

## Minutes of the Meeting of the EPSOM AND WALTON DOWNS CONSERVATORS held on 28 October 2019

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### PRESENT -

Councillor Liz Frost (the Council) (Chairman); Simon Durrant (Jockey Club Racecourses (the Company)) (Vice-Chairman); Councillor Lucie McIntyre (the Council), Councillor Jan Mason (the Council), Councillor Steven McCormick (the Council), Stephen Wallis (Jockey Club Racecourses (the Company)) and Councillor Clive Woodbridge (the Council).

In Attendance: Conor Morrow (Lower Mole Countryside Management Service)

Absent: Andrew Cooper (Jockey Club Racecourses (the Company)), Simon Dow (Horserace Betting Levy Board (the Levy Board)) and Councillor Bernice Froud (the Council)

Officers present: Kathryn Beldon (Chief Executive), Amardip Healy (Chief Legal Officer), Brendan Bradley (Chief Accountant), Samantha Whitehead (Streetcare Manager), Karen Wilkins (Accountant) and Tim Richardson (Committee Administrator)

### 8 MINUTES OF PREVIOUS MEETING

The Minutes of the meeting of the Epsom and Walton Downs Conservators held on 17 June 2019 and the Special Meeting held on 22 July 2019 were agreed as a true record and signed by the Chairman.

### 9 JOCKEY CLUB RACECOURSES (THE COMPANY) APPOINTMENT OF A MEMBER OF THE CONSERVATORS (MR STEPHEN WALLIS)

The Conservators were informed that Mr Nigel Whybrow had resigned from his position as a Member of the Epsom and Walton Downs Conservators appointed by the Company (Jockey Club Racecourses).

The Conservators confirmed the appointment of Mr Stephen Wallis as a Conservator by the Company (Jockey Club Racecourses), and welcomed Mr Wallis to the meeting.

### 10 PROGRESS REPORT

The Conservators received a report providing an update on the following matters: Hack Sand Track, European Agricultural Fund for Rural Development (EAFRD).

The following matters were considered:

- a) **Hack Sand Track.** The Conservators noted the long-running nature of issues surrounding the maintenance of the Hack Sand Track. A Member requested further information with regard to the timescale for the resolution of the issues, as there had been little apparent progress.

The Chief Legal Officer informed the Conservators that the comments on this matter had been noted and that a further, more detailed report would be presented to their meeting in January 2020.

- b) **European Agricultural Fund for Rural Development (EAFRD).** The Conservators were informed that the initial bid submitted for EAFRD funding had not been successful. Advice received from the Department for Environment, Food and Rural Affairs in feedback to the bid had indicated that a further opportunity for funding would be available in November 2019, and might be more successful.

Following consideration, it was resolved:

- (1) **That the Conservators noted the contents of the Progress Report.**

## 11 EVENTS ON THE DOWNS

The Conservators received a report providing details of event requests for consideration.

The following matters were considered:

- a) **Limit on number of events of each category.** The Conservators noted that detail of the agreed limits for events which could be held on the Downs was not provided within the report, and considered that this should be included in future. Officers confirmed that this would be done, and informed the meeting that the events proposed in this report could all be accommodated within the existing limits.
- b) **Impact of events.** Officers informed the Conservators that all of the proposed events had been held on the Downs for a number of years. The Conservators were also informed that the event organisers were sensitive to the nature of the Downs and aware of the need to avoid any disruption to Racehorse training.

Following consideration, it was resolved:

- (1) **To note the change of date for the previously agreed event for Mole Valley Orienteering from Saturday 25 January 2020 to Thursday 23 January 2020.**
- (2) **That the Conservators approved the following proposals to hold events on the Downs:**

- **Downs Young Athletes Cross Country League (Sunday 3 November 2019, Sunday 1 December 2019, Sunday 16 February 2020, Sunday 1 March 2020)**
- **Sunbeam Motor Cycle Club Ltd – 81st Pioneer Run (Sunday 22 March 2020)**
- **North Cheam Baptist Church (Sunday 12 April 2020)**
- **Cancer Research Race for Life (Sunday 21 June 2020)**

(3) **That the Conservators noted the Calendar of Events for 2019/20.**

(4) **That the Conservators noted the fees and charges to be applied to each event.**

## 12 USE OF BARBECUES - PROPOSAL FROM EPSOM DOWNS RACECOURSE

The Conservators received a report requesting the consideration of an application from Epsom Downs Racecourse for the use of barbecues at the Racecourse during Ladies Day, Derby Day and August Bank Holiday race meetings.

The following matters were considered:

- a) **Nature of application.** Simon Durrant informed the Conservators that the Racecourse had submitted an application to enable BBQ's to be held in specified areas during three racing fixtures – Ladies Day, Derby Day and the August Bank Holiday race meeting. Mr Durrant informed the meeting that this would be a return to similar arrangements which had been in place prior to 2011. The application had been made to address a detrimental affect upon visitor numbers which the current restrictions had created.
- b) **Risks and risk management.** Members of the Conservators noted that a decision to permit the use of BBQ's would inherently carry a level of risk to the Downs and its visitors. Simon Durrant informed the meeting that the Racecourse proposed to manage these risks by restricting BBQ use to specified "zones" and other measures. These included:
- not permitting the use of BBQs on any dates except the 3 race meetings applied for;
  - requiring all BBQs to be raised off the ground;
  - providing control measures on the Hill, including mobile teams equipped with necessary fire fighting equipment and trained staff to educate customers and ensure the safe use and disposal of BBQs.

It was noted that it was proposed to bring a scheme/conditions of use for BBQ's on the Downs to a future meeting of the Conservators, should the Conservators approve the Racecourse's request. It was also noted that visitors to the Downs could be prosecuted under the Byelaws if they attempted to light BBQs on the Downs on days other than those approved by the Conservators.

- c) **Climate change considerations.** The Conservators noted that the Borough Council had recently agreed to produce a Climate Change Action Plan in response to the UK Government declaring a Climate Change Emergency. It was noted that an air quality impact assessment could be included in the measures set out in a scheme for the use of BBQs on the Downs if the Conservators approved the Racecourse's request.
- d) **Conditional approval.** Members of the Conservators considered that if approval was granted to the proposal it should be on a conditional time limited basis to enable any impact to be assessed.

Following consideration, it was resolved:

**That the Conservators:**

- (1) **Considered the request from Epsom Downs Racecourse to hold barbecues at the Racecourse during Ladies Day, Derby Day and August Bank Holiday race meetings;**
- (2) **Considered the options set out in the report at paragraph 2.10;**

**That the Conservators resolved with three Members voting for and two Members voting against:**

- (3) **To agree that they were minded to grant conditional permission to the request from Epsom Downs Racecourse, and to ask the Council to draw up a scheme, or a set of conditions for the use of barbecues at the Racecourse and to bring such proposed scheme / conditions of use, back to the Conservators for approval.**

### 13 MID-YEAR BUDGET MONITORING REPORT

The Conservators received a report on income and expenditure as at 31 August 2019, which sought guidance on the preparation of the budget and precept for 2020/21.

It was noted that a revised Annex 1 to the report had been published in advance of the meeting to correct a typing error contained in the original agenda pack.

The following matters were considered:

- a) **Budget estimates 2020/21.** The Conservators noted that it was anticipated that a 2% increase in precept for 2020/21 would create a balanced budget for the year.
- b) **Audit conclusion.** The Conservators noted that the external auditors had concluded that the accounts had been prepared in accordance with proper practices and raised no matters of Concern. The Conservators expressed their thanks to Officers for their work to achieve this.

Following consideration, it was resolved:

**That the Conservators:**

- (1) Noted the mid-year income and expenditure position as at 31 August 2019;**
- (2) Provided guidance on the preparation of the budget for 2020/21;**
- (3) Noted the conclusion of the 2018/19 external audit of the accounts.**

**14 DATES OF MEETINGS IN 2020**

The Conservators received a report requesting the agreement of the dates of their normal meetings to be held in 2020.

Following consideration, it was resolved:

- (1) That the Conservators agreed to hold their normal meetings in 2020 on the following dates:**

**Monday 27 January 2020 at 18.00 hours**

**Monday 22 June 2020 18.00 hours**

**Monday 9 November 2020 18.00 hours**

**15 THANKS TO MR NIGEL WHYBROW**

The Conservators recorded their thanks to Mr Nigel Whybrow for his excellent contributions to their meetings over the time that he was a member. It was noted that the Chairman would write to Mr Whybrow to express the Conservators' thanks.

*The meeting began at 6.00 pm and ended at 7.00 pm*

COUNCILLOR LIZ FROST (CHAIRMAN)

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