

Minutes of the Meeting of the EPSOM AND WALTON DOWNS CONSERVATORS held at the Council Chamber, Epsom Town Hall on 16 January 2023

PRESENT -

Councillor Liz Frost (the Council) (Chair); Simon Durrant (Jockey Club Racecourses (the Company)) (Vice-Chair); 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) and Councillor Steven McCormick (the Council)

In Attendance: Stephen Wallis (attending virtually, items 19 – 29 only)

Absent: Councillor Lucie McIntyre (the Council) and Councillor Clive Woodbridge (the Council)

Officers present: Jackie King (Clerk to the Conservators), Andrew Bircher (Interim Director of Corporate Services), Brendan Bradley (Head of Finance), Sarah Clift (Senior Countryside Officer) (attending virtually. Items 19 - 21 only), John Samuel (Interim Property and Regeneration Manager), Samantha Whitehead (Streetcare Manager) and Tim Richardson (Democratic Services Manager)

18 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting of the Epsom and Walton Downs Conservators held on 7 November 2022 were agreed as a true record and signed by the Chair.

19 EAFRD UPDATE

The Conservators received a report providing an update report on EAFRD infrastructure installation which provides improvements to information and signage on Epsom and Walton Downs.

The following matters were considered:

- a) **Update on installation.** The Interim Property Development and Regeneration Manager provided the Conservators with a verbal update on installation of the infrastructure. The Conservators were informed that issues of door swelling on the oak litter bins had been reported to the manufacturer, and that a technician would be attending the Downs to assess the problem. The manufacturer had also supplied an annual

maintenance plan for the oak elements being installed, and this would be implemented by officers within existing resources.

The Conservators were informed that the project had been delivered within budget, and that no compromises had been made with regard to the specification of works.

In addition to the works set out in the report, the Jockey Club was funding an educational brass-rubbing trail consisting of 12 rubbing plates depicting historic events on the Racecourse and Downs.

- b) **Delivery of outstanding items.** The Conservators were informed that the Holwood style wooden signs had now been delivered. The information board inserts were in production and would be delivered soon.
- c) **Deadline for completion of works.** The Conservators noted that the Regional Payments Agency (RPA) had extended the deadline for completion of works to 31 January 2023. The Interim Property Development and Regeneration Manager informed the Conservators that he was in contact with the RPA regarding this matter, and that the Agency was comfortable with a further extension if it was required.

Following consideration, the Conservators unanimously resolved to:

- (1) **Note the progress made on improvements to signs on the Downs.**

20 BUDGET 2023/24

The Conservators received a report seeking approval for the 2023/24 budget and the recommended precepts on the constituent bodies.

Following consideration, the Conservators unanimously agreed to:

- (1) **Note the latest income and expenditure position for 2022/23;**
- (2) **Approve the 2023/24 budget and the requested precepts, as set out in section 5 and Appendix 1 to the report.**

21 EPSOM AND WALTON DOWNS HABITAT MANAGEMENT PLAN 2023-2028

The Conservators received a report presenting Habitat Management Plans 2023-2028 for Epsom and Walton Downs and Epsom Golf Course.

The following matters were considered:

- a) **Integration with Climate Change Action Plan, Climate Change Emergency and Climate Change Working Group.** Following a question from a Member, the Conservators were informed by the Senior Countryside Officer that the Habitat Management Plans were not directly cross-referenced with the Council's Climate Change Action Plan and

Climate Emergency at present. The Conservators considered that cross-referencing would be beneficial and requested that it be undertaken.

- b) **Future update on progress.** The Conservators considered that an update report on the objectives of the Habitat Management Plans (with particular reference to the reintroduction of grazing on Juniper Hill, use of cut and collect equipment and creation of an Epsom and Walton Downs volunteer group) should be presented to their meeting in November 2023 and added to the Forward Plan.
- c) **Thanks to Officers.** The Conservators recorded their thanks to the Officers for their work to produce the Habitat Management Plans.
- d) **Brian Angove.** The Conservators were informed that Brian Angove, former Conservation Officer to the Conservators had sadly died in October 2022. Mr Angove had been instrumental in the production of the first Habitat Management Plan for the Downs. The Conservators expressed their sorrow on hearing this news.

Following consideration, the Conservators unanimously resolved to:

- (1) **Approve the contents of the Habitat Management Plans and the prescription table, which sets out the ideal actions for future management of the Downs and Golf Course.**
- (2) **Agree that officers work towards the three main objectives of the five-year plan as set out in 2.5 of the report and bring an interim report to the Conservators' November meeting.**

22 EPSOM DOWNS RACING SEASON 2023

The Conservators received a report informing them of dates for race meetings in 2023 and presenting 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.

The following matters were considered:

- a) **Nature of applications.** Simon Durrant provided the Conservators with an overview of the applications, and the fencing extensions requested.
- b) **Racecourse access for locally trained horses.** In response to a question from a Member of the Conservators, Andrew Cooper informed the meeting that the Racecourse would consider whether it would be possible to open parts of the course to locally trained horses later in the year. This would be dependent upon a number of factors, such as ground and weather conditions and workload of staff.

Following consideration, the Conservators unanimously resolved to:

- (1) **Note the dates of the 2023 racing season for Epsom Downs detailed in paragraph 2.1 of the report, and grant their consent to the following meetings in accordance with section 14 of the Epsom and Walton Downs Regulation Act 1984:**
 - **Wednesday 5 July (Evening)**
 - **Thursday 13 July (Evening)**
 - **Thursday 20 July (Evening)**
 - **Thursday 3 August (Evening)**
 - **Sunday 1 October**
- (2) **Note that Jockey Club Racecourses has applied to Surrey County Council for the temporary suspension of Footpath 50 as detailed in section 4 of the report.**
- (3) **Consider and determine an application from Jockey Club Racecourses for consent under Byelaw 2 (i) (a) to extend the fencing period for the Upper Tattenham Enclosure and Lonsdale Enclosure for 4 days to cover the period 15 May - 18 May 2023.**
- (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 14 – 20 June 2023.**

23 REVIEW OF USE OF THE OWNERS AND TRAINERS AND DERBY ARMS CAR PARKS BY THE RACECOURSE

The Conservators received an update on the use of the Owners and Trainers and Derby Arm car parks by the Racecourse during 2022 and to formally request permission for ad-hoc use in 2023.

The following matter was considered:

- a) **Change to car park numbers.** The Conservators noted that the Owners and Trainers and Derby Arms car parks were no longer numbered as car parks 2 and 6 by Epsom Downs Racecourse. The numbers would be updated in future applications.
- b) **Restriction of access.** The Conservators noted that vehicular access to the Derby Arms car park area was restricted by a steel barrier while the area was not being used as temporary car parks.

Following consideration, the Conservators unanimously resolved to:

- (1) **Note the level use by the Jockey Club of the Owners and Trainers car park and Derby Arms car park during 2022.**
- (2) **To approve an application by the Jockey Club to use these car parks during 2023 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.**

24 RACEDAY HORSE WALK APPLICATION FROM JOCKEY CLUB RACECOURSES

The Conservators received a report presenting a proposal from the Jockey Club, seeking the approval of the Conservators for changes to the route and running rails alongside key gallops and horsewalk by the racecourse between the Queen Elizabeth II Stand and the Rubbing House crossing on Epsom Downs.

The following matters were considered:

- a) **Overview of application.** Andrew Cooper provided the Conservators with a verbal summary of the proposed works. Mr Cooper informed the Conservators that the planning application for the works had not yet been submitted to the Council, as the Racecourse wished to consider the Conservators' comments prior to doing so. It was intended to undertake the majority of the proposed works following this year's horse racing season, and for it to be in place for the 2024 Derby Festival. It was proposed to undertake works to move the chute by which mounted horses with jockeys access the racecourse track prior to the 2023 racing season.

Mr Cooper informed the Conservators that in addition to benefits to access for horses accessing the racecourse track, the works would also enable the footprint of the existing hospitality area at the location to be altered. Contractors would access the area for the build of the hospitality area via the hard standing area at the rear of the Prince's Stand.

- b) **Views of local Racehorse Trainers.** Simon Dow informed the Conservators that local Racehorse Trainers were supportive of the proposed works. It was noted that further consultation with local Racehorse Trainers would be undertaken by the Racecourse
- c) **Exit/escape routes from horsewalk for pedestrians.** The Conservators were informed that the horsewalk would have at least 3 exit gates built into the Ashley Road side, to enable safe pedestrian exit in the event that walkers found themselves trapped in the area with horses approaching. It was noted that these would need to be checked as being shut during times of movement of horses in training through the area. There would also be an open end to the horsewalk at its Rubbing House end. Andrew Cooper informed the Conservators that the Racecourse would consider whether manning of the horse walk during key times immediately following its completion would be necessary, and that signs to inform pedestrians would be provided.

- d) **Existing low level lighting.** Following a question from a Member, Andrew Cooper informed the Conservators that the existing lighting in the area had been placed there to assist pedestrians walking from the hotel to events at the Racecourse. The existing lighting was not currently functioning and the Racecourse would look into the fault with it. The works to the horsewalk proposed installing lighting on the Ashley Road side in addition to the existing lighting.

Following consideration, the Conservators unanimously resolved to:

- (1) **Approve the proposals set out in the application by the Jockey Club, subject to planning permission being obtained.**

25 SCHEME FOR BBQS AT THE RACECOURSE REVIEW

The Conservators received a report presenting a review of the use of barbecues during 2022 race meetings and an application from Epsom Downs Racecourse for the use of barbecues at 2023 events.

The following matters were considered:

- a) **Climate change considerations.** In response to a question from a Member, Simon Durrant informed the Conservators that there were no specific actions proposed by the Racecourse in relation the use of barbecues at race meetings and climate change at present, and that the number of barbecues used in 2022 was very small.
- b) **Management of barbecues.** Simon Durrant informed the Conservators of the measures taken by the Racecourse in order to control the use of barbecues on the approved dates. The Conservators were informed that due to the risks created by the high temperatures, the Racecourse had not permitted the use of barbecues, during the 2022 August Bank Holiday despite having the prior agreement of the Conservators. It was noted that barbecues on the Downs at racing events were managed by the Racecourse staff, with no involvement from the Downskeepers.
- c) **Nature of application.** The Conservators noted that the application submitted by Epsom Downs Racecourse was to permit barbecues at Ladies Day, The Derby and the August Bank Holiday Race meetings in 2023 in two controlled areas.
- d) **Historical context.** Andrew Cooper informed the Conservators that for a period of many years barbecues had been permitted at racing events on the Downs and were widespread. Mr Cooper informed the Conservators that this had changed a number of years ago following a different interpretation of the Downs Byelaws by Council Officers.

Following consideration, the Conservators unanimously resolved to:

- (1) **Note the success of the Barbecue Scheme during 2022 race meetings.**

- (2) Grant Epsom Downs Racecourse permission to use barbeques at specific race meetings throughout 2023, namely Ladies Day, The Derby and the August Bank Holiday.**

26 MINUTES OF THE EPSOM AND WALTON DOWNS CONSULTATIVE COMMITTEE, 14 DECEMBER 2023

The Conservators received a report presenting the draft Minutes of the meeting of the Epsom and Walton Downs Consultative Committee held on 14 December 2022.

The following matter was noted:

- a) **Minute 4 b) Epsom Downs Model Aircraft Club (EDMAC) mobility impaired parking.** The Chair informed the Conservators that officers had been requested to prepare a report for a future meeting of the Conservators setting out the options for parking for EDMAC members with impaired mobility.

Following consideration, the Conservators unanimously resolved to:

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

27 EVENTS ON THE DOWNS

The Conservators received a report presenting a request from Cancer Research UK to hold the annual Race for Life Event on the Downs in 2023.

The following matter was considered:

- a) **Event arrangements.** The Streetcare Manager informed the Conservators that the event organisers anticipated a smaller number of participants in this year's event in comparison to previous years, and reported that there had been no issues with management of the event in previous years. It was noted that the event was scheduled to commence following the conclusion of Racehorse Training, at 11.30am on a Sunday. It was also noted that the event organiser published the number of participants at its events, and paid a financial deposit to be used in the event of any damage caused to the condition of the Downs.

Following consideration, the Conservators unanimously resolved to:

- (1) Approve the application from Cancer Research UK to hold the 2023 Race for Life Event on the Downs.**

28 EXCLUSION OF PRESS AND PUBLIC

The Conservators unanimously resolved under Section 1 Paragraph (2) of the Public Bodies (Admission to Meetings) Act 1960 to exclude the public from the Meeting for Part Two of the Agenda on the grounds that publicity of the business would be prejudicial to the public interest by reason of the confidential nature of the business to be transacted. This Section of the Public Bodies (Admission to Meetings) Act 1960 applies to meetings of the Conservators by virtue of section 8(7) of the Epsom and Walton Downs Regulation Act 1984.

29 ANTI-SOCIAL BEHAVIOUR ON EPSOM DOWNS GOLFCOURSE

The decision on this item is recorded in a separate (not for publication) restricted Minute.

The meeting began at 6.00 pm and ended at 7.55 pm

COUNCILLOR LIZ FROST (CHAIR)