

REPORT TO: MUSSELBURGH ASSOCIATED RACING COMMITTEE

MEETING DATE: 28 January 2020

BY: Chief Executive

SUBJECT: Procurement / General Update

1 PURPOSE

- 1.1 To provide an update to the Committee regarding the Procurement Process and other related matters

2 RECOMMENDATIONS

- 2.1 It is recommended that the committee:
- i. notes the up dated position on the hand over to Chester Racecourse;
 - ii. notes the update regarding the dual use of the Golf Course and the Racecourse; and
 - iii. notes the current position regarding the Stables Café.

3 BACKGROUND

- 3.1 Following completion of the tender process Chester Racecourse was announced as the preferred tenderer. At the point of preparing this report the contract documentation is in the process of being finalised between Chester Racecourse and East Lothian Council.
- 3.2 We continue to work towards a handover date no later than end of 2019/20 financial year. There are ongoing discussions with Chester for hand over in March 2020 to align with the last Jump Fixture. The British Horse Racing Authority has been consulted on this and have now issued a Licence for Musselburgh Racecourse which is in keeping with that timeframe.
- 3.3 In preparation for the transfer in March 2020 the TUPE consultation has commenced. This, as previously approved, is being supported by the racecourse solicitors Harper MacLeod.

- 3.4 The Committee at the last meeting on 7 January was made aware of Scottish Power’s decision to close the Electric Bridge from 2 January 2020. It was agreed that the General Manager was empowered to discuss the ongoing management of the bridge with Scottish Power. This is separate and independent of any discussions on-going between the Council and Scottish Power.
- 3.5 The General Manager requested at the previous meeting of this Committee on 7 January 2020 that the Stables Café be considered as part of the contract to operate the racecourse. The Committee requested further information prior to this matter being taken forward. The Committee was informed that a meeting between Enjoy and Chester is planned. This meeting is still planned to take place but has not taken place yet.
- 3.6 Following the handover to Chester Racecourse MRAC will no longer be deemed to operate Musselburgh Racecourse and the Minute of Agreement between the Council and Lothian Racing Syndicate shall terminate.

4 POLICY IMPLICATIONS

- 4.1 There are no policy implications relating to this report

5 INTEGRATED IMPACT ASSESSMENT

- 5.1 The subject of this report does not affect the wellbeing of the community or have a significant impact on equality, the environment or economy

6 RESOURCE IMPLICATIONS

- 6.1 Financial – there may be additional financial costs arising from the transfer of the operation of the Racecourse to Chester Racecourse.
- 6.2 Personnel – it is envisaged that all employees will be in scope to transfer to Chester Racecourse under TUPE legislation
- 6.3 Other – N/A.

7 BACKGROUND PAPERS

- 7.1 Procurement / General Update dated 24 December 2019 and presented at Committee on 7 January 2020

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