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EPSOM AND WALTON DOWNS CONSULTATIVE COMMITTEE

Wednesday 12 January 2022 at 6.00 pm

Place: Remote Meeting

PLEASE NOTE: this will be a 'virtual meeting'.

The link to the meeting is: <https://attendee.gotowebinar.com/register/6353658103652285454>
Webinar ID: 473-097-331

Telephone (listen-only): 0330 221 9914, Telephone Access code: 234-004-774

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

Committee Members

Councillor Liz Frost (Chair)
Simon Durrant, Epsom Downs Racecourse
Councillor Bernice Froud
Alex Stewart, Epsom Downs Riders Protection Society
Nigel Whybrow, Training Grounds Management Board

Representatives invited to attend

Caroline Baldock, Epsom Equestrian Conservation Team	Nick Lock, Epsom Civic Society
Richard Balsdon, College Ward Residents' Association	Nick Harrison, Tattenhams Residents' Association
Andrew Cooper, Epsom Downs Racecourse	Steven McCormick, Woodcote Residents' Association
Stephen Wallis, Epsom Downs Racecourse	Conor Morrow, Lower Mole Countryside Management Service
John Davis, Epsom Downs Model Aircraft Club	Stuart Walker, Epsom Golf Club
Bob Eberhard, Epsom and Ewell Cycle Action Group	Robin Willes, Epsom Downs Model Aircraft Club

Yours sincerely



Clerk to the Conservators

For further information, please contact Democratic Services, 01372 732122 or democraticservices@epsom-ewell.gov.uk

Agreed by the Epsom and Walton Downs Consultative Committee: **17 March 2014**

Ratified by the Epsom and Walton Downs Conservators: **22 April 2014**

Terms of Reference:

To provide a means of regular consultation:-

- (a) on the future management and control of the tracks, rides, paths and areas for hack riding;
- (b) on the rights of horse riders on Epsom and Walton Downs pursuant to Section 15 of the Epsom and Walton Downs Regulation Act 1984 and the byelaws made under the Act; and
- (c) on any other matters affecting the use and enjoyment of the Downs by the public.

Membership (voting rights)

The Committee shall comprise:

- (a) two Council members, one of whom shall be the Chairman of the Epsom and Walton Downs Conservators (“the Conservators”);
- (b) a representative of Jockey Club Racecourses Ltd;
- (c) a representative of the trainers nominated by the Epsom and Walton Downs Training Grounds Management Board;
- (d) approved representative (and substitute as appropriate) from :-
 - (1) Epsom Downs Riders' Protection Association (or such other body or bodies for the time being as in the Conservators' view represents the interests of local horse riders);
 - (2) a representative of the British Horse Society;
- (e) such other persons as the Committee may co-opt on an ad-hoc basis for such period as the Committee may determine.

Quorum

A quorum of the Committee shall be three members including one member appointed by the Conservators and one representative of either the Epsom Downs Riders Protection Association (or such substitute body as may be specified under paragraph 3(d) above) or the British Horse Society.

Constitution document

The full Constitution of this Committee (detailing the membership, voting rights, administrative arrangements and other information) is available on Epsom and Ewell Borough Council's website at the following address: <https://democracy.epsom-ewell.gov.uk/mgCommitteeDetails.aspx?ID=173>

Public information

Information & Assistance:

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 Consultative Committee.

AGENDA

1. MINUTES OF PREVIOUS MEETING (Pages 7 - 10)

The Committee is asked to confirm as a true record the Minutes of the Meeting of the Committee held on 17 September 2018 (attached) and to authorise the Chairman to sign them.

2. ISSUES RAISED BY MEMBERS OF THE COMMITTEE

To discuss any issues raised by Members of the Committee.

The following matters have been raised by the Epsom Downs Riders' Protection Association Member, Alex Stewart:

- Replacement of Hack Sand Track - Review/feedback on proposals.
- Condition of hack canter at top of Six Mile Hill - surface reinstatement and widening.
- Marking of hack ride across The Hill - insufficient marker posts and difficulty in identifying width and route.
- Hack post renewal on the Downs.
- Water logging of track at top of Rifle Butts Alley. Overgrowth in several places of horse track running along Burgh Heath Road/ Downs Road.
- Update on Downskeepers' winter work programme.
- Traffic light phasing for pedestrians and racehorses crossing by Bus Shelter.

3. ISSUES RAISED FOR CONSIDERATION

To discuss any issues raised by representatives invited to attend the meeting of the Committee.

The following matters were raised by the representative of the Epsom Equestrian Conservation Group, Caroline Baldock:

- Lights on Farm Lane.
- Trespass on the gallops and grass above the wax track by hack riders.
- Information signs and leaflets on the Downs:
 - Maintenance of the 2 furlong sign on the wax track.
 - Size of signs for cyclists.
 - Availability of information leaflets on the Downs.

4. ITEMS FOR THE ATTENTION OF THE CONSERVATORS

To identify any items which the Committee wishes to be brought to the attention of the Conservators at their next meeting, and nominate a spokesperson to present them if appropriate.

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Minutes of the Meeting of the EPSOM AND WALTON DOWNS CONSULTATIVE COMMITTEE held on 17 September 2018

PRESENT -

Councillor Liz Frost (Chairman); Hugh Craddock (British Horse Society) and Nigel Whybrow (Training Grounds Management Board).

In Attendance: Caroline Baldock (Epsom Equestrian Conservation Team), Richard Balsdon (College Ward Residents' Association), Bob Eberhard (Epsom and Ewell Cycle Action Group), Nick Harrison (Tattenhams Residents' Association), Margaret Hollins (Epsom Civic Society), David Lambert (Epsom Downs Model Aircraft Club) and Roger Marples (Epsom Downs Model Aircraft Club)

Absent: Councillor Jean Steer MBE, Simon Durrant (Epsom Downs Racecourse) and Alex Stewart (Epsom Downs Riders Protection Society) Andrew Cooper (Epsom Downs Racecourse), Steven McCormick (Woodcote Residents' Association), Conor Morrow (Lower Mole Countryside Management Service) and Stuart Walker (Epsom Golf Club)

Officers present: Amardip Healy (Chief Legal Officer), Sam Beak (Downs Manager), Samantha Whitehead (Streetcare Manager) and Tim Richardson (Democratic Services Officer)

1 MINUTES OF PREVIOUS MEETING

The Minutes of the Meeting of the Epsom and Walton Downs Consultative Committee held on 12 March 2018 were agreed as a true record and signed by the Chairman, subject to the following comment being noted:

- **Minute 14 c) Use of the Hatched area for hack riding.** The British Horse Society (BHS) Representative requested that it be noted that during consideration of this matter he had informed the Committee that some signposting on the edge of the hatched area was incorrect and was likely to be a cause of some incidents of encroachment upon the neighbouring gallops by hack riders.

2 MATTERS ARISING FROM THE LAST MEETING

The Committee received a verbal update on items considered at the previous meeting. The following matters were noted:

- a) **Hack riding map for Downs users.** It was noted that production of this map was still in progress.
- b) **Condition of concrete posts adjacent to Racecourse.** No further update had been received.
- c) **Signposting/marker posts.** A report regarding signposting and marker posts for hack rides was part of a larger signposting project, and would be presented to a future meeting of the Conservators for consideration.
- d) **Scrub clearance at southern end of Rifle Butts Alley.** This work would be undertaken as part of the winter works programme.
- e) **Public consultation for parking on land in front of Derby Arms Public House.** The Committee was informed that responses to the public consultation including those from the members of the Consultative Committee had been considered by the Conservators. Following consideration of the consultation responses and committee report, the Conservators had granted conditional 1 year approval to the use of the area for parking. This included an approved management plan for use of the area.
- f) **Hack sand track, foot of Walton Downs.** The Chief Legal Officer informed the Committee that a substantive response had still not been received from the Horserace Betting Levy Board (HBLB) with regard to this matter, but that it would continue to be pursued. The matter was of heightened importance as the HBLB would soon cease to exist with its functions moving over to the Gambling Commission later this year/early next year.

The Epsom Equestrian Conservation Team Representative expressed concern at the condition of the track and it was noted that Officers would provide the contact email address for the HBLB following the meeting, to enable these concerns to be passed-on directly.

The BHS representative informed the Committee that he had written to Chris Grayling MP and Jeremy Wright MP, Secretary of State for Digital, Culture, Media and Sport with regard to the condition of the Hack Sand Track. A response from the Secretary of State had informed that the transfer of liabilities from the HBLB to its successor bodies was being considered, and that the maintenance of the sand track would be included within this. The need for meetings between all parties to resolve the matter was recognised. The BHS representative informed the Committee that the HBLB had indicated that its preferred resolution to the issue would likely be to capitalise it, by making a one-off payment in exchange for limiting its future liabilities.

3 REPORT OF THE HEAD DOWNSKEEPER

The Committee received and noted the report of the Head Downskeeper.

4 ISSUES RAISED BY THE HACK RIDERS REPRESENTATIVES

Prior to the publication of the agenda for the meeting, the BHS Representative had requested that an item be included in relation to the Conservators' decision with regard to parking on land in front of the Derby Arms Public House. The Chief Legal Officer informed the Committee that this request had been declined, as the matter was within the remit of the Conservators, who had already decided on the application. The Committee was reminded that it did not possess the authority to call-in the decisions of the Conservators, or to challenge the decisions of the Conservators. The Chief Legal Officer emphasised to the Committee that business considered by it must fall within its terms of reference as set out in its Constitution.

The BHS Representative verbally requested further information regarding:

- Production of management plan for use of land in front of the Derby Arms Public House for parking.
- Use of the land in front of the Derby Arms Public House for parking prior to a Management Plan being agreed.

The Chief Legal Officer informed the Committee that the production and approval of the management plan was a matter for the Racecourse and Council Officers. Once the plan had been completed and agreed, the Chief Legal Officer was willing to provide a copy of it to members of the Committee for the purposes of enforcement if necessary.

The Chief Legal Officer informed the Committee that the BHS Representative had indicated in correspondence prior to the meeting that he was considering a judicial review of the Conservators decision. In view of this, and as the item was not within the Committee's Terms of Reference, it was not an issue for the Committee to consider.

5 ISSUES RAISED FOR CONSIDERATION

The following items were raised by representatives to the Committee:

- a) **Management of deer on the Downs.** Following a question from the College Ward Residents' Association Representative, the Committee was informed that there was not presently any management plan for control of deer on the Downs, as there was not any identified need for one.
- b) **Horse encroachment on the model aircraft area.** The Epsom Downs Model Aircraft Club (EDMAC) Representatives informed the meeting that an incident of a horse being walked across the model aircraft runway and control area had been recorded. Officers advised that any future such

activity should be reported to the Downskeepers, who would be able to explain the areas available to the horse rider/walker. Copies of maps were to be offered to the EDMAC to hand out as when necessary.

- c) **Launch of rockets on the Downs.** The EDMAC Representatives informed the meeting that incidents of rockets being launched from the Downs had been witnessed by club members. Officers informed the Committee that the use of rockets on the Downs was prohibited under the Downs Byelaws, and that any future incidents should be reported to the Downskeepers. A temporary Downs byelaw sign would be installed on the model aircraft peg-board, to assist in highlighting the prohibition. Here was a wider project to produce permanent byelaw signs.

6 ITEMS FOR THE ATTENTION OF THE CONSERVATORS

The Committee did not identify any items from the meeting which would require verbal representation to the Conservators.

7 DATE OF MEETINGS IN 2019

The Committee agreed that dates for its meetings would be identified and communicated following the meeting.

The meeting began at 6.24 pm and ended at 7.03 pm

COUNCILLOR LIZ FROST (CHAIRMAN)