

Epsom and Walton Downs Governance Changes

Necessary Changes to ensure the continued effective governance, management, and operation of Epsom and Walton Downs following LGR;

- **Update wording, membership and appointments:** Change references from the Epsom and Ewell Borough Council to East Surrey Council. All references to Epsom and Ewell Borough area, need to refer to the former Epsom and Ewell borough boundaries.
 - The current 6 council members of Conservators will no longer be appointed by Epsom and Ewell Borough Council after the 31st of March 2027 but instead will be drawn from the new East Surrey Council.
 - The Membership should be restricted so that only councillors elected to the 5 divisions in Epsom & Ewell area (below) or neighbouring wards (from Mole Valley and Reigate and Banstead) are eligible to be appointed as Conservators. The wards are;
 1. West Ewell
 2. Ewell Village, Stoneleigh, and Nonsuch
 3. Ewell Court, Auriol, and Cuddington
 4. Epsom West
 5. Epsom Town and Downs
 6. Ashted
 7. Tadworth, Walton & Kingswood
 8. Nork & Tattenhams

This would mean there is a pool of 16 Councillors from ESC who can be chosen from to appoint the 6 council Conservator members.

- **Reason:** This is important to ensure local people are active and engaged in the management of Epsom and Walton Downs. This also allows specifically affected areas, with knowledge and understanding of the Downs, to be directly involved in its management and operations.
- **Update governance and accountability:** Update all references to the Borough Council's roles, responsibilities, or oversight to East Surrey Council.
 - Clerk of the Conservators – reference in (9) 1 should amend from the Chief Executive of EEBC to a delegated legal and governance officer role from within East Surrey Council i.e. it doesn't need to be the Chief Executive of ESC. This role will be delegated by the Chief Executive of ESC.
 - The designated officer would ideally have a local connection or interest in the Downs.
 - **Reason:** The Clerk to the Conservators is responsible for the governance and legality of the Conservators and would therefore benefit from having a good understanding of the Downs and its users and uses. The Clerk to the Conservators also works closely in collaboration with the council's Democratic Services function, interested stakeholders, namely the Landowners (Epsom Racecourse) and the Training Grounds Management Board so should have a detailed understanding of how the relationship operates. They must also have a good knowledge of the EWD Act and associated byelaws.

- **Preparatory time and take-down time:** Section 17 of the Act sets out the time for race meet construction and de-construction of any temporary structures or fencing. The Derby Festival event should be singled out in the Act and given a permanent extension to the construction build and take down time. This period should be extended to 4 weeks prior to the Derby Festival and 4 weeks following the Derby Festival to ensure that the relevant constructions can be put up with enough time. These new extensions would contrast with the current 14-day preparatory period and 10-day take down period.
 - **Reason:** To avoid having to hold additional meetings of the Conservators to request extensions (extensions which have been granted for 24 years) and to allow all contractors and staff adequate time to put up and take down all associated structures within an acceptable time period.

Additional suggested changes to the Act;

- **Pony trap exclusion** from the Downs and no access to gallops.
 - Not currently covered and continued incursions require the addition.
- **Gallops** (Ensure licensed trainers are only allowed to use gallops)
 - The area shaded pink on the Epsom Downs Signed Map is exclusively used for trainers and staff who maintain gallops. The public has the right to air and exercise on foot to cross these areas, but they do not have the right to ride or train horses on them.
- **Commercial Activity & Events** (Strengthen the events aspect as currently only talks to gatherings).
 - Currently no legal power to stop non-fee generating gatherings on Epsom and Walton Downs which could be a risk to racehorse training and may contribute to anti-social behaviour.
- **Barbecues and Fire Risks** (Strict formal restrictions on open fires/disposable grills).
 - Add in a section related to all racing fixtures and the specific areas where this can take place, under the responsibility of the 'Company'.
- **Updating Environmental Mandates** (Align Act with modern biodiversity net gain/climate resilience).
 - More flexible start to current training times to accommodate extreme weather.

Byelaw Changes;

Epsom and Walton Downs Conservators Byelaw Modernisation

This section sets out the agreed principles for modernising the current byelaws, retaining established Downs-specific protections, aligning where possible with MHCLG Model Byelaw Set 2, and introducing targeted modern provisions for contemporary management issues. All references to consent have been standardised to written consent.

Modernisation Principles

- Evolution not revolution – retain the existing framework wherever it remains effective.
- Protect racehorses, trainers, riders and gallops as a primary objective.
- Retain all provisions rooted in the Epsom and Walton Downs Regulation Act 1984.
- Adopt Model Byelaw terminology where appropriate.
- Improve clarity, enforceability and modern relevance.
- Support appropriate revenue generation through authorised activities and concessions.
- Preserve public access whilst regulating conduct.

Proposed Structure

Part 1 – Interpretation

- Retain existing statutory definitions from the 1984 Act.
- Add definitions for Drone, Commercial Activity, Authorised Officer, Horse Training Area, E- bike and Powered Transport Device.
- Define Written Consent as consent given in writing by the Conservators or an authorised officer, including electronic communication.

Part 2 – Protection of the Downs

- No structures, excavation, removal of materials, damage to vegetation or wildlife without written consent.
- No metal detecting without written consent.
- No grazing without written consent.

Part 3 – Fire Safety and Environmental Protection

- No camping without written consent.
- No fires, disposable barbecues or fire pits except where authorised by written consent.
- Protection of biodiversity, habitats and nesting wildlife.

Part 4 – Horses and Horse Training Areas

- Retain all existing gallop and training protections.
- No person shall disturb, harass or endanger a horse.
- Dogs must not chase or interfere with horses.
- Licensed trainers and authorised users only in designated training areas.

Part 5 – Dogs

- Dogs on lead during training periods and remain under effective control thereafter.
- Lead requirements where signed.
- Grant specific power under the byelaws to the Epsom and Walton Downs Conservators to impose restrictions on commercial dog walking activity on Epsom & Walton Downs through written consent. Conservators will have the power to define times, locations,

number of dogs and ability to charge a licence fee for this commercial activity.

Part 6 – Cycles and Powered Transport

- Update bicycle provision to include e-bikes, e-scooters and powered transport devices.
- Pedestrians and horses retain priority.

Part 7 – Vehicles and Parking

- Retain vehicle restrictions.
- Parking only in authorised places.
- Future parking charging powers subject to separate legal review.

Part 8 – Commercial Activities, Concessions and Events

- No commercial activity without written consent.
- Enable authorised food, drink and ice cream concessions through written consent.
- Enable regulated events and organised activities through written consent.

Part 9 – Advertising, Sponsorship and Filming

- No advertising or banners without written consent.
- Permit sponsorship, interpretation and event signage where approved by written consent.
- Commercial filming and photography require written consent.

Part 10 – Aircraft, Drones and Kites

- Retain appropriate model aircraft and kite controls.
- Introduce modern drone/UAV controls requiring written consent.

Part 11 – Noise and Nuisance

- Controls on amplified music, speakers, generators and nuisance behaviour.

Part 12 – Enforcement and Penalties

- Retain powers of removal.
- Retain offences and penalties.
- Retain exemptions for authorised operational activities.