



**MINUTES OF THE MEETING OF  
MUSSELBURGH RACING ASSOCIATED COMMITTEE**

**TUESDAY 3 JULY 2018  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**Committee Members Present:**

Councillor F O'Donnell (Chair)  
Councillor A Forrest  
Councillor K Mackie  
Mr R Anderson Green  
Mr R Miller-Bakewell

**In Attendance:**

Mr B Farnsworth, Racecourse General Manager (Items 1-8)  
Mr D Kennedy, Racecourse Financial Controller (Items 1-8)  
Mr A McCrorie, Depute Chief Executive (Resources & People Services), ELC  
Mr C Grilli, Service Manager, Legal and Procurement, ELC

**Clerk:**

Mrs F Stewart

**Apologies**

Councillor S Currie

**Declarations of Interest**

None

Prior to the main business of the meeting, Robert Miller-Bakewell sought clarification on a number of procedural issues. In response, the Chair explained why the Council Chamber had been chosen as a venue for Musselburgh Racing Associated Committee (MRAC) meetings and advised on the notification for the meeting. She also stated that she had not sought agenda items from Committee members in advance of the meeting.

## **1. RATIFICATION OF MJRC DECISIONS**

The Chair stated that, as this was the first meeting of the Musselburgh Racing Associated Committee, there was a requirement to ensure that decisions made by the previous committee, Musselburgh Joint Racing Committee (MJRC), would be carried forward.

Robert Miller-Bakewell was unable to agree to the ratification of MJRC decisions, stating that he had not yet seen the minutes of the last MJRC meeting (on 23 April 2018). Ray Anderson Green was of a similar mind. The Legal Adviser stated that members were being asked to agree decisions made by the MJRC since the inception of that Committee and not solely the decisions taken at the last meeting. Mr Miller-Bakewell replied that he would be uncomfortable ratifying decisions made prior to the date he joined the Committee. The Chair replied stating that all minutes, with the exception of the minutes from the last meeting, had been agreed; ratifying decisions made by the MJRC was a starting point for the new Committee.

The Chair moved to a vote on the proposal that the MRAC would ratify all decisions taken by the MJRC, with the exception of those decisions made at the MJRC meeting on 23 April 2018.

For: 3  
Against: 0  
Abstentions: 2

### **Decision**

The MRAC agreed by a majority to ratify all decisions taken by the MJRC, with the exception of those decisions made at the MJRC meeting on 23 April 2018.

## **2. HEALTH AND SAFETY REPORT**

A report had been submitted by the Racecourse Health and Safety Officer to advise the MRAC of Health and Safety Management at Musselburgh Racecourse.

Bill Farnsworth presented the report. He advised that the annual safety certificate had been issued on 30 March 2018 and that there were no issues to report. Mr Farnsworth also clarified the Racecourse's position on non-raceday events with regard to risk assessments and communication with the Golf Course through enjoyleisure.

The report provided health and safety diary dates of note and an update on staff training, as well as feedback from a recent quarterly health and safety meeting. There was also an outline of desirable future capital expenditure.

Councillor Forrest enquired about security arrangements for visitors entering the car parks. He asked if racecourse staff were fully trained on the different forms of ID which can be presented and if all ID passes were checked by staff. Mr Farnsworth replied that staff were fully informed and checked all passes.

### **Decision**

The MRAC agreed to note the report.

## **3. FINANCE – DRAFT AUDITED ACCOUNTS 2017/18**

The Racecourse General Manager had submitted a report to provide the MRAC with the draft 2017-18 audited accounts and take any questions.

Bill Farnsworth presented the report, stating that it had been a turbulent year but, ultimately, a successful one. A higher than budgeted profit figure had been largely due to a significant increase in media rights.

Mr Farnsworth advised that Scott-Moncrieff, Chartered Accountants, had audited the accounts which would go before the MRAC Audit Sub-Committee on 7 August for approval. The Legal Adviser proposed that the task of signing off the accounts could be delegated to the Chief Executive as Secretary to the Racecourse.

The Chair congratulated the Racecourse Manager and his staff on returning a higher profit than projected. Ray Anderson Green stated that he too was pleased with the results but he also highlighted the level of professional fees incurred by the Racecourse which, in his view, had not added any value to the business.

### **Decision**

MRAC agreed to note the draft un-audited accounts and to arrange for the Letter of Representation and the accounts to be signed.

## **4. COMMERCIAL AND OPERATIONS REPORT**

A report had been submitted by the Senior Operations and Commercial Manager to update the Committee on the commercial and operational performance of the Racecourse for 2018/19.

Bill Farnsworth presented the report. He stated that it was disappointing, after reporting on a good year, to have to report that the start to this financial year had been disappointing. He reported that ticket sales had been significantly down for Easter Saturday, Ladies Day and the Scottish Cup Sprint. The slow pace of sales for the major racedays had been attributed to a variety of factors; the 'Beast from the East' period of severe weather had a significant impact on the key sales window in early spring, the two events in June were competing with major live music events and the uncertainty over the racing licence. The fixture on 5 April 2018 had also been abandoned for the first time due to a waterlogged course. However, despite some national trends for slower event sales, Mr Farnsworth stated that the budgets for future racemeetings were achievable and cost savings across marketing and operations would be made wherever possible.

Mr Farnsworth also reported that more young people had attended Ladies Day than in previous years. He welcomed the fact the Racecourse was attracting younger people to horseracing and stated that the Ladies Day experience would now be reviewed to ensure that the Racecourse offered the best experience for all of its customers. In response to a question on the future of Ladies Day, Mr Farnsworth stated that events naturally evolve and that there were new ideas being discussed for next year. The Chair stated that Ladies Day presented an excellent opportunity to introduce young people to racing.

Mr Farnsworth also advised that, as part of its community engagement activity, the Racecourse had worked with Musselburgh Grammar School on a Racing to School project. This would result in over 500 pupils from Primary 7 to S1 attending events at the Racecourse in 2018. The Chair welcomed this initiative and congratulated the Operations Team on the success of this project.

In relation to community engagement, Councillor Mackie advised that the Musselburgh Business Partnership was a new group of local businesses and tradespeople set up to promote co-operation with each other. She suggested that the Racecourse could join this Partnership. Mr Farnsworth replied that he and the Commercial Manager were already aware of the Group and would be interested in joining. He also suggested that the involvement of a local Councillor with this group might be beneficial in pulling everyone together. He was also aware of the Friends of Musselburgh Links Group established to represent the many different users of the Links.

## **Decision**

The MRAC agreed to note the performance to date.

## **5. MRAC WORKING GROUP UPDATE**

A Members' Library Service report dated 14 June 2018 recommended the preferred operating model of Musselburgh Racecourse as determined by the Working Group.

Carlo Grilli, Legal Adviser, reported that the Group had analysed the different proposed operating models to determine a preferred route to operate Musselburgh Racecourse in the long term. Options considered had been an Arms Length External Organisation (ALEO), a Third Party Operator and the status quo (an Associated Committee and Sub-Committee of the Council). Members of the Working Group unanimously recommended that a Third Party Operator was appointed.

Mr Grilli stated that the Lothians Racing Syndicate had advised they would not bid to operate the Racecourse and there was therefore no prejudice to the procurement process.

Councillor Forrest enquired if Council Officers would carry out the procurement process or if the Working Group would re-convene. Mr Grilli replied that Officers would work with the Working Group to take forward.

Councillor Mackie asked the Legal Adviser if he was confident that Council Officers had the necessary expertise and skill to carry out the procurement process and Mr Grilli replied that the operation agreement with a Third Party would be a standard agreement. He added that Pinsent Masons would guide the process and the Racecourse management team would also be involved. Alex McCrorie confirmed that Pinsent Masons would be retained for the duration of the process.

The Chair thanked the members of the Working Group and stated that she was pleased the decision to appoint a Third Party had been unanimous.

### **Decision**

The MRAC agreed to note the report.

## **6. DATES FOR 2018-19 MRAC MEETINGS**

A report had been submitted by the Depute Chief Executive (Resources and People Services) to advise of the proposed dates for Musselburgh Racing Associated Committee meetings in 2018/19.

### **Decision**

MRAC agreed to approve the following dates for meetings during 2018/19; Tuesday 18 September 2018, Tuesday 18 December 2018, Tuesday 19 March 2019 and Tuesday 2 July 2019.

## **SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION**

The Council unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

### **Finance Review 2018/19**

The MRAC agreed to note the financial performance to date and the forecasts to the year ending 31 March 2019.

### **Racecourse General Manager's Report**

The General Manager updated the Committee on the general management of the Racecourse including HR Matters, Catering, the Tote (Britbet) and the fixture list for 2018/19.

### **Pinsent Masons Review – Verbal Update**

The Legal Adviser to the Committee updated Members on recent correspondence with Pinsent Masons.

### **Outstanding Matters – Correspondence from Councillor Forrest**

Further to correspondence received from Councillor Forrest, the Committee agreed to request a report.