

## **EPSOM DOWNS RACING SEASON 2025**

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<b>Report Author</b>	Phoebe Batchelor
<b>Wards affected:</b>	College Ward; Town Ward; Woodcote and Langley Vale Ward;
<b>Appendices (attached):</b>	None

### **Summary**

This report informs the Conservators of dates for race meetings in 2025 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 2025 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 2 July (Evening)**
  - **Thursday 10 July (Evening)**
  - **Thursday 17 July (Evening)**
  - **Thursday 31 July (Evening)**
  - **Sunday 28 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 19 May – 22 May 2025.**

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- (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 18 June – 24 June 2025.**

### **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 2025 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 2025. These are as follows:

- Tuesday 22 April
- Friday 6 June (Ladies' Day)
- Saturday 7 June (Derby Day)
- Wednesday 2 July (Evening)
- Thursday 10 July (Evening)
- Thursday 17 July (Evening)
- Thursday 31 July (Evening)
- Friday 15 August
- Monday 25 August (Bank Holiday)
- Thursday 11 September
- Sunday 28 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.

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

- Wednesday 2 July (Evening)
- Thursday 10 July (Evening)
- Thursday 17 July (Evening)
- Thursday 31 July (Evening)
- Sunday 28 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 was a new application for 2024, granted by the County Council last year. 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 2025 racing season. The requested extension is as follows:

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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 19 May – Thursday 22 May 2025. Under paragraph (4) (d) (i) of section 17 of the Act, Epsom Downs Racecourse is permitted to install this fencing from Friday 23 May 2025.

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 2025 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 19 May to 22 May 2025.

7.1.2 A 7-day extension from 18 June to 24 June 2025.

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>19 – 22 May</b>	<b>4 days</b>	<b>Yes. Granted.</b>
<b>Lonsdale Enc.</b>	<b>19 – 22 May</b>	<b>4 days</b>	<b>Yes. Granted.</b>
<b>Lonsdale Enc.</b>	<b>18 – 24 June</b>	<b>7 days</b>	<b>Yes. Granted.</b>

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### 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 23 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 23 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.

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### 11 Financial Implications

11.1 None.

11.2 **Section 151 Officer's comments:** None arising with regard to 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:** As set above.

### 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:

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### **Previous reports:**

- [Epsom Downs Racing Season 2024 Report and Minutes – meeting of the Conservators held 22 January 2024](#)

### **Other papers:**

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