

# EPSOM AND WALTON DOWNS CONSERVATORS

Monday 22 January 2024 at 6.00 pm

Place: Council Chamber, Epsom Town Hall

Online access to this meeting is available on YouTube: [Link to online broadcast](#)

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

Councillor Steven McCormick, the Council (Chair)  
Simon Durrant, Jockey Club Racecourses (the Company) (Vice-Chair)  
Councillor Christine Cleveland, the Council  
Andrew Cooper, Jockey Club Racecourses (the Company)  
Simon Dow, Horserace Betting Levy Board (the Levy Board)  
Councillor Liz Frost, the Council  
Councillor Bernice Froud, the Council  
Tom Sammes, Jockey Club Racecourse (the Company)  
Councillor Kim Spickett, the Council  
Councillor Clive Woodbridge, the Council

Yours sincerely



Clerk to the Conservators

For further information, please contact [democraticservices@epsom-ewell.gov.uk](mailto:democraticservices@epsom-ewell.gov.uk) or tel: 01372 732000

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## 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 Act 1972 (as amended). Should any such matters arise during the course of discussion of the below items or should the Chair agree to discuss any other such matters on the grounds of urgency, the Committee may wish to resolve to exclude the press and public by virtue of the private nature of the business to be transacted.

## Questions and statements from the Public

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## **AGENDA**

**1. MINUTES OF THE PREVIOUS MEETING** (Pages 5 - 8)

The Conservators are asked to confirm as a true record the Minutes of the Conservators' Meeting held on 6 November 2023 (attached) and to authorise the Chair to sign them.

**2. BUDGET 2024/25** (Pages 9 - 16)

This report seeks approval for the 2024/25 budget and the recommended precepts on the constituent bodies.

**3. RISK REGISTER** (Pages 17 - 26)

This report presents the risk register for the Epsom and Walton Downs for review and note by the Conservators.

**4. EPSOM DOWNS RACING SEASON 2024** (Pages 27 - 34)

This report informs the Conservators of dates for race meetings in 2024 and presents a request from Jockey Club Racecourses for consent for race meetings and extensions to the periods permitted for fencing, as required by the Epsom and Walton Downs Regulation Act 1984 and Epsom and Walton Downs Byelaws.

**5. DERBY 2024 UPDATE** (Pages 35 - 38)

An update on the arrangements for the Derby 2024.

**6. REVIEW OF USE OF THE OWNERS AND TRAINERS AND DERBY ARMS CAR PARK BY THE RACECOURSE** (Pages 39 - 42)

To update the Conservators on the use of the Owners and Trainers and Derby Arm Car Parks by the Racecourse during 2023 and to formally request permission for ad-hoc use in 2024.

**7. SCHEME FOR BBQS AT THE RACECOURSE REVIEW** (Pages 43 - 46)

To review the use of barbecues during 2023 race meetings and receive an application from Epsom Downs Racecourse for the use of the barbecues at 2024 events.

**8. EVENTS ON THE DOWNS** (Pages 47 - 52)

To approve a request from Cancer Research UK to hold the annual Race for Life Event on the Downs in 2024.

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**Minutes of the Meeting of the EPSOM AND WALTON DOWNS CONSERVATORS  
held at the Council Chamber, Epsom Town Hall on 6 November 2023**

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**PRESENT -**

Councillor Steven McCormick (the Council) (Chair); Simon Durrant (Jockey Club Racecourses (the Company) (Vice-Chair); Councillor Christine Cleveland (the Council), Andrew Cooper (Jockey Club Racecourses (the Company), Councillor Liz Frost (the Council), Councillor Bernice Froud (the Council) and Tom Sammes (Jockey Club Racecourse (the Company)

Absent: Simon Dow (Horserace Betting Levy Board (the Levy Board) and Councillor Clive Woodbridge (the Council)

Officers present: Andrew Bircher (Interim Director of Corporate Services), Brendan Bradley (Head of Finance), Justin Turvey (Interim Head of Place Development), Sarah Clift (Senior Countryside Officer) and Phoebe Batchelor (Democratic Services Officer)

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**42 MINUTES OF THE PREVIOUS MEETING**

The Minutes of the previous meetings of the Epsom and Walton Downs Conservators held on 30 May 2023 and 19 June 2023 were agreed as a true record and signed by the Chair.

**43 MINUTES OF THE EPSOM AND WALTON DOWNS CONSULTATIVE COMMITTEE, 14 DECEMBER 2022, AND 16 OCTOBER 2023**

The Conservators received the Minutes of the meetings of the Epsom and Walton Downs Consultative Committee held on 14 December 2022 and the 16 October 2023.

Following consideration, the Conservators unanimously resolved to:

- (1) Receive and note the Minutes of the meetings of the Epsom and Walton Downs Consultative Committee held on 14 December 2022 and the 16 October 2023.**

**44 NEW APPOINTMENT TO THE CONSERVATORS**

The Conservators received a report confirming the appointment of a new member of the Epsom and Walton Downs Conservators by Jockey Club

Racecourses following the retirement of Stephen Wallis and requesting the Conservators to note the appointment.

The following matters were considered:

- a) **Thanks.** The Chair and Clerk to the Conservators expressed thanks to Stephen Wallis for his work and time spent as a Conservator.

Following consideration, the Conservators unanimously resolved:

- (1) **That the following appointment to the Membership of the Conservators by the constituent body be noted:**
- **Jockey Club Racecourses (the Company): Tom Sammes in place of Stephen Wallis**

#### 45 MID-YEAR BUDGET MONITORING

The Conservators received a report on the income and expenditure position as of 31 August 2023 and seeking guidance on the preparation of the budget and precept for 2024/25.

The following matters were considered:

- a) **Weather effects.** A Conservator asked if the unseasonably warm and wet winter will have a worsening effect on the progression of the Ash Dieback disease on the affected trees. The Interim Head of Place Development responded to explain that the progress of the disease generally and in specific trees is not weather dependent. The Chair explained that the previous Ash Dieback report presented to the Conservators in June, set out the risk-based approach that is currently being taken by the Council.
- b) **Additional Ash Dieback costs.** A Conservator raised concerns about the costs of dealing with Ash Dieback and expressed a steer towards the higher (6%) precept in order to cover funds. The Chair informed the Conservators that the Ash Dieback report presented to the Conservators at the meeting sets out the funding required and impact on the reserves, which is also reflected in the Mid-Year Budget report. The Chair continued to explain that the increase in precepts will be to replenish the reserves.
- c) **Precept Increase.** The Conservators were asked to vote on a 4% or a 6% increase in precepts to help provide guidance on the preparation of the Budget 2024/25 as set out in Recommendation 2.

Following consideration, the Conservators;

Resolved (6 for, 1 abstaining and the Chair not voting) to;

- (1) **Note the mid-year income and expenditure position;**

Resolved (4 for 6% increase, 3 for 4% increase and 1 abstaining) to;

- (2) Provide guidance on the preparation of the budget for 2024/25;**

Resolved (6 for, 1 abstaining and the Chair not voting) to;

- (3) Note the conclusion of the 2022/23 external audit of the accounts;**

- (4) Agree the £10,000 reserve transfer between the Repairs & Renewals Fund and the working balance.**

**46 ASH DIEBACK**

The Conservators received a report advising on the progress of Ash Dieback works to trees that are affected by the disease which have taken place to date, the programme of works that will be undertaken going forwards, and asking the Conservators to note the increased costs associated with tree works.

Following consideration, the Conservators unanimously resolved to:

- (1) Note the progress of Ash Dieback works to trees affected by the disease which have taken place to date, and the programme of works that will be undertaken.**
- (2) Note that an 82% increase in the annual tree maintenance budget, from £7,300 to £13,300 has been factored into the Conservators' indicative 2024/25 budget setting for consideration to fund the programme of works.**

**47 DATES OF MEETINGS IN 2024**

The Conservators received a report requesting them to agree the dates of their normal meetings to be held in 2024.

Following consideration, the Conservators unanimously resolved to:

- (1) Agree to hold their normal meetings in 2024 on the following dates:**
- a) Monday 22 January 2024 at 18.00 hours**
  - b) Monday 17 June 2024 18.00 hours**
  - c) Monday 4 November 2024 18.00 hours**

*The meeting began at 6.00 pm and ended at 6.16 pm*

COUNCILLOR STEVEN MCCORMICK (CHAIR)

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## **BUDGET 2024/25**

<b>Head of Service:</b>	Brendan Bradley, Head of Finance
<b>Wards affected:</b>	College Ward; Town Ward; Woodcote and Langley Vale Ward;
<b>Appendices (attached):</b>	Appendix 1 – Recommended Budget for 2024/25

### **Summary**

This report seeks approval for the 2024/25 budget and the recommended precepts on the constituent bodies.

### **Recommendation (s)**

#### **The Conservators are asked to:**

- (1) note the latest income and expenditure position for 2023/24;**
- (2) approve the 2024/25 budget and the requested precepts, as set out in section 4 and Appendix 1 to this report.**

## **1 Reason for Recommendation**

- 1.1 To inform the Conservators of the forecast outturn for 2023/24 and seek approval for the 2024/25 budget.

## **2 Background**

- 2.1 As a basis for agreeing a budget and contribution levels for 2024/25, this report:
  - 2.1.1 informs the Conservators of the current year income and expenditure position and forecast outturn as at 31 March 2024;
  - 2.1.2 seeks approval of the recommended budget for 2024/25 as set out in Appendix 1.

## **3 Forecast for 2023/24**

- 3.1 The Conservators received a mid-year monitoring report at the meeting on 6 November 2023. A detailed update of forecast income and expenditure for 2023/24 is included in Appendix 1.

- 3.2 Net expenditure for 2023/24 remains forecast at £480,462 which would result in a deficit of £21,812 against a budget of £458,650.
- 3.3 This is largely unchanged from November 2023 position, with the net deficit mainly due to additional tree maintenance costs to tackle Ash Dieback, as agreed by Conservators in June, plus additional spot hire of vehicles during the Wayfinder Trails installation.
- 3.4 The working balance stood at £41,142 at 31 March 2023. The projected £21,812 deficit, partially offset by a planned £16,000 contribution back to the reserve, would reduce the working balance to £35,331.

**4 Budget Estimates 2024/25**

- 4.1 The recommended budget estimates for 2024/25 are attached at Appendix 1.
- 4.2 An initial draft budget was presented to Conservators at the November 2023 meeting.
- 4.3 As supported by Conservators in November, the proposed budget at Appendix 1 includes precept increases of 6% and is summarised in the following table:

	<b>£'000</b>
Grounds maintenance	71
Keepers' hut	11
Central and staffing expenses	398
Contribution to reserves	9
Derby Traveller Caravan Site	4
Events and other income	(7)
<b>Net Expenditure</b>	<b>486</b>
Contribution from EEBC/EDR/TB	(486)
<b>Budget Surplus</b>	<b>0</b>

- 4.4 There are some minor compensating adjustments within the proposed budget since November to reflect updated circumstances/inflation expectations. These are:

- 4.4.1 A £3,200 increase in the staffing expenses, due to an anticipated 6% increase in EEBC staff salaries for 2024/25, whereas 5% had initially been assumed for the November figures.
- 4.4.2 There is also a £980 increase in the external audit fee and transport insurance to reflect the higher charges anticipated for 2024/25.
- 4.4.3 These increased expenditure items in the budget estimates have been offset by a reduction in the contribution to the working balance of £4,180 bringing the budgeted contribution for 2024/25 down to £7,000.
- 4.5 Net expenditure remains forecast at £486,170, which is a 6% increase overall compared to the current year's budget.
- 4.6 Within management recharges, the budget does not include provision for one-off workstreams that are over and above the standard support provided to Conservators. Should any additional workstreams be agreed in future, the budget implication will need to be considered at the time.
- 4.7 To fund the £486,170 budget, the following precepts are requested from constituent bodies:
  - 4.7.1 Epsom & Ewell Borough Council - £291,700
  - 4.7.2 Epsom Racecourse - £145,850
  - 4.7.3 Training Board - £48,620

## **5 Repairs and Renewals Fund**

- 5.1 The repairs and renewals fund balance will hold a projected £22,880 at 31 March 2024. This forecast assumes no further draw downs for the year and a budgeted contribution of £4,000 to the reserve for 2023/24.

## **6 Risk Assessment**

### Legal or other duties

- 6.1 Equality Impact Assessment
  - 6.1.1 None arising from the contents of this report.
- 6.2 Crime & Disorder
  - 6.2.1 None arising from the contents of this report.
- 6.3 Safeguarding
  - 6.3.1 None arising from the contents of this report.
- 6.4 Dependencies

6.4.1 None arising from the contents of this report.

6.5 Other

6.5.1 The Conservators maintain a separate risk register.

6.5.2 The estimated working balance of £35,330 for 2024/25 is approximately 7% of net expenditure, which, along with the Repairs and Renewals fund, provides cover for unexpected expenditure. Any withdrawals from the working balance will need to be carefully assessed, to ensure sufficient funds are retained in reserves to cover unexpected expenditure and maintain a stable level of contribution from preceptors.

## 7 Financial Implications

7.1 Precept contributions totalling £486,170 in 2024/25 are met by the Borough Council (60%), Epsom Racecourse (30%), and the Training Board (10%).

7.2 **Section 151 Officer's comments:** Financial implications are contained within the body of the report.

## 8 Legal Implications

8.1 There are no legal implications arising from the contents of this report.

8.2 **Legal Officer's comments:** As above

## 9 Policies, Plans & Partnerships

9.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Effective Council;
- Green & Vibrant.

9.2 **Service Plans:** The matter is included within the current Service Delivery Plan.

9.3 **Climate & Environmental Impact of recommendations:** None arising from the contents of this report.

9.4 **Sustainability Policy & Community Safety Implications:** None arising from the contents of this report.

9.5 **Partnerships:** The Jockey Club, Training Board and Epsom and Ewell Borough Council are represented by Members on the Conservators Committee.

**10 Background papers**

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

**Previous reports:**

- Mid-Year Budget Monitoring Report, 6 November 2023.

**Other papers:**

- None.

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EWDC Budget Position 2023/24 and 2024/25

<u>2022/23</u> <u>Outturn</u>		<u>2023/24</u> <u>Budget</u>	<u>Actuals to</u> <u>30.11.2023</u>	<u>2023/24</u> <u>Forecast</u> <u>Outturn</u>	<u>2023/24</u> <u>Forecast</u> <u>Variance</u>	<u>2024/25</u> <u>Budget</u> <u>Estimates</u>
£		£	£	£	£	£
	<b>Grounds Maintenance</b>					
490	Maintenance of Grounds	220	0	220	0	220
4,500	Car Park Repairs	3,245	0	3,245	0	3,440
3,480	Tree Maintenance Schedule	7,300	0	24,300	17,000	13,300
6,369	Fuel	10,825	4,311	10,825	0	10,825
1,488	Spot hire of vehicles	940	6,814	6,814	5,874	1,000
2,791	Transport Insurance recharge	2,845	3,194	2,845	0	3,545
0	Chemicals for weed control	445	0	445	0	445
0	Disposal of Waste	3,270	0	0	-3,270	0
30,910	Transport fleet recharge	32,530	0	32,530	0	34,480
3,530	Internal trade waste fees	3,740	0	3,740	0	3,965
<b>53,557</b>	<b>Sub-Total</b>	<b>65,360</b>	<b>14,319</b>	<b>84,964</b>	<b>19,604</b>	<b>71,220</b>
	<b>Keepers Hut</b>					
2,728	Engineering and fabric recharges	3,105	2,054	3,105	0	3,290
198	Building and M&E maintenance	1,120	-198	1,120	0	1,190
622	Electricity	5,530	932	3,500	-2,030	3,675
786	Rates	810	973	973	163	1,030
292	Water dispenser costs	220	325	325	105	320
159	TV Licence	175	159	159	-16	175
0	General office expenses	100	0	100	0	100
912	Insurance recharges	835	0	1,021	186	1,145
<b>5,696</b>	<b>Sub-Total</b>	<b>11,895</b>	<b>4,245</b>	<b>10,303</b>	<b>-1,592</b>	<b>10,925</b>
	<b>Central Expenses</b>					
28,000	Additional pension contribution	28,000	0	28,000	0	28,000
4,722	Budgeted contribution to Repairs & Renewals Fund	4,000	0	4,000	0	2,000
6,000	Budgeted contribution to Working Balance	6,000	0	6,000	0	7,000
505	Clothing & uniforms	660	236	660	0	700
1,200	External Audit	1,240	1,638	1,638	398	1,710
467	Miscellaneous expenses	1,100	360	1,100	0	1,165
575	General office expenses	1,060	82	1,060	0	1,125
22,472	VAT payments	20,980	0	23,596	2,616	25,010
282,780	Operational Services Recharge EWDC	296,920	0	296,920	0	314,735
20,636	Management Costs Recharge	22,200	0	22,200	0	23,540
1,194	Insurance	1,090	0	1,343	253	1,420
540	Internal audit	555	0	555	0	590
<b>369,091</b>	<b>Sub-Total</b>	<b>383,805</b>	<b>2,316</b>	<b>387,072</b>	<b>3,267</b>	<b>406,995</b>
	<b>Derby Travellers Caravan Site</b>					
4,230	Contract Payments	4,250	4,490	4,490	240	4,505
<b>4,230</b>	<b>Sub-Total</b>	<b>4,250</b>	<b>4,490</b>	<b>4,490</b>	<b>240</b>	<b>4,505</b>

<u>2022/23</u> <u>Outturn</u>		<u>2023/24</u> <u>Budget</u>	<u>Actuals to</u> <u>30.11.2023</u>	<u>2023/24</u> <u>Forecast</u> <u>Outturn</u>	<u>2023/24</u> <u>Forecast</u> <u>Variance</u>	<u>2024/25</u> <u>Budget</u> <u>Estimates</u>
£		£	£	£	£	£
	<b>Tattenham Corner conveniences</b>					
16,255	Demolition Project Costs	0	0	0	0	0
-16,808	Planned Contribution from Repairs & Renewals Fund	0	0	0	0	0
0	Building and M&E maintenance	0	99	99	99	0
100	Electricity	0	0	0	0	0
453	Water Charges	0	179	179	179	0
<b>0</b>	<b>Sub-Total</b>	<b>0</b>	<b>278</b>	<b>278</b>	<b>278</b>	<b>0</b>
	<b>EWDC EAFRD Funding</b>					
8,808	Spot hire of vehicles	0	0	0	0	0
124,929	EAFRD Project Costs	0	0	0	0	0
-91,661	EAFRD Grant Income	0	0	0	0	0
-6,539	Contribution from EEBC (S106 funding)	0	0	0	0	0
-2,900	Contribution from Jockey Club	0	0	0	0	0
-21,216	Planned Contribution from Working Balance	0	0	0	0	0
<b>11,422</b>	<b>Sub-Total</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>
<b>443,996</b>	<b>Gross Expenditure</b>	<b>465,310</b>	<b>25,648</b>	<b>487,107</b>	<b>21,797</b>	<b>493,645</b>
	<b>Income:</b>					
-3,848	Hire charges	-3,775	-4,045	-4,045	-270	-4,005
-1,952	Interest on Balances	-1,500	0	-2,000	-500	-2,000
-1,196	Misc. income	-1,385	0	-600	785	-1,470
<b>-6,995</b>	<b>Gross Income</b>	<b>-6,660</b>	<b>-4,045</b>	<b>-6,645</b>	<b>15</b>	<b>-7,475</b>
<b>437,001</b>	<b>Net Expenditure</b>	<b>458,650</b>	<b>21,603</b>	<b>480,462</b>	<b>21,812</b>	<b>486,170</b>
	<b>Precepts:</b>					
-259,620	Borough Council	-275,190	-275,190	-275,190	0	-291,700
-43,270	Training Board	-45,865	-45,865	-45,865	0	-48,620
-129,810	Epsom Racecourse	-137,595	-137,595	-137,595	0	-145,850
<b>-432,700</b>		<b>-458,650</b>	<b>-458,650</b>	<b>-458,650</b>	<b>0</b>	<b>-486,170</b>
<b>4,301</b>	<b>Surplus (-) / Deficit in Year</b>	<b>0</b>	<b>-437,047</b>	<b>21,812</b>	<b>21,812</b>	<b>0</b>
<b>60,659</b>	<b>Working Balance brought forward 1 April</b>			<b>41,142</b>		<b>35,331</b>
6,000	Add budgeted in year contribution to working balance			6,000		7,000
-21,216	Less contribution to EAFRD project from working balance			0		0
0	Add agreed transfer from R&R Fund			10,000		0
-4,301	Surplus/deficit for the year			-21,812		0
<b>41,142</b>	<b>Forecast Working Balance carried forward 31 March</b>			<b>35,331</b>		<b>42,331</b>
<b>40,965</b>	<b>Repairs &amp; Renewals Balance brought forward 1 April</b>			<b>28,880</b>		<b>22,880</b>
4,722	Add budgeted in year contribution to R&R Fund			4,000		2,000
-16,808	Less contributions from R&R Fund			-10,000		0
<b>28,880</b>	<b>Forecast Repairs &amp; Renewals Balance carried forward 31 March</b>			<b>22,880</b>		<b>24,880</b>



## RISK REGISTER

<b>Head of Service:</b>	Andrew Bircher, Interim Director of Corporate Services
<b>Wards affected:</b>	College Ward; Town Ward; Woodcote and Langley Vale Ward;
<b>Appendices (attached):</b>	Appendix 1 – EWDC Strategic Risk Register

### Summary

This report presents the risk register for the Epsom and Walton Downs for review and note by the Conservators.

### Recommendation (s)

#### The Conservators are asked to:

**Review, and note the strategic risk register located at Appendix 1.**

## 1 Reason for Recommendation

- 1.1 It is good practice for the Conservators to have and regularly review a risk register for the Downs. By identifying and assessing potential risks to the Downs, the Conservators can gain assurance that its condition is being maintained adequately, habitats are protected, and the proper controls are in place to protect the public and activities held on the Downs.

## 2 Background

- 2.1 The Conservators have particular responsibilities as a group and as a partnership working collaboratively. Maintaining a risk register is therefore a prudent activity to support the proactive management of the Downs.
- 2.2 When this was last considered by the committee two risks were added. These risks feature towards the end of the document, and relate to the risk of fire (EWDC17) and the risk of pollen affecting horses / jockeys (EWDC18).

## 3 Risk register review

- 3.1 Appendix 1 sets out the strategic risk register for the Conservators and covers health and safety, legal responsibility, insurance, and event management. Many risks are managed daily through internal controls, policies and procedures.

3.2 The risks are scored according to the following risk matrix:

<b>Likelihood</b>	<b>4</b> Very likely	4	8	12	16
	<b>3</b> Likely	3	6	9	12
	<b>2</b> Possible	2	4	6	8
	<b>1</b> Remote	1	2	3	4
<b>Multipier</b>		<b>1</b> Insignificant	<b>2</b> Minor	<b>3</b> Major	<b>4</b> Severe
		<b>Impact</b>			

**Key**

	High risks
	Medium risks
	Low risks
	Risk tolerance boundary

3.3 The committee is asked to review and note the risk register and make recommendations for amendments if required.

**4 Risk Assessment**

Legal or other duties

4.1 Equality Impact Assessment

4.1.1 None arise from this report.

4.2 Crime & Disorder

4.2.1 Issues of crime and disorder are considered in the risk register.

4.3 Safeguarding

4.3.1 Issues of safeguarding are considered in the risk register.

4.4 Dependencies

4.4.1 The risk register demonstrates dependencies on mitigating risks and the necessity for contributions from all partners.

4.5 Other

4.5.1 None arising from the contents of this report.

**5 Financial Implications**

5.1 No direct implications.

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

## 6 Legal Implications

6.1 **Legal Officer's comments:** None arising from the contents of this report.

## 7 Policies, Plans & Partnerships

7.1 **Council's Key Priorities:** The following Key Priorities are engaged:

- Not relevant for this report.

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

7.3 **Climate & Environmental Impact of recommendations:** some of the risks considered are as a result of climate change.

7.4 **Sustainability Policy & Community Safety Implications:** The strategic risk register covers the impacts of events and the usage of the Downs, which will be closely monitored, and the register reviewed as necessary.

7.5 **Partnerships:** The Jockey Club, Training Grounds Management Board and Epsom and Ewell Borough Council are represented by Members on the Conservators committee.

## 8 Background papers

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

### Previous reports:

- Epsom and Walton Downs Conservators (2023) *Strategic Risk Register*, 19<sup>th</sup> June 2023. Online available: <https://democracy.epsom-ewell.gov.uk/ieListDocuments.aspx?CId=170&MId=1437> [no. 37, last accessed 05/12/2023].

### Other papers:

- None.

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# Epsom & Walton Downs Conservators' Risk Register

ID.	Category	Risk Identified <i>Risk that...</i>	Risk Consequences	Risk Owner	Likelihood	Impact	Inherent Risk	Mitigations & Controls	Likelihood (2)	Impact (2)	Residual Risk	Direction of Travel	Future Actions to Further Mitigate & Control Risk	Date Last Updated
EWDC1	Operational	Failure to provide adequate health & safety arrangements on the Downs	<ul style="list-style-type: none"> <li>* Breach of Health &amp; Safety.</li> <li>* Reputational damage.</li> </ul>	Conservators	4	3	12	<ul style="list-style-type: none"> <li>* Warning signs installed across the Downs (positive feedback from users received).</li> <li>* The Conservators can place reliance on health and safety arrangements for the Council, The Jockey Club and the TGMB.</li> <li>* The Council has operational H&amp;S policies risk assessments and guidance. All incidents /accidents reported and reviewed.</li> </ul>	3	3	9	No change		Dec-23
EWDC2	Operational	Major incident, disruption or injury to users on the Downs	<ul style="list-style-type: none"> <li>* Breach of Health &amp; Safety and Civil Contingencies Act.</li> <li>* Reputational damage.</li> <li>* Impact on Derby/ races or other events.</li> </ul>	Conservators	4	3	12	<ul style="list-style-type: none"> <li>* Emergency Plans and Business Continuity Plan (JC have plans for Derby and race days).</li> <li>* Ongoing support for Derby through Derby Planning Group, JASPE and SAG.</li> <li>* Insurance arrangements.</li> <li>* Risks assessments.</li> <li>* Reporting committee arrangements.</li> <li>* Applied Resilience support in place.</li> <li>* Council Incident Liaison Officers who attend the Derby.</li> </ul>	3	3	9	No change		Dec-23

EWDC3	Operational	Failure to maintain quality standards across the Downs and adequacy of service obligations (including maintenance of the car parks)	* Potential accident or claim. * Downs poorly maintained. * Downs become less accessible.	Conservators	3	4	12	* Ongoing maintenance programme in place and visual inspections in place. * Insurance in place. * Conservators receive updates on service. * Conservators Service Delivery Plan. * Habitat Management Plan. * Golf Club Management Plan. * Some remedial work has taken place in car park due to higher usage as a result of COVID-19. * Work was undertaken to raise edges in key areas to avoid further damage by cars driving in inappropriate areas.	3	3	9	Worsened	* Inspection of car parks to be undertaken to assess the cost of any future works required [in progress]. * Downs Strategy / plan for the future.	Dec-23
EWDC4	Operational	Inadequate staffing resource available for Downs projects and maintenance	* Reduction in operational/quality standards until team fully staffed.	Conservators	4	4	16	* Full complement of staff in place. * Access to temporary staff.	3	2	6	No change	* Unique environment which can impact staffing resilience (e.g. is a member of staff is sick).	Dec-23
EWDC5	Operational	Conflicting usage / activities across the Downs	* Poor behaviour of specific groups. * Reduction in number of horses being training. * Damage to Downs (inc. habitats).	Conservators	3	2	6	* Information signs installed across the Downs. * Downs issues are escalated to the Joint Enforcement Group (standard agenda item). * Reporting of issues and taking remedial action if required. * Role of the Consultative Committee also involves referring matters arising in this regard. * Ongoing monitoring unauthorised events, and signposting to events booking system.	3	2	6	No change	* Booking information to be added to map entry boards [in progress].	Dec-23
EWDC7	Projects	Reprovision of toilet facilities	* Failure to deliver project.	Conservators	3	3	9	* Signposting to Cemetery where there are council maintained facilities. * Monitor reports of demand for facilities (currently low).	3	2	6	No change		Dec-23

EWDC9	Financial	There is a budget shortfall or insufficient funds to support the work of the Conservators	* Work programme not completed and maintenance/ operational cover reduced.	Conservators	3	4	12	* Agreed balanced budget each year. * Budget monitoring. * Financial accounts audited. * Repairs and renewal for the replacement of plant. * Grant funding successful. * Monitoring progress of the project implementation. * Agreement of funding plan for Ash die back	3	2	6	No change	* Prioritise tasks in the forward plan. * Further investigate contingency measures to address rising inflationary costs and the cost of fuel. * Explore additional funding opportunities.	Dec-23
EWDC10	Legal	Decisions made by the Conservators are illegal, inconsistent or fail to comply with the Epsom and Walton Downs Regulation Act 1984 (including Undeclared / unidentified conflict of interest related to a member of the Conservators)	* Decisions are challenged. * Reputational damage. * Decisions made that are not in the best interest of Conservators and Downs. * Fraud.	Conservators	3	4	12	* Legal advice is provided by legal teams when appropriate and included within reports. * Training of Conservators so there is a clearer understanding of roles and responsibilities. * The Conservators consist of representatives from Council, Jockey Club and Training Ground Management Board and have a duty to act in the best interest of a Conservator whilst decision making. * Committee report template to note legal obligations and where necessary contain internal/external legal advice. * Governance: Act of Parliament (Epsom & Walton Downs Regulation Act).	2	2	4	No change	* Stakeholder performing their duty well over the year.	Dec-23
EWDC11	Governance	Inadequate insurance arrangements for the Downs	* Ensuring all aspects are covered and clarity of cover.	Conservators	3	3	9	* Each partner has in place satisfactory insurance cover.	2	2	4	No change		Dec-23
EWDC15	Citizens	Safeguarding on the Downs	* A safeguarding issue arises / not reported. * Costs involved in rectifying incident. * Reputational damage.	Conservators	2	4	8	* Reporting arrangements in place.	2	1	2	No change	* Mandatory training to be rolled out to all staff [in progress].	Dec-23
EWDC16	Events	Future beacon lighting events	* Health and safety incident. * Unsuccessful event. * Reputational damage.	Conservators	3	4	12	* Static beacon in place. * Blueprint for running successful and safe beacon events in place. * Dynamic risk assessments undertaken.	2	2	4	No change		

EWDC17	Operational	Fire destroying part of the Downs and subsequently affecting its use (e.g. due to climate change and use of barbeques)	<ul style="list-style-type: none"> <li>* Destruction of habitats.</li> <li>* Inability for horses to train.</li> <li>* Public unable to enjoy facilities.</li> <li>* Costs involved with rectification.</li> </ul>	Conservators	2	4	8	<ul style="list-style-type: none"> <li>* Restrictions on the use of barbecues.</li> <li>* Staff trained on how to respond to fire incidents.</li> <li>* Regular patrols of the Downs by members of the Conservators.</li> </ul>	2	1	2	No change		Dec-23
EWDC18	Operational	Disruption of training facilities due to high pollen count	<ul style="list-style-type: none"> <li>* Horses unable to train.</li> </ul>	Conservators	2	3	6	<ul style="list-style-type: none"> <li>* Grass cutting undertaken before training runs.</li> </ul>	2	1	2	No change		Dec-23



## Retired EWDC Risks

ID.	Category	Risk Identified <i>Risk that...</i>	Risk Consequences	Risk Owner	Head of Service	Likelihood	Impact	Inherent Risk	Mitigations & Controls	Likelihood (2)	Impact (2)	Residual Risk	Direction of Travel	Future Actions to Further Mitigate & Control Risk	Date Last Updated
Retired: EWDC6	Events	Delivery of the Queens Jubilee events and beacon [event held]	Failure to deliver successful events and light the beacon.	Jubilee Planning Group	DofCS	2	4	8 - Medium	* Group in place to manage events. * Risk assessments in place. * Partnerships in place to address event, traffic and stewarding plans.	2	3	6 - Medium			May-23
Retired: EWDC8	Projects	Replacement of the Hack Sand with a Hack Canter [completed]	* Failure to deliver project.	Jockey Club	MD of JC	3	3	9 - Medium	* Jockey Club to manage implementation.	2	2	6 - Medium			May-23
Retired: EWDC14	Events	Management of agreed events on the Downs and illegal events [covered by EWDC5]	* Events badly managed risking habitat or those taking part, or non approved events being held.	Streetcare Manager	Conservators	3	3	9 - Medium	* Arrangements are in place to agree those events that can be held on the Downs and are pre-approved: where applicable fee paid, contract signed. * New or high risk events only to be brought to conservators as agreed.	2	2	4 - Medium		* Further exploration into enhancing awareness of the requirements for events on the Downs, and the monitoring of events and their impact on the Downs.	May-23
Retired: EWDC10	Governance	Undeclared / unidentified conflict of interest related to a member of the Conservators	* Decisions made that are not in the best interest of Conservators and Downs. * Fraud. * Reputational damage.	Conservators		2	3	16	* The Conservators consist of representatives from Council, Jockey Club and Training Ground Management Board and have a duty to act in the best interest of a Conservator whilst decision making. * Committee report template to note legal obligations and where necessary contain internal/external legal advice. * Governance: Act of Parliament (Epsom & Walton Downs Regulation Act).	2	2	6	No change	* Stakeholder performing their duty well over the year. * Merged with EWDC10 (Row 11), as similar.	Dec-23
Retired: EWDC13	Operational	Adequacy of service obligations	* Ensure Downs is well maintained and accessible.	Conservators		3	3	6	* Conservators receive updates on service. * Conservators Service Delivery Plan.	2	2	6	No change	* Downs Strategy / plan for the future. * Merged with EWDC3 (row 6) as similar.	Dec-23

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## **EPSOM DOWNS RACING SEASON 2024**

<b>Head of Service:</b>	Piero Ionta, Head of Legal and Monitoring Officer
<b>Wards affected:</b>	College Ward; Town Ward; Woodcote and Langley Vale Ward;
<b>Appendices (attached):</b>	N/A

### **Summary**

This report informs the Conservators of dates for race meetings in 2024 and presents a request from Jockey Club Racecourses for consent for race meetings and extensions to the periods permitted for fencing, as required by the Epsom and Walton Downs Regulation Act 1984 and Epsom and Walton Downs Byelaws.

### **Recommendation (s)**

**The Conservators are asked to:**

- (1) Note the dates of the 2024 racing season for Epsom Downs detailed in paragraph 2.1 of this report, and grant their consent to the following meetings in accordance with section 14 of the Epsom and Walton Downs Regulation Act 1984:**
  - **Wednesday 3 July (Evening)**
  - **Thursday 11 July (Evening)**
  - **Thursday 18 July (Evening)**
  - **Thursday 1 August (Evening)**
  - **Sunday 29 September**
- (2) Note that Jockey Club Racecourses has applied to Surrey County Council for the temporary suspension of Footpath 50 and Footpath 51 as detailed in section 4 of this report.**
- (3) Consider and determine an application from Jockey Club Racecourses for consent under the Byelaw 2 (i) (a) to extend the fencing period for the Upper Tattenham Enclosure and Lonsdale Enclosure for 4 days to cover the period 13 May - 16 May 2024.**

- (4) Consider and determine an application from Jockey Club Racecourses for consent under the Byelaw 2 (i) (a) to extend the fencing period for the Lonsdale Enclosure to enable fencing to remain in place between the dates of 12 – 18 June 2024.**

## **1 Reason for Recommendation**

- 1.1 Jockey Club Racecourses is required by the Epsom and Walton Downs Regulation Act 1984 and Epsom and Walton Downs Byelaws to seek the consent of the Conservators for race meetings held at certain times and extensions to the periods permitted for fencing.
- 1.2 The recommendations of this report present Jockey Club Racecourses' requests for consent for the 2024 race season for the Conservators consideration.

## **2 Background**

- 2.1 Jockey Club Racecourses has informed the Clerk of the planned dates of its race meetings in 2024. These are as follows:

- Tuesday 23 April
- Friday 31 May (Ladies' Day)
- Saturday 1 June (Derby Day)
- Wednesday 3 July (Evening)
- Thursday 11 July (Evening)
- Thursday 18 July (Evening)
- Thursday 1 August (Evening)
- Friday 16 August
- Monday 26 August (Bank Holiday)
- Thursday 12 September
- Sunday 29 September

## **3 Applications for Evening and Sunday race meetings**

- 3.1 Section 14 of the Epsom and Walton Downs Regulation Act 1984 (the Act) requires the consent of the Conservators for any race meeting to commence or continue after 7pm on any day, or at any time on a Sunday.

3.2 Jockey Club Racecourses requests the consent of the Conservators to the following race meetings (also listed above):

- Wednesday 3 July (Evening)
- Thursday 11 July (Evening)
- Thursday 18 July (Evening)
- Thursday 1 August (Evening)
- Sunday 29 September

#### **4 Application for temporary suspension of Footpath 50 and Footpath 51**

4.1 Jockey Club Racecourses will apply to Surrey County Council for the temporary suspension of Footpath 50 and Footpath 51 over the Derby period. Footpath 50 crosses the Racecourse Track near to the Princes Stand/Lonsdale Enclosure, and a similar suspension has been granted by the County Council for the past 7 years. Footpath 51 cuts through the Grandstand enclosure and leads to the tunnel under the racecourse Track and is a new application for 2024. Whilst this is a matter for consideration by the County Council, the Conservators are notified for their information.

#### **5 Application for racing-related fencing**

5.1 Specific elements of the racing-related fencing applications submitted by Jockey Club Racecourses require the Conservators' consideration: an application for the extension of the fencing period for the Upper Tattenham Enclosure for the Derby weekend, and applications for the extension of the fencing period for the Lonsdale Enclosure. The details of these applications are set out in sections 6 and 7 below.

5.2 Paragraph (4) (d) (i) of section 17 of the Act permits the Racecourse to erect fencing for the Upper Tattenham Enclosure, Lonsdale Enclosure (and other enclosures) 14 days prior to each race event, and requires its removal within 10 days after each race event, unless there is an overlap with the preparatory period for the next event. Fencing erected for the Enclosures outside these periods requires the consent of the Conservators under Byelaw 2 (i) (a).

#### **6 Application for extension of the Upper Tattenham Enclosure fencing period**

6.1 Jockey Club Racecourses has requested permission for one extension to the fencing period for the Upper Tattenham Enclosure during the 2024 racing season. The requested extension is as follows:

6.1.1 A 4-day extension to the set-up period for steel security fencing and turnstile blocks for the Upper Tattenham Enclosure between Monday 13 May – Thursday 16 May 2024. Under paragraph (4) (d) (i) of section 17 of the Act, Epsom Downs Racecourse is permitted to install this fencing from Friday 17 May 2024.

6.2 A similar extension to this has been approved by the Conservators for a number of years.

## 7 Application for extension of the Lonsdale Enclosure fencing period

7.1 Jockey Club Racecourses has requested permission for two extensions to the fencing period for the Lonsdale Enclosure during the 2024 racing season. The requested extensions are as follows:

7.1.1 A 4-day extension to the set-up period for steel security fencing and turnstile blocks for the Lonsdale between Monday 13 May – Thursday 16 May 2024.

7.1.2 A 7-day extension from Wednesday 12 June to Tuesday 18 June 2024.

7.2 Similar extensions to these have been approved by the Conservators for a number of years, but specific dates have varied depending on the racing calendar.

## 8 Summary and Calendar

8.1 A summary of the fencing extensions requested is included in the table below.

<b>Fencing location</b>	<b>Fencing extension requested (2024)</b>	<b>No. of days requested</b>	<b>Requested/granted last year?</b>
<b>Upper Tattenham Enc.</b>	<b>13 – 16 May</b>	<b>4 days</b>	<b>Yes. Granted.</b>
<b>Lonsdale Enc.</b>	<b>13 – 16 May</b>	<b>4 days</b>	<b>Yes. Granted.</b>
<b>Lonsdale Enc.</b>	<b>12 – 18 June</b>	<b>7 days</b>	<b>Yes. Granted.</b>

## 9 Previous decisions

- 9.1 A fencing-period extension in advance of the Derby Festival has been requested by the Racecourse and granted by the Conservators for the past 22 years, following an initial application by the Racecourse in advance of the 2002 Derby Festival. This initial decision was made by the Conservators following advice from the Clerk that whilst the Act did not specifically empower them to vary the fencing period, as long as they acted within their general duty to protect the Downs and did not authorise any activity which would prevent the public from exercising their rights of access, they were not prohibited from considering it.
- 9.2 The Conservators have subsequently considered and approved similar extensions in each year they have been requested.

## 10 Risk Assessment

### Legal or other duties

#### 10.1 Equality Impact Assessment

10.1.1 To mitigate potential impact upon Downs users Jockey Club Racecourses has undertaken to provide a work schedule for all fencing to the Clerk prior to its installation.

10.1.2 To mitigate the impact of the requested extension to the fencing period for the Lonsdale Enclosure, Jockey Club Racecourses has undertaken to fasten open gates at both ends of the Enclosure between race meeting dates, to enable free access of the area by all Downs visitors.

#### 10.2 Crime & Disorder

10.2.1 None.

#### 10.3 Safeguarding

10.3.1 None.

#### 10.4 Dependencies

10.4.1 None.

#### 10.5 Other

10.5.1 The Conservators have considered and approved similar fencing-period related extensions for the past 22 years. No issues relating directly to the extensions have been encountered during this time, and it is therefore considered that the risks relating to granting them are low.

## 11 Financial Implications

11.1 None.

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

## 12 Legal Implications

12.1 Landowners generally would normally be permitted to erect temporary fences without consent. However, the erection of such structures on the Downs is prohibited by virtue of the byelaws made under the 1984 Act. Specifically, byelaw 2(i) provides that:

“A person shall not, without the consent of the Conservators, on the Downs:

(a) enclose any part of the Downs or erect any building shed or other structure thereon or construct any roads or parking places,

(b) place any tent stall show exhibition swing roundabout or other like thing...”

12.2 The above restriction is subject to Section 17, which, notwithstanding the byelaws, grants rights to the racecourse to erect fencing in the preparatory period/racing period.

12.3 The proposal in this case is beyond the rights granted under section 17 and therefore requires the consent of the Conservators under the Byelaws. In deciding whether to grant consent, the Conservators will need to have regard to their primary duty under Section 10 of the 1984 Act to preserve the Downs, noting the company's rights under section 17, and consider what impact granting consent would have on the preservation of the Downs, and on the rights of the public over the Downs.

12.4 **Legal Officer's comments:** The legal implications are contained in this report.

## 13 Policies, Plans & Partnerships

13.1 **Council's Key Priorities:** Not relevant to this report.

13.2 **Service Plans:** Not relevant to this report.

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

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

13.5 **Partnerships:** None.



**14 Background papers**

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

**Previous reports:**

- [Epsom Downs Racing Season 2023 report and Minutes – meeting of the Conservators held 16 January 2023](#)

**Other papers:**

- Epsom and Walton Downs Regulation Act 1984
- Epsom and Walton Downs Byelaws

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## DERBY 2024 UPDATE

<b>Head of Service:</b>	Jackie King, Chief Executive
<b>Wards affected:</b>	College Ward; Town Ward; Woodcote and Langley Vale Ward;
<b>Appendices (attached):</b>	Appendix 1 – Derby 2024 Update

### Summary

An update on the arrangements for the Derby 2024.

### Recommendation (s)

**The Conservators are asked to:**

- (1) Note the update on the 2024 Derby arrangements from the Epsom Downs Racecourse.**

#### 1 Reason for Recommendation

- 1.1 To update the Conservators on the 2024 Derby Festival Planning.

#### 2 Background

- 2.1 The Derby Festival is scheduled to take place from 31<sup>st</sup> of May to the 1<sup>st</sup> June 2024.
- 2.2 Epsom Downs Racecourse have provided an update on the arrangements for the Festival's events, which is attached as Appendix 1.

#### 3 Risk Assessment

Legal or other duties

- 3.1 Equality Impact Assessment

- 3.1.1 None.

- 3.2 Crime & Disorder

- 3.2.1 Crime and Safety aspects are monitored in the 6-months prior to the Derby through regular multi-agency meetings.

3.3 Safeguarding

3.3.1 As above at 3.2.1.

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 None arising from the contents of this report.

5.2 **Legal Officer's comments:** As above.

**6 Policies, Plans & Partnerships**

6.1 **Council's Key Priorities:** Not relevant to this report.

6.2 **Service Plans:** Not relevant to this report.

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

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

6.5 **Partnerships:** Part of the Conservators Workplan.

**7 Background papers**

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

**Previous reports:**

- None.

**Other papers:**

- None.

## The Derby Festival 2024 – Update for Conservators

The Epsom Derby 2023 was a hugely successful event, with world-class racing across both days, tens of thousands of fans safely experiencing the event on the ground and millions more at home. This was despite a number of specific challenges outside of our control that impacted the event, including train strikes limiting public transport access, FA Cup final moving The Derby start time and the high threat of protestors impacting the event. The safety and security operation was highly complex, and the cross-organisational response to the threat of Animal Rising was world-class in ensuring that the event ran without significant issues.

Epsom Derby 2024 planning has been underway since the last customer left on the 3<sup>rd</sup> June 2023, and since then there have been a couple of key personnel changes in the Epsom team. Tom Sammes has come in as the new General Manager and James Wilcox has come in as Operations Manager, bringing in a wealth of diverse experience to compliment the existing expertise and experience within the team.

The focus for Derby 2024 is to deliver a world-class event that meets the expectations of today's stakeholder, from owner to jockey to paying customer to fans on the Hill, whilst resetting the operation of the event to match the expected volume of visitors. The Betfred Derby start time will revert to its usual position at 4.30pm, and whilst we are monitoring the ongoing threat of protestors there is no specific intelligence indicating a threat similar to 2023 at this stage.

There are three main changes for 2024 to improve the experience across the event:

1. **Change of facility at The Winning Post (in Lonsdale Enclosure) from a seated hospitality structure to a more relaxed, 'Ticket+' experience.** This will be priced at c.£200pp and appeals to a younger customer looking to upgrade their experience from the typical grandstand ticket. The design of the facility will be more colourful than the previous white marquee to better showcase Racing's Greatest Carnival to fans on and off site.
2. **Change of post-event music location, from Hyperion Lawn to the front of the Grandstand beside the Administration Building.** This move is to improve the safety and experience of the fans who want to stay and watch the after-racing music as well as those fans wanting to leave site through the main gate.
3. **Closure of Footpath 51, the Tunnel under the track that runs from Tattenham Corner Road to The Hill.** This is a safety move to reduce the number of pedestrians crossing the roads near to the roundabout. Pedestrians wanting to access the Hill will be directed to the Rubbing House crossing and London Road crossing, reducing the congestion and potential risk of pedestrian and vehicle movement close to the racecourse entrance. This application will be submitted to the Council in Q1 2024.

The focus of the event build will as-ever be to minimise inconvenience to other users of the Downs whilst, at the same time, enabling the team to operate efficiently. This was broadly managed very well in 2023, however some issues were highlighted between the training community and some of the event contractors which have been discussed and action plans developed for 2024.

We are hugely excited about what's in store for the whole 2024 racing season, and in particular The Epsom Derby, and look forward to welcoming everyone in May/June this year.

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## **REVIEW OF USE OF THE OWNERS AND TRAINERS AND DERBY ARMS CAR PARK BY THE RACECOURSE**

<b>Head of Service:</b>	Ian Dyer, Head of Operational Services
<b>Wards affected:</b>	College Ward; Town Ward; Woodcote and Langley Vale Ward;
<b>Appendices (attached):</b>	None

### **Summary**

To update the Conservators on the use of the Owners and Trainers and Derby Arm Car Parks by the Racecourse during 2023 and to formally request permission for ad-hoc use in 2024.

### **Recommendation (s)**

#### **The Conservators are asked to:**

- (1) Note the level of use by the Jockey Club of car parks 3 and 8 during 2023**
- (2) To approve an application by the Jockey Club to use these car parks during 2024 for ad-hoc events, subject to the production of a Management Plan to be approved by senior Officers in consultation with the Chair of the Conservators.**

## **1 Reason for Recommendation**

- 1.1 Due to the minimal use of Car Park 3 (Owners and Trainers) and Car Park 8 (Derby Arms) for ad-hoc hospitality events during 2023 and a proposal for a similar number of uses in 2024, it is recommended that permission is granted to continue this arrangement subject to the production of a Management Plan which will be approved by senior officers in consultation with the Chair of the Conservators along with ongoing monitoring and an annual review mechanism.

## **2 Background**

- 2.1 Following a comprehensive report to the Conservators in June 2018 outlining an application from the Jockey Club to use Car Park 3 (Owners and Trainers) and Car Park 8 (Derby Arms) for ad-hoc hospitality events, approval was granted with conditions set by the Conservators for the use of these areas for up to 40 days per year.

- 2.2 In line with the conditions attached to the approval, a review of the previous year's usage has been conducted and Officers can report that Car Parks 3 and 8 were only used on eight days during 2023, which is well below the limit set by the Conservators.
- 2.3 The Jockey Club have formally approached the Conservators to request that similar permission is granted for the ad-hoc use of Car Parks 3 and 8 for 2024 and predict that the areas will only be required for a maximum of ten days during the year.
- 2.4 No concerns were raised by the Downskeepers, public or racing community during 2023 and therefore the recommendation is to support this request for next year.
- 2.5 The Jockey Club have committed to the production of a Management Plan which will include safety measures to ensure safe transit of visitors and Downs users. It is proposed that this plan is approved by senior Officers in consultation with the Chair of the Conservators.

### 3 Risk Assessment

#### Legal or other duties

#### 3.1 Equality Impact Assessment

3.1.1 N/A

#### 3.2 Crime & Disorder

3.2.1 N/A

#### 3.3 Safeguarding

3.3.1 N/A

#### 3.4 Dependencies

3.4.1 N/A

#### 3.5 Other

3.5.1 N/A

### 4 Financial Implications

4.1 There are no financial implications relating to this report.

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



## 5 Legal Implications

- 5.1 Parking can currently take place in the identified areas at specific times, as provided in the Act and under the consent granted by the Conservators on 23 January 2014 for events approved by the Conservators.
- 5.2 This consent was as follows: “Applications for event parking for approved events on areas designated as ‘1,2,5,6 and 15’ on the map attached as Annex 1 to the report will be considered as falling on racecourse land and within the Racecourse’s ability to approve if it wishes. The Racecourse will be solely responsible for the reinstatement of any of these areas for which it has granted access, in the event of any damage as a result of their use for such parking”; pursuant to the consent granted in principle on 17 January 2017.
- 5.3 **Legal Officer’s comments:** The legal implications are contained in the report.

## 6 Policies, Plans & Partnerships

- 6.1 **Council’s Key Priorities:** The following Key Priorities are engaged:
- Opportunity and Prosperity – supporting local businesses
- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:** N/A
- 6.4 **Sustainability Policy & Community Safety Implications:** N/A
- 6.5 **Partnerships:** This proposal supports partnership working with the Jockey Club to help ensure economic viability of the Racecourse outside of racing periods.

## 7 Background papers

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

**Previous reports:**

- [18 June 2018 – Update Parking on Land in Front of Derby Arms.](#)

**Other papers:**

- None.

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## **SCHEME FOR BBQS AT THE RACECOURSE REVIEW**

<b>Head of Service:</b>	Ian Dyer, Head of Operational Services
<b>Wards affected:</b>	College Ward; Town Ward; Woodcote and Langley Vale Ward;
<b>Appendices (attached):</b>	None

### **Summary**

To review the use of barbecues during 2023 race meetings and receive an application from Epsom Downs Racecourse for the use of barbecues at next year's events.

### **Recommendation (s)**

#### **The Conservators are asked to:**

- (1) Note the success of the Barbecue Scheme during 2023 race meetings.**
- (2) To grant Epsom Downs Racecourse permission to use barbecues at race meetings throughout 2024, namely Ladies Day, The Derby and the August Bank Holiday race meetings.**

## **1 Reason for Recommendation**

- 1.1 Following the successful continuation of the barbecue scheme during 2023, it is proposed to grant permission to Epsom Downs Racecourse to follow the same protocol for 2024 race meetings.

## **2 Background**

- 2.1 At the March 2020 meeting of the Epsom and Walton Conservators, members agreed to a scheme for the use of barbecues at Ladies Day, The Derby and the August Bank Holiday race meetings.
- 2.2 However, due to Covid-19 restrictions during 2020 and 2021, implementation of the scheme was delayed until 2022.
- 2.3 As racing continued as normal during 2023, the barbecue scheme continued, and dedicated barbecue areas were set-up in line with the maps provided in the 2020 report.
- 2.4 Both the Jockey Club and the Downskeepers monitored these areas during the race meeting with no concerns raised by either party.

- 2.5 Further to the success of last year's events, the Jockey Club would like to formally request permission from the Conservators to continue the scheme for the same race meetings in 2024, namely Ladies Day, The Derby and the August Bank Holiday.
- 2.6 There are no proposed amendments to the scheme outlined in 2020, the area will be kept in the same position and the same safety protocols will be followed.

### 3 Risk Assessment

#### Legal or other duties

- 3.1 Equality Impact Assessment
  - 3.1.1 None for this report.
- 3.2 Crime & Disorder
  - 3.2.1 None for this report.
- 3.3 Safeguarding
  - 3.3.1 None for this report.
- 3.4 Dependencies
  - 3.4.1 None for this report.
- 3.5 Other
  - 3.5.1 None for this report.

### 4 Financial Implications

- 4.1 As in the previous year, the proposed scheme will require compliance checks to be undertaken by the Council to ensure the conditions of any permission are being met.
- 4.2 The Downkeepers have confirmed that minimal resources were necessary to carry out the compliance checks last year, and the team are adequately resourced to conduct the checks again next year, should permission be granted.
- 4.3 **Section 151 Officer's comments:** None arising from the contents of this report.

### 5 Legal Implications

- 5.1 The Downs are regulated by the Epsom & Walton Downs Regulation Act 1984. The purpose of the Act is to protect the Downs and put in place arrangements for its management.

- 5.2 Section 11 of the Act allows for the making of byelaws. The Conservators have made such byelaws and the current set of byelaws were approved in accordance with the statutory process on the 24 September 2013.
- 5.3 The current byelaws, provide at byelaw 2(i) (g) the ability of the Conservators to grant consent to the lighting of fires on the Downs,
- “2. (i) A person shall not, without the consent of the Conservators, on the Downs:
- (g) camp or light fires”
- 5.4 If the Conservators agree to grant permission, subject to conditions, it is not to allow camp or light fires, but only to allow the use of barbecues. The proposed conditions along with the operating procedures of the Applicant provide the necessary reassurance that the impact of such activity on the grassland habitat will be managed.
- 5.5 The granting of any conditional permission does not set a precedent for other applications at the Racecourse. It does not permit any applications to be made anywhere else on the Downs.
- 5.6 **Legal Officer’s comments:** The legal implications are contained in the body of this report.

## 6 Policies, Plans & Partnerships

- 6.1 **Council’s Key Priorities:** The following Key Priorities are engaged:
- 6.1.1 Opportunity and Prosperity – supporting local business
- 6.2 **Service Plans:**
- 6.2.1 The matter is not included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:**
- 6.3.1 There has been a global debate over the impact of charcoal barbecues on air pollution, however, the general feeling appears to be that if the charcoal being burnt is sustainably produced there is a carbon neutral impact on the environment.
- 6.3.2 The Jockey Club may want to consider this research in it’s code of conduct for use of the barbecue area and encourage visitors to purchase sustainably produced charcoal from coppiced English woodlands or made from other sustainable materials such as coconut shells, seed/crop husks or bamboo.
- 6.4 **Sustainability Policy & Community Safety Implications:**

6.4.1 The protocols set out in the March 2020 Barbecue Scheme ensures the barbecue area is professionally managed with an emphasis on community safety.

6.5 **Partnerships:**

6.5.1 This item supports the partnership between the Conservators and the Jockey Club.

**7 Background papers**

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

**Previous reports:**

- [March 2020 – Scheme for Barbecues at the Racecourse](#)
- [January 2023 – Scheme for Barbecues at the Racecourse Review](#)

**Other papers:**

- None.

## EVENTS ON THE DOWNS

<b>Head of Service:</b>	Ian Dyer, Head of Operational Services
<b>Wards affected:</b>	College Ward; Town Ward; Woodcote and Langley Vale Ward;
<b>Appendices (attached):</b>	Appendix 1 – Course Map

### Summary

To approve a request from Cancer Research UK to hold the annual Race for Life Event on the Downs in 2024.

### Recommendation (s)

#### The Conservators are asked to:

- (1) Approve the application from Cancer Research UK to hold the 2024 Race for Life Event on the Downs.**

## 1 Reason for Recommendation

- 1.1 The Cancer Research Race for Life event has been successfully held on the Downs for over ten years and the event team are experts in their field, ensuring a professional and safe event.

## 2 Background

- 2.1 An application has been received from the Cancer Research Race for Life event team requesting their annual event to be held on the Downs on 16 June 2024.
- 2.2 The event organisers are planning for an event of around 1600 participants and spectators, which is lower than previous years.
- 2.3 As usual, the event organisers have made a preliminary booking with the Racecourse for the event, which will be confirmed if Conservators grant permission.
- 2.4 In 2020, the event organisers launched a 3km course in addition to the usual 5km course to encourage more people to take part. The map attached in Appendix one of this report, shows both the 3km and 5km courses for the Downs.

### 3 Risk Assessment

Legal or other duties

#### 3.1 Equality Impact Assessment

3.1.1 Events on the Downs have the capacity to impact on other users and the horse race training community. The presence of the Events Strategy and the proposed approval mechanism limits the risk of too many events being held and ensures minimal disruption to all Downs users.

#### 3.2 Crime & Disorder

3.2.1 All events organisers must carry out the necessary risk assessments to ensure they have considered how they will deal with crime and disorder associated with their event. If appropriate, events applications will be referred to the Council's Safety Advisory Group (SAG) so that advice can be given.

#### 3.3 Safeguarding

3.3.1 Event risk assessments must include details of how the organisers will ensure safeguarding throughout their event.

#### 3.4 Dependencies

3.4.1 None for the purpose of this report.

#### 3.5 Other

3.5.1 None.

### 4 Financial Implications

4.1 Events on the Downs generate an income stream for the Epsom and Walton Downs Conservators. The Race for Life event typically generates fee income of £1680, which is included in the Conservators' annual budget.

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

### 5 Legal Implications

5.1 Under section 14 of the Epsom & Walton Downs Regulation Act 1984 provision was made for 16 racing days and under section 10 (2) large scale events. The actual wording of Section 10 (2) is as follows:

(2) Notwithstanding anything contained in this Act, or in any byelaws made under this Act the Conservators may, with the consent of the Council and the Company or the Owner or the Levy Board, as the case may require,



permit the Downs to be used for the holding of such events other than horse races as they think fit:

Provided that in the case of such events which, in the opinion of the Conservators involve a significant degree of interference with the rights of the public of access for air and exercise under section 4 (Rights of public over Downs) or section 15 (Rights of horse riders on Downs) of this Act-

- (a) the Downs shall not be so used for such events for more than five days in any one year; and
- (b) not more than 25 hectares of the Downs shall be set apart for the holding of any such event.

5.2 **Legal Officer's comments:** The legal implications are contained within this report. The Conservators have the power to approve the request for the Race for Life event to take place.

## 6 Policies, Plans & Partnerships

6.1 **Council's Key Priorities:** The following Key Priorities are engaged: As all the events on the Downs contribute to the health and wellbeing of residents and visitors, the key priority of Safe and Well is engaged.

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:** Event organisers have bespoke risk assessments in place to minimise community safety implications.

6.5 **Partnerships:** Event organisers, the Jockey Club and the TGMB work in partnership to ensure events run safely and with minimum disruption.

## 7 Background papers

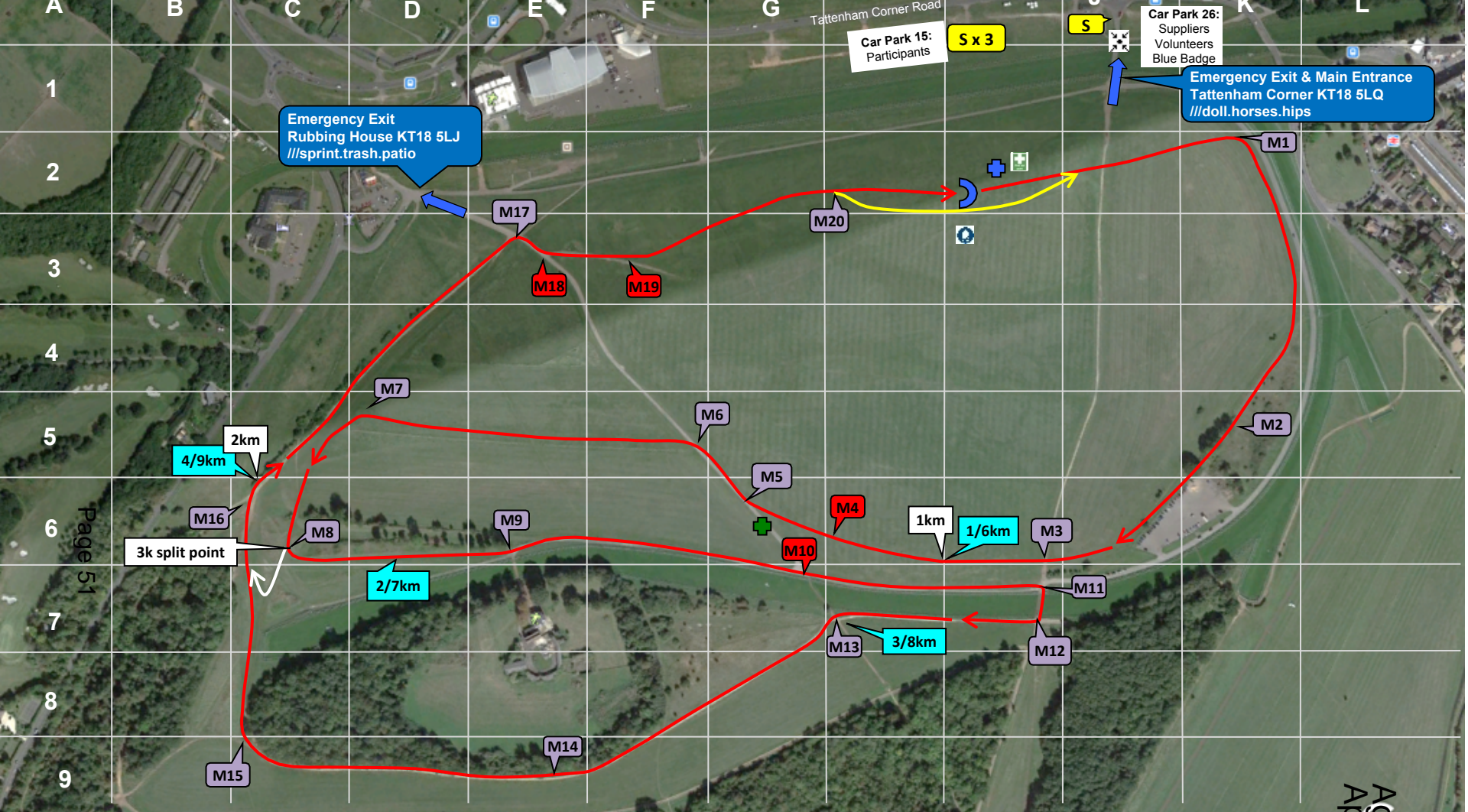
7.1 The documents referred to in compiling this report are as follows:

### Previous reports:

- Events on the Downs agreed on 24 January 2022
- Events on the Downs agreed on 16 January 2023
- Review of Events on the Downs agreed on 23 January 2014
- Event Management Strategy agreed on 27 June 2011














### Other papers:

- None.



# Epsom Race for Life – Course Map

16 June 2024 – 11:30am  
 Courtney Culverhouse – 07876 390297

- Start Gantry 
- Route 3k/5k/10k 
- Steward 
- Medical RRV 
- Ambulance 
- Water Station 
- Emergency Route 
- Distance Signage 
- Emergency Rendezvous Point 
- 3k signage 
- Marshal 
- Marshal with Radio 
- First Aid Point 

Agenda Item 8  
Appendix 1

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