

Minutes of the Meeting of the EPSOM AND WALTON DOWNS CONSERVATORS held at the Council Chamber, Epsom Town Hall on 22 January 2024

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)), 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) and Councillor Clive Woodbridge (the Council)

Officers present: Jackie King (Chief Executive), Andrew Bircher (Interim Director of Corporate Services) and Phoebe Batchelor (Democratic Services Officer)

48 MINUTES OF THE PREVIOUS MEETING

The Minutes of the previous meeting of the Epsom and Walton Downs Conservators held on 6 November 2023 were agreed as a true record and signed by the Chair.

49 BUDGET 2024/25

The Conservators received a report seeking approval for the 2024/25 budget and the recommended precepts on the constituent bodies.

Following consideration, the Conservators unanimously resolved 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.**

50 RISK REGISTER

The Conservators received a report presenting the risk register for the Epsom and Walton Downs for review and note.

The following matters were considered:

- a) **Legal Decisions.** A Member of the Conservators raised a concern about risk EWC10 on page 23, regarding lawful decisions made by the

Conservators and expressed hope that legal advice would be sought and provided before any decisions are made to ensure they are completely lawful. The Chair responded to inform the Committee that the risk is not saying that the Conservators are making illegal decisions, it is just acknowledging that there is a risk because decisions of the Conservators must be proper and legal and therefore, mitigants are put in place to deal with the risk and ensure that the decisions made are fully compliant with the law. The Clerk to the Conservators highlighted to the Committee that the risk is highlighted in red and scored at a 12 for the inherent risk of making illegal decisions, however, once all the mitigations are considered, the residual risk is only scored at a 4.

- b) **Safety on the Downs.** A Member of the Conservators asked where the responsibility lies for ensuring and enforcing safety on the Downs and if it lies solely with the Downskeepers. The Chair responded to state that the Downskeepers work in conjunction with the Jockey Club to ensure the safety of members of the public, exercise riders and trainers on the Downs in accordance with the byelaws created by the Conservators, therefore sharing the risk across the constituent bodies (EEBC, TJC and TGMB) who make up the Conservators. The Member of the Conservators responded to ask who takes responsibility for the Downskeepers actions. The Chair informed the Conservators that Epsom and Ewell Borough Council is responsible for the Downskeepers actions. The Member of the Conservators responded to point out that the Downskeepers are taking on a greater role in ensuring the safety of all users of Downs and they will require more support. The Chair noted the comment and informed the Conservators that this topic will continue to be discussed to ensure that additional support is given to ensure the safety of all users of the Downs.

Following consideration, the Conservators unanimously resolved to:

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

51 EPSOM DOWNS RACING SEASON 2024

The Conservators received a report informing them 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.

Following consideration, the Conservators unanimously resolved 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.**

52 DERBY 2024 UPDATE

The Conservators received an update on the arrangements for the Derby 2024.

Following consideration, the Conservators unanimously resolved to:

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

53 REVIEW OF USE OF THE OWNERS AND TRAINERS AND DERBY ARMS CAR PARK 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 2023 and a formal request for permission of ad-hoc use in 2024.

Following consideration, the Conservators unanimously resolved 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.**

54 SCHEME FOR BBQS AT THE RACECOURSE REVIEW

The Conservators received a review of the use of barbecues during 2023 race meetings and received an application from Epsom Downs Racecourse for the use of barbecues at 2024 events.

The following matters were considered:

- a) **Experience of BBQs.** A Member of the Conservators asked if there had been an issues, from damage to the downs or injuries sustained by individuals as a result of BBQs. The Vice Chair confirmed that there has been no damage or injuries as a result of the BBQs since the Scheme began.

Following consideration, the Conservators unanimously resolved to:

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

55 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 2024.

The following matters were considered:

- a) **Cap on Participants Numbers.** A Member of the Conservators raised that the approximate participants number is very high and quite vague and suggested that Conservators might be inclined to suggest a cap on numbers at the event. The Chair noted the comment and informed the Conservators that it is something to be considered and explored if events of this sort of scale are applying to be held on the Downs more regularly. The Chair raised that it can be communicated to event organisers that a cap on numbers of participants is being considered by the Conservators.
- b) **Downs Education Stand.** A Member of the Conservators raised that the event would be a good opportunity for visitor education and having a stand with a handout about the Downs would spread awareness of the local nature, Downs uses and byelaws. The Chair thanked the Member for the suggestion and indicated that if it could be coordinated between the Jockey Club and Borough Council, then it would be a great way to raise awareness. A Member of the Conservators raised a concern about giving out a paper handout, citing the cost and risk of littering, and suggested an email to participants from event organisers could be a better and more

sustainable option, or an option of including a handout within the information pack they will receive prior to the event from the organisers.

- c) **Footfall damage.** A Member of the Conservators acknowledged that the event has been previously supported and approved by the Conservators for a number of years but wished to highlight the issue of increased footfall on the Downs and the potential damage it can cause.
- d) **Downskeepers.** A Member of the Conservators asked where the input from Downskeepers is regarding the impact of the event last year and a summary of how it went from their perspective. The Member highlighted the importance of listening to the feedback and advice of the team who help organise, police, and clear up after the event. The Chair informed the Conservators that they intend to invite Nigel Whybrow to future Conservators Meetings on an ad hoc basis to provide a report on what is happening on the Downs. The Chair also proposed asking the Downskeepers to come and give an update, in person or written, so their invaluable input is not being overlooked, and getting an update from TGMB fed back to future Conservators Meetings.
- e) **Tadworth 10.** A Member of the Conservators raised that it is important for the organisers of events on the Downs to be made aware that participants must not cross the track at any point, other than at the agreed designated points shared with participants prior to the event and requested that this could be fed back to the organisers of the Tadworth 10 event. The Chair noted the request and informed the Conservators that it would be passed on to make certain that it does not happen again.
- f) **Event Deposit.** A Member of the Conservators asked if the deposit paid by the event organisers was given back in full or whether it had been used to pay for the damage caused to the racetrack by participants of the Tadworth 10. Another Member of the Conservators responded to inform the Committee that none of the deposit had been used to repair the grounds, instead it was more about establishing the principle going forward that this doesn't happen again, since fortunately the damage sustained following the Tadworth 10 was relatively minor.
- g) **Communication of Events.** The Chair informed the Conservators that there are plans to improve the communication surrounding how people apply for events on the Downs and to let the public know which events are scheduled to take place on the Downs over the coming year.
- h) **Agreement of Events.** A Member of the Conservators asked whether events on the Downs are agreed annually or on an ad hoc basis. The Chair informed the Conservators that due to major events being known about well in advance they will normally come to the January Meeting to be agreed; smaller additional events can be dealt with by Council Officers depending on the size of the event. A Member of the Conservators raised that the Council's Streetcare Manager used to provide an update of the

schedule of events for the coming year to the training community in advance of the January Conservators meeting so they could have an input before events take place and before permission is granted by the Conservators and requested a similar informal meeting is reintroduced. The Chair confirmed that they would look into bringing back a similar schedule of events meeting with the training community in the interest of all users of the Downs.

Following consideration, the Conservators unanimously resolved to:

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

56 THANKS

The Chair expressed thanks to the Conservators for attending a tour of the Downs. The Chair continued to inform the Conservators that they are looking to expand the offer to all Councillors in February and invite all Councillors to the first spring race meeting.

The meeting began at 6.00 pm and ended at 6.38 pm

COUNCILLOR STEVEN MCCORMICK (CHAIR)