

**Minutes of the Meeting of the Epsom and Walton Downs Conservators
held on 17 June 2015**

PRESENT-

Councillor Liz Frost (Chairman); Mr Andrew Cooper (Vice Chairman) (Epsom Downs Racecourse); Councillors Rekha Bansil, Lucie Dallen (Item 1 only), Robert Foote, Jan Mason and Clive Woodbridge; Messrs Simon Durrant and Nigel Whybrow (Epsom Downs Racecourse); Mr Simon Dow (Horserace Betting Levy Board).

In attendance: Mr Conor Morrow (Lower Mole Countryside Management Service)

Officers present: Frances Rutter (Clerk to the Conservators), Kathryn Beldon (Treasurer to the Conservators), Sam Beak (Downs Manager), Tim Richardson (Democratic Services Officer), Sam Whitehead (Streetcare Manager) and Simon Young (Head of Legal and Democratic Services).

- 1 CHAIRMAN. It was resolved that Councillor Liz Frost be appointed Chairman of the Conservators to hold office until the first meeting of the Conservators held after the Annual Meeting of the Borough Council in May 2016.

- 2 VICE-CHAIRMAN. It was resolved that Mr Andrew Cooper be appointed Vice-Chairman of the Conservators to hold office until the first meeting of the Conservators held after the Annual Meeting of the Borough Council in May 2016.

- 3 MINUTES. The Minutes of the Meeting of the Epsom and Walton Downs Conservators held on 15 April 2015 were agreed as a true record and signed by the Chairman.

- 4 ITEMS OF INTEREST DISCUSSED BY THE TRAINING GROUNDS MANAGEMENT BOARD (TGMB). The following items of interest had been discussed at the last meeting of the Training Grounds Management Board:
 - a) Hatched area at the foot of Walton Downs. The Board had considered that it had no reason to change its current stance with regard to the Hatched Area, and reconfirmed that it could not authorise the use of the Hatched Area for hack riding.

- 5 MATTERS ARISING FROM PREVIOUS MEETINGS AND OTHER ITEMS OF INTEREST.
 - a) Hack Sand Track, foot of Walton Downs. The Council's Head of Legal and Democratic Services informed the Conservators that the Horserace Betting Levy Board had informed the Council that it did not accept responsibility for the maintenance of the Track. The previously considered view of the Conservators was that it was not their responsibility, due to an undertaking made to the House of Commons Committee by the Horserace Betting Levy Board during the passing of

the Epsom and Walton Downs Regulation Act 1984. It was agreed that a full report regarding the matter would be presented to the next meeting of the Conservators, in October 2015.

- b) Downs House. The Council's Head of Legal and Democratic Services informed the Conservators that the relevant documents had been issued to all parties and that it was hoped that the exchange of contracts would be completed soon.
- c) Epsom Golf Club unauthorised development and other matters. The Council's Head of Legal and Democratic Services informed the Conservators that these matters would be pursued with the Golf Course and that a report would be presented to the next meeting if they had not been resolved by that time.
- d) Proposed Tee extension, vegetation clearance and path creation works to 1st hole and path creation between 11th and 12th holes of Epsom Golf Course. The Conservators noted that the Council's Tree Officer had not objected to the proposed vegetation and tree clearance, but that the Golf Club were required to obtain a Forestry Commission licence for the works. A further report would be presented to the next meeting of the Conservators once full details of the proposed works (including path locations and materials) had been submitted by the Golf Club.
- e) Access to the Tattenham Corner Road crossing for pedestrians walking from Tattenham Corner Station. It was noted that the Streetcare Manager would look into this matter.
- f) Dog Control on the Downs. The Streetcare Manager informed the Conservators that Stephen Jenkinson, a consultant on dog control issues had been contacted for his views on the measures proposed and agreed at the last meeting of the Conservators. Mr Jenkinson had informed Officers that if off-the-lead access to dog walkers was to be restricted on the Downs, the provision of an alternative area for lead-free access should also be considered. It was noted that this would be difficult to achieve on the Downs, due to the Epsom and Walton Downs Regulation Act 1984's restrictions on fencing, and the sensitivity of Gallops areas. The use of the Warren Recreation ground for lead-free access had been considered, but it was felt that due to difficulties in access (in particular for vehicles) this was unlikely to be successful. The possibility of encouraging dog walkers to visit the neighbouring Woodland Trust Centenary Wood site in future if they wished to have lead-free access had also been considered, and Officers would contact the Trust to discuss this. A potential alternative was a restriction on off-the-lead dog walking only prior to noon daily, but it was noted that Hack Riders would be using the Downs during the afternoon. The Streetcare Manager would arrange a meeting with the Hack Rider Representatives to the Epsom and Walton Downs Consultative Committee to discuss this issue.

It was noted that Officers were in contact with a representative of a local dog-walking Facebook group and would liaise with them in future, to assist in communicating messages to the public.

Simon Dow informed the meeting that dog control on the Downs, and lack of enforcement of the byelaw relating to it, was a significant concern to Racehorse Trainers. The Conservators discussed the difficulties in taking enforcement action, and in particular with regard to providing the manpower resource to do so. It was noted that a provision for such a resource was not contained within the 2015-16 budget, and would need to be funded separately. The potential for a short-term targeted period of enforcement activity, rather than a long-term dedicated officer was also discussed by the Conservators, and it was noted that it might be possible to

work in partnership with a neighbouring Local Authority to hire an enforcement Officer for such an activity.

Simon Dow also informed the meeting that the behaviour and confidence of Racehorses in the presence of dogs could be markedly different to that of other horses. This could lead to difficulties with dog walkers who had previously experienced interaction with hack rides, but not Racehorses. It was noted that Simon Dow would be invited to attend future meetings regarding the matter of dog control.

Following consideration of the matter, the Conservators agreed that a report detailing the options available with regard to dog control on the Downs would be presented to the next meeting. This report would include cost implications of each option.

- 6** FINAL ACCOUNTS 2014/15. The Conservators received a report providing the final accounts for the financial year 2014/15. A copy of Annexe 3 to the report (which had previously been marked as 'to follow') has been circulated prior to the meeting.

The Conservators were informed that expenditure exceeded income by £14,601, leading to a reduction in the working balance of the same amount. Gross expenditure for the year had been £1,316 above the original budget, with the main additional expenditure being contributions to the pension fund and installation of a lightning rod on the Downskeepers' Hut. A working balance of £64,853 had been carried forward to the 2015/16 financial year.

Following this, the Conservators:

- agreed the final accounts for 2014/15 subject to external audit;
- accepted the Statement of Accounts and the Annual Governance Statement as set out in sections 1 and 2 of Annexe 3 to the report;
- confirmed that the arrangements for internal audit as set out in the report were effective for auditing purposes;
- authorised the Chairman and Clerk to sign the Statement of Assurance on their behalf.

- 7** REPORT OF THE HEAD DOWNSKEEPER. The Conservators received and noted the report of the Head Downskeeper, including updates on events, Derby clean-up and staff training. It was noted that there was a typographical error in the report, and that it should have stated that the Derby Gypsy Caravan site opened one day early, on 28 May 2015.

The following items were discussed:

- a) Antisocial behaviour in Beech Wood by members of the Traveller community during the Derby period. The Conservators were informed that the Beech Wood had again been used as a toilet during the Derby period by some members of the traveller community. The Streetcare Manager had spoken to the Gypsy and Traveller Site Manager with regard to this issue when it became apparent. The Conservators were informed that most caravans using the site provided toilet facilities, but despite this, the problem had still occurred.

Concerns were expressed by Members of the Conservators that the condition of the woods following these incidents was the worst that it had been for many years. The Conservators considered that the fencing provided for the area by the Site Manager was insufficient to deter such behaviour occurring in the woods, and agreed that this should be reviewed prior to next year's Derby Festival. The possibility of requiring metal fencing for the site in future was raised.

The Conservators also noted that the fee for using the Gypsy and Traveller site had not increased for a number of years, and agreed that this should be reviewed.

It was agreed that a report would be presented to a future meeting of the Conservators regarding these matters, and that the views of the Derby Gypsy Site Manager and Council's Gypsy Liaison Officer would be included within it.

- b) Derby clean-up. The Streetcare Manager informed the Conservators that the post Derby clean-up had not been as efficient as in previous years. Simon Durrant informed the meeting that Epsom Downs Racecourse acknowledged the issues which had been experienced this year, and that it would be discussing these with the contractor which it used for the clean-up. The Racecourse had been disappointed with the latter-stages of the clean-up, and in particular with issues encountered by skips not being emptied during windy periods.

- 8 ISSUES ARISING FROM THE DERBY RACE MEETING. Simon Durrant provided the meeting with a verbal report on issues arising from the Derby race meeting. The Conservators were informed that Epsom Downs Racecourse viewed the Derby Festival as having been very successful, and that most arrangements had gone very well.

Note: further matters relating to the Derby Race Festival 2015 are detailed in Minute number 7 above.

- 9 OUTSTANDING REFERENCES. The Conservators received and noted the position of their outstanding references to officers. It was agreed that the reference from 19 January 2012 relating to the control of the rabbit population on the hatched area at the foot of Walton Downs would be removed from the outstanding references.

- 10 DATE OF DOWNS TOUR. The Conservators agreed that Officers would identify suitable dates for a tour of the Downs, and confirm the arrangements following the meeting.

The meeting began at 18.00 hours and ended at 19.30 hours.

LIZ FROST
Chairman