint a Vice-Chairman to hold office until the first meeting of the Conservators held after the date of the Annual Meeting of the Borough Council in May 2021;**
- (3) agree that in the event the May 2021 Annual Meeting of Epsom & Ewell Borough Council does not take place, appointments as the Chairman and Vice Chairman will continue until the first meeting of the Conservators after the end of May 2021.**

1 Reason for Recommendation

- 1.1 To appoint a Chairman and Vice-Chairman to hold office for the next year, until the first meeting of the Conservators held after the date of the Annual Meeting of the Council in May 2021.

2 Background

- 2.1 At the meeting of 17 June 2019, the Conservators appointed Councillor Liz Frost as Chairman and Simon Durrant as Vice-Chairman to hold office until the first meeting of the Conservators held after the Annual meeting of the Council in May 2020.

- 2.2 The Council did not hold an Annual Meeting in May 2020 due to the restrictions in place as a result of the Covid-19 pandemic. Instead new regulations permitted the continuation of Council Member appointments which avoided the need for the Annual Meeting of Council in May.
- 2.3 Since the Council has not held an Annual Meeting, it is important to address the appointments of both Chairman and Vice Chairman.
- 2.4 It is recommended that the Conservators continue to appoint to the roles in line with current arrangements, namely to appoint a Chairman and Vice-Chairman to hold office until the first meeting of the Conservators held after the Annual Meeting of the Council in May 2021.
- 2.5 It is also recommended, to avoid any uncertainty, should the Annual Meeting of Council not take place, the term of office of the Chairman and the Vice Chairman will continue until the first meeting of the Conservators after the end of May 2021.

3 Risk Assessment

Legal or other duties

3.1 Impact Assessment

3.1.1 None.

3.2 Crime & Disorder

3.2.1 None.

3.3 Safeguarding

3.3.1 None.

3.4 Dependencies

3.4.1 None.

3.5 Other

3.5.1 None.

4 Financial Implications

4.1 None arising from the contents of this report.

4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

5 Legal Implications

- 5.1 The Conservators are required to appoint a Chairman and may appoint a Vice Chairman, as set out in Section 8 (5) (a) of the Epsom and Walton Downs Regulation Act 1984.

“At every meeting which first occurs after the occurrence of a vacancy in the office of chairman of the Conservators, the Conservators shall elect one of their number to be chairman for such period as they may think fit, and at any meeting the Conservators present may elect another of the Conservators to be vice-chairman for such period as they may think fit”.

- 5.2 It has been the practice of the Conservators to appoint to the positions of Chairman and Vice Chairman on a yearly basis, and after the Council’s Annual Meeting. It is suggested that this practice continues, but that a caveat be added to address the situation in the event the Annual Meeting does not take place in May in any given year.

- 5.3 **Monitoring Officer’s comments:** None arising from the contents of this report.

6 Policies, Plans & Partnerships

- 6.1 **Council’s Key Priorities:** The Council’s Key Priorities are not relevant to this matter.

- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

- 6.3 **Climate & Environmental Impact of recommendations:** None.

- 6.4 **Sustainability Policy & Community Safety Implications:** None.

- 6.5 **Partnerships:** None.

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Report to Epsom and Walton Downs Conservators 17 June 2019

Other papers:

- Epsom and Walton Downs Regulation Act 1984

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**Minutes of the Meeting of the EPSOM AND WALTON DOWNS CONSERVATORS
held on 22 June 2020**

PRESENT -

Councillor Liz Frost (the Council) (Chairman); Simon Durrant (Jockey Club Racecourses (the Company)) (Vice-Chairman); Andrew Cooper (Jockey Club Racecourses (the Company)), Simon Dow (Horserace Betting Levy Board (the Levy Board)), Councillor Bernice Froud (the Council), Councillor Jan Mason (the Council), Councillor Steven McCormick (the Council), Councillor Lucie McIntyre (the Council), Stephen Wallis (Jockey Club Racecourses (the Company)) and Councillor Clive Woodbridge (the Council).

Officers present: Kathryn Beldon (Clerk to the Conservators), Brendan Bradley (Chief Accountant), Amardip Healy (Chief Legal Officer), Samantha Whitehead (Streetcare Manager), Sarah Keeble (Democratic Services Officer) and Tim Richardson (Committee Administrator)

1 MINUTES OF PREVIOUS MEETING

The Minutes of the previous meetings of the Epsom and Walton Downs Conservators held on 27 January, 2 March, 12 May and 22 May were agreed as a true record and the Conservators approved the Chairman to sign them subject to the following amendment:

Minutes of the Special Meeting held on 22 May 2020:

Minute 24. That the Minute be corrected to record that 8 Conservators voted in favour, 1 abstained and the Chairman did not vote on recommendations 1-3.

2 FINAL ACCOUNTS 2019-20

The Conservators received a report presenting the Conservator's Final Accounts for the financial year 2019/2020.

The following matters were considered:

- a) **Final Accounts.** Expenditure exceeded income by £10,203, leading to a reduction in the working balance of the same amount. A working balance of £56,021 had been carried forward to the 2020/21 financial year, in addition to a repairs and renewals fund of £36,001.
- b) **Deficit.** A £10,203 deficit was noted on Revenue accounts. This was due to a number of factors detailed in the report, including one-off project work

and additional cleaning of the Downskeepers Hut. The Conservators were informed that these issues had been addressed and were not expected to reoccur in future years.

- c) **Covid-19.** Officers described the impact of Covid-19 on the final accounts for 2019-20 as low. Only one event due to take place on Epsom Downs had been cancelled during the period, resulting in a loss of £300 income. The Conservators noted that if events continued to cancel as a result of the pandemic, there would be a small loss of income through the year.
- d) **Bins.** Members noted that the Jockey Club had introduced a charge for emptying Conservators' owned bins on the Downs. This had previously been undertaken free of charge.

Following consideration, it was resolved:

That the Conservators:

- (1) **Received the final accounts for 2019/20, subject to external audit;**
- (2) **Approved the Annual Governance Statement as set out in section 1 of Annex 3 to the report;**
- (3) **Considered and approved the Accounting Statements as set out in section 2 of Annex 3 to the report;**
- (4) **Confirmed that the arrangements for the internal audit as set out in the report were effective for auditing purposes;**
- (5) **Authorised the Chairman and Clerk to sign the Annual Governance Statement and the Accounting Statements on behalf of the Conservators.**

The meeting began at 6.30 pm and ended at 7.46 pm

COUNCILLOR LIZ FROST (CHAIRMAN)

MID-YEAR BUDGET MONITORING REPORT

Head of Service:	Lee Duffy, Chief Finance Officer
Wards affected:	College Ward; Woodcote Ward; Town Ward
Appendices (attached):	Annex 1 - Mid-Year Monitoring 2020/21

Summary

This item reports on the income and expenditure position as at 30 September 2020 and seeks guidance on the preparation of the budget and precept for 2021/22.

Recommendation (s)

The Conservators are asked to:

- (1) Note the mid-year income and expenditure position as at 30 September 2020;
- (2) Provide guidance on the preparation of the budget for 2021/22.

1 Reason for Recommendation

- 1.1 To make the Conservators aware of the mid-year financial position and forecast outturn for 2020/21, and advise of the provisional budget estimates for 2021/22.

2 Background

- 2.1 The Conservators budget for 2019/20 was agreed at the meeting of 2 March 2020.
- 2.2 This report:
 - 2.2.1 Informs the Conservators of income and expenditure position at 30 September 2020;
 - 2.2.2 Provides the Conservators with the opportunity to give guidance on the preparation of the 2020/21 budget.

3 Mid-Year Income and Expenditure Position

- 3.1 The attached budget monitoring statement at Annex 1 shows income and expenditure from 1 April 2020 and provides a forecast outturn position for 2020/21, in the standard accounts format for EWDC.

- 3.2 Net expenditure is forecast at £421,363, which would result in an underspend of £2,027 against the budget of £423,390. This is mainly due to the closure of the Tattenham Conveniences (since the start of the Covid-19 outbreak in March 2020) and the associated running costs.
- 3.3 No events income (budgeted at £6,780) is anticipated this financial year, however, the £1,000 budgeted income from metal detector licences should be achieved.
- 3.4 The forecast also includes £3,000 for consultants fees in support of the revised EAFRD bid, which is due to be submitted shortly, as well as a £5,000 contribution to the working budget to cover the revenue costs of the bid.
- 3.5 The working balance stood at £56,021 at 31 March 2020. The latest forecast of the working balance at 31 March 2020 is £63,048 due to the projected £2,027 underspend and the £5,000 contribution to the working balance as referenced in 3.4 above.

4 Budget Estimates 2021/22

- 4.1 The final column of Annex 1 provides an indicative budget position for 2021/22. This indicative budget has been prepared ahead of the Council finalising its service estimates and the figures are provisional. Based on the indicative budget, a 2.8% increase in precepts would be required to set a balanced budget for next year.
- 4.2 The main provisional changes from 2020/21 are:
 - 4.2.1 All running costs have been inflated by 2%;
 - 4.2.2 At the 2020/21 budget meeting in March 2020, Conservators had agreed to review the existing provision of Tattenham Corner Conveniences, with a view to making a budget saving. Due to resourcing pressures caused by the pandemic, the review has not yet been undertaken, however, the conveniences have remained closed since March 2020. The provisional budget for 2021/22 would cover the conveniences essential running costs of £18,600 if re-opened. However, should the conveniences remain closed, a budget saving should be achievable. Central government has recently introduced business rates relief for public conveniences, effective from 1 April 2020. This means that business rates expenses, which previously cost £3.2k per annum, will no longer be incurred.
 - 4.2.3 Due to COVID-19 restrictions, no large events are taking place on the Downs, which has an adverse effect on income generation. It is currently anticipated that restrictions may be relaxed during 2021/22, and a reduced income budget of £3,460 (down from £6,780) has been set accordingly;

4.2.4 Part of the revenue funding associated with the EAFRD project is offset with a contribution from the Jockey Club;

4.3 The forecast provides a useful basis to identify the main issues that should be addressed in the budget report in January 2021, and early consideration of the recommended precepts for 2021/22 and any options the Conservators would like to have included in the budget report.

4.4 The total provisional increase in budget from 2020/21 to 2020/22 is £11,740.

4.5 A decision will be required in January 2021 on the proposed contributions to cover this amount across the three preceptors. An increase in each preceptor's contribution of 2.8% would create a balanced budget which incorporates an annual contribution to the working budget of £3,000.

4.6 Inflation is currently at 0.5% (August 2020 consumer price index). The Government's current inflation target is 2%.

5 Audit of the Accounts 2019/20

5.1 The external auditors, PKF Littlejohn LLP, have yet to complete the audit of the account for the year ended 31 March 2020. The conclusion of the audit will be updated at a future meeting.

6 Risk Assessment

Legal or other duties

6.1 Impact Assessment

6.1.1 None

6.2 Crime & Disorder

6.2.1 None

6.3 Safeguarding

6.3.1 None

6.4 Dependencies

6.4.1 None

6.5 Other

6.5.1 The forecast working balance of £63,048 for 2020/21 is considered adequate for the purpose of meeting unforeseen expenditure and providing a stable level of contribution.

7 Financial Implications

- 7.1 Precepts contributions totalling £435,130 in 2021/22 are met by the Borough Council (60%), Epsom Racecourse (30%) and the Training Board (10%).
- 7.2 **Section 151 Officer's comments:** An increase, if approved by the Conservators and the preceptors, would provide additional contributions of £11,740 in 2021/22 to be met by the Borough Council (+£7,050), Epsom Racecourse (+£3,520), and the Training Board (+£1,170).
- 7.3 The Repairs and Renewals Fund for vehicles and equipment stood at £41,386 as at 31 March 2020. There has been no use of this fund to date during 2020/21.

8 Legal Implications

- 8.1 There are no legal implications arising from the contents of this report.
- 8.2 **Monitoring Officer's comments: none arising from the contents of this report.**

9 Policies, Plans & Partnerships

- 9.1 **Council's Key Priorities:** The following Key Priorities are engaged: Effective Council
- 9.2 **Service Plans:** The matter is included within the current Service Delivery Plan.
- 9.3 **Climate & Environmental Impact of recommendations:** None
- 9.4 **Sustainability Policy & Community Safety Implications:** None
- 9.5 **Partnerships:** The Jockey Club, Training Board and Epsom and Ewell Borough Council are represented by Members on the Conservators committee.

10 Conclusions and Recommendations

- 10.1 Conservators are requested to note the latest income and expenditure position.
- 10.2 Conservators are asked to provide guidance on the preparation of the 2021/22 budget, including any other options they would like covered in the budget report.

11 Background papers

- 11.1 The documents referred to in compiling this report are as follows:

Previous reports:

- Budget 2020/21 – Revised, 2 March 2020

Other papers:

- EWDC Mid-Year monitoring Annex 1

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Agenda Item 3 Appendix 1

EWDC Mid-Year Budget Monitoring 2020/21

2019/20 Outturn		2020/21 Budget	Actuals to 30.09.2020	2020/21 Forecast	2020/21 Forecast Variance	2021/22 Budget Estimates
£		£	£	£	£	£
	Grounds Maintenance					
574	Maintenance of Grounds	200	0	200	0	200
4,515	Car Park Repairs	3,000	0	3,000	0	3,060
4,700	Tree Maintenance Schedule	3,310	0	3,310	0	3,380
0	Transport and Plant repairs & mntce.	500	0	500	0	510
8,538	Fuel	10,000	3,857	9,000	-1,000	10,200
0	Spot hire of vehicles	860	0	860	0	880
1,941	Transport Insurance recharge	1,980	2,626	2,626	646	2,680
425	Chemicals for weed control	410	0	410	0	420
2,872	Disposal of Waste	2,930	0	2,930	0	2,990
32,061	Transport fleet SLA NJMC	29,420	0	29,420	0	30,010
2,620	Internal trade waste fees	3,360	0	3,360	0	3,430
58,247	Sub-Total	55,970	6,483	55,616	-354	57,760
	Keepers Hut					
2,601	Engineering and fabric recharges	2,250	1,100	2,640	390	2,690
1,550	Building and M&E maintenance	1,040	0	1,040	0	1,060
1,821	Electricity	1,500	292	1,500	0	1,530
773	Rates	790	786	786	-4	800
4,481	Cleaning contract recharges	0	-158	-158	-158	0
202	Water dispenser costs	600	4	600	0	610
155	TV Licence	160	158	160	0	165
62	General office expenses	100	0	100	0	100
921	Insurance recharges	940	0	940	0	960
12,565	Sub-Total	7,380	2,182	7,608	228	7,915
	Central Expenses					
28,000	Additional pension contribution	28,000	0	28,000	0	28,000
5,000	Contribution to Repairs& Renewals Fund	2,000	0	2,000	0	2,000
0	Contribution to Working Balance	0	0	5,000	5,000	0
507	Clothing & uniforms	610	60	610	0	620
7,560	Consultants Fees (EAFRD Project Funding)	0	0	3,000	3,000	10,500
1,030	External Audit	1,020	0	1,020	0	1,040
1,075	Miscellaneous expenses	1,020	195	1,020	0	1,040
1,138	General office expenses	1,000	1,860	1,860	860	1,900
18,834	VAT payments	18,360	0	18,360	0	18,730
233,230	OS SLA recovery EWDC	267,840	0	267,840	0	273,200
33,532	Management costs SLA rec	20,020	0	20,020	0	20,420
1,228	Insurance	1,220	0	1,220	0	1,245
500	Internal audit	510	0	510	0	520
331,634	Sub-Total	341,600	2,115	350,460	8,860	359,215
	Derby Travellers Caravan Site					
3,915	Contract Payments	5,500	0	0	-5,500	5,500
3,915	Sub-Total	5,500	0	0	-5,500	5,500
	Tattenham Corner conveniences					
0	Planned Maintenance costs	0	0	0	0	0
-162	Vandalism Repairs	510	0	510	0	0
0	OOH Ad hoc call outs	0	0	0	0	0
2,955	Engineering and fabric recharges	2,530	1,240	2,976	446	3,035
1,120	Building and M&E maintenance	2,040	0	1,020	-1,020	1,040
778	Electricity	1,630	287	1,000	-630	1,020
3,142	Business Rates	3,210	3,194	0	-3,210	0
354	Water Charges	1,020	73	500	-520	510
11,183	Cleaning contract recharges	9,850	15	2,743	-7,107	11,190
1,739	Insurance recharges	1,770	0	1,770	0	1,805
21,109	Sub-Total	22,560	4,809	10,519	-12,041	18,600
427,469	Gross Expenditure	433,010	15,589	424,203	-8,807	448,990
	Income:					
-6,361	Hire charges	-6,780	3,761	0	6,780	-3,460
-2,686	Interest on Balances	-1,840	0	-1,840	0	-1,880
-960	Metal Detector Licences	-1,000	0	-1,000	0	-1,020
0	Contribution from Jockey Club to EARDF project	0	0	0	0	-7,500
-10,007	Income	-9,620	3,761	-2,840	6,780	-13,860
417,463	Net Expenditure	423,390	19,350	421,363	-2,027	435,130
	Precepts:					
-244,360	Borough Council	-254,030	-254,030	-254,030	0	-261,080
-40,730	Training Board	-42,340	-42,340	-42,340	0	-43,510
-122,170	Epsom Racecourse	-127,020	-127,020	-127,020	0	-130,540
-407,260		-423,390	-423,390	-423,390	0	-435,130
10,203	Surplus (-) / Deficit in Year	0	-404,040	-2,027	-2,027	0
66,224	Balance b/fwd 1 April	56,021	-	56,021	-	63,048
56,021	Balance c/fwd 31 March	56,021	-	63,048	-	63,048

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DATES OF MEETINGS IN 2021

Head of Service:	Amardip Healy, Chief Legal Officer
Wards affected:	College Ward; Woodcote Ward; Town Ward
Appendices (attached):	None

Summary

The Conservators are requested to agree the dates of their normal meetings to be held in 2021.

Recommendation (s)

The Conservators are asked to:

- (1) agree to hold their normal meetings in 2021 on the following dates:
 - a) Monday 25 January 2021 at 18.00 hours
 - b) Monday 21 June 2021 18.00 hours
 - c) Monday 8 November 2021 18.00 hours

1 Reason for Recommendation

- 1.1 It is necessary to set dates for meetings of the Conservators for the forthcoming year to enable business to be processed.

2 Background

- 2.1 It is recommended that the Conservators agree to hold their normal meetings evenly across the year and the dates within the recommendation are the dates which follow the normal pattern for meetings.

3 Risk Assessment

Legal or other duties

3.1 Impact Assessment

- 3.1.1 None.

3.2 Crime & Disorder

3.2.1 None.

3.3 Safeguarding

3.3.1 None.

3.4 Dependencies

3.4.1 None.

3.5 Other

3.5.1 None.

4 Financial Implications

4.1 None for the purposes of this report.

4.2 **Section 151 Officer's comments:** None for the purposes of this report.

5 Legal Implications

5.1 None for the purposes of this report.

5.2 **Monitoring Officer's comments:** None for the purposes of this report.

6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** The Council's Key Priorities are not relevant to this matter.

6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.

6.3 **Climate & Environmental Impact of recommendations:** None.

6.4 **Sustainability Policy & Community Safety Implications:** None.

6.5 **Partnerships:** None.

7 Background papers

7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- None.

Other papers:

- None.