

**REPORT TO:** Musselburgh Associated Racing Committee

**MEETING DATE:** 24 March 2020

**BY:** Depute Chief Executive (Resources and People)

**SUBJECT:** Procurement / General Update

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## **1 PURPOSE**

- 1.1 To provide an update to the Committee regarding the Procurement Process and other related matters.
- 1.2 To provide details relating to investigation into the dual use of Racecourse and Golf Course.

## **2 RECOMMENDATIONS**

It is recommended that the committee:

- 2.1 Notes the position regarding the proposed hand over date to Chester Racecourse.
- 2.2 Notes and agrees the Racecourse Secretary's position regarding the dual use of the Racecourse and the Golf Course on non-racedays.

## **3 BACKGROUND**

### **Procurement Up-date**

- 3.1 Following completion of the tender process Chester Racecourse was announced as the preferred tenderer. The Council and Chester have more recently agreed and been working towards a target handover date of 31 March 2020. All licences and current infrastructure are generally now in place or will be in place to allow the transfer to occur on this date.
- 3.2 Discussions are ongoing between the Council and Chester relating to the impact of COVID-19.

3.3 British Horse Racing Authority (“**BHA**”) have now suspended racing until the end of April. The situation is being closely monitored by the Racecourse Management, and the Council. The Council is also in close dialogue with the BHA and assessing the situation.

3.4 Further update will be provided at the meeting.

### **Dual Use**

3.5 There has been on-going discussion over the potential for the Racecourse to hold events at the racecourse on non-racedays. At the last Committee Meeting it was remitted to the Racecourse Secretary to review the arrangements, documentation and reports obtained to date. The Racecourse Secretary acknowledges and thanks the General Managers for the Racecourse and Enjoy Leisure for providing him with their views and reports for consideration.

3.6 The East Lothian District Council (Musselburgh Links, etc...) Order Confirmation 1985 provides guidelines as to the rights over the Golf Course and Racecourse. It provides guidance as to which party has primacy over the Links at particular times with a right for the Council to close the racecourse from the general public for up to three clear days for racedays. The remainder of the year provides primacy over this area to the golf course.

3.7 Following a review of the documentation the Racecourse Secretary’s conclusion was that the dual use of the racecourse and golf course is permitted on the following basis:

3.7.1 Requirement for the racecourse to maintain the racetrack and having employees on the track for those purposes. This is part of the daily operation of the Racecourse and both Enjoy and the Racecourse should work together to ensure that golfers/employees (as applicable) are informed of the potential for individuals working for the racecourse to be on the racetrack. Racecourse Management should ensure that all staff are provided with appropriate Health and Safety briefing and (where necessary) provided with appropriate protection. Enjoy should also ensure that golfers are advised of this dual use.

3.7.2 There is an arrangement in place whereby on racedays the last Tee-off is no later than three (3) hours prior to the start of the first race. While this was not part of the focus of the review I have included this as it also involves dual use. This arrangement requires to be regularly reviewed by both parties in keeping with the racing event to be held at the Racecourse.

3.8 In relation to organised non-raceday events proposed by the Racecourse, the Racecourse Secretary has reviewed the views and reports provided by both Enjoy and Racecourse Management. Both parties have differing views and on balance the risk involved leads the Racecourse Secretary to conclude that there should be no organised events at the racecourse

which requires use of the racetrack while golf is being played. Further thought could be had by the Racecourse Management as to whether any of these non-racing events could take place as part of or immediately following a raceday, when golf is not taking place.

#### **4 POLICY IMPLICATIONS**

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 will be financial consequences arising from the decision from the BHA to suspend racing and the position will be kept under review.

- 6.2 Personnel

There will be an impact on employees in response to COVID-19

- 6.3 Other – N/A

#### **7 BACKGROUND PAPERS**

None

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