



Northern Ireland
Assembly

Committee for Agriculture, Environment and
Rural Affairs

OFFICIAL REPORT (Hansard)

Horse Racing (Amendment) Bill: Downpatrick
Racecourse

23 September 2021

NORTHERN IRELAND ASSEMBLY

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Members present for all or part of the proceedings:

Mr Philip McGuigan (Deputy Chairperson)
Ms Clare Bailey
Mrs Rosemary Barton
Mr John Blair
Mr Harry Harvey
Mr William Irwin
Mr Patsy McGlone

Witnesses:

Mr Richard Lyttle	Downpatrick Racecourse
Mr Chris McEvoy	Downpatrick Racecourse
Mr Russell McNabb	Downpatrick Racecourse
Mr Peter Stewart	Downpatrick Racecourse

The Deputy Chairperson (Mr McGuigan): I welcome, via StarLeaf, Peter Stewart, the chairperson of Downpatrick Racecourse; Richard Lyttle, the manager; Russell McNabb and Chris McEvoy. Can the representatives take five to 10 minutes to brief the Committee? We will then open up to questions.

Mr Peter Stewart (Downpatrick Racecourse): Thank you, Mr Chairman. The Horse Racing (Amendment) Bill proposes changes to the Horse Racing (Northern Ireland) Order 1990 to enable the resumption of payments from the horse racing fund to the racecourses operating at Down Royal and Downpatrick. The 1990 Order specifically names:

"the Governor and Freemen of the Corporation of Horse Breeders"

as the beneficial owner of Down Royal. The corporation no longer has ownership of Down Royal Racecourse, and therefore the current operators have been unable to receive fund payments since 2019. The main aim of the Bill is to rectify this situation.

Since 1 January 2019, the Department has made no payments from the fund, despite Downpatrick lodging legitimate claims in excess of £500,000 for the years 2019, 2020 and 2021 to date. In or about 2019, the current operators of the racecourse at Down Royal made requests to the Department for payments from the fund. Those requests were declined. The current operators at Down Royal suggested that payments from the fund contravened EU state aid laws. Since the EU state aid issue was raised, the Department has not made any further payments to Downpatrick Race Club from the fund. Downpatrick Race Club has issued judicial review proceedings in respect of the Department's

decision not to process its claims. Therefore, while we are anxious to assist the Committee today, you will appreciate that we may not be able to answer certain questions from you if we consider that they are sub judice or that they would prejudice our judicial review case.

You have our written briefing paper on the four discrete issues that we were asked to comment on. We clearly state therein that we accept that the current operator of Down Royal does not qualify under the 1990 Order and that, to make payment to them going forward, the amendment of the name of the operator is absolutely necessary. We also clearly state therein our position on the outstanding claims of the racecourse. We believe in that regard that the 1990 Order is good law and that outstanding claims should be assessed by the Department without further delay.

Downpatrick Race Club Ltd is a private company limited by guarantee. It is a not-for-profit body, and its continued operation makes a large contribution to the local economy, directly and indirectly and through increased employment in the equine industry. In recent years, facilities at the racecourse have improved dramatically for the horses, the administrators and the spectators, thanks, inter alia, to moneys received from the fund. Unfortunately, those improvements cannot continue. The race club is cash-strapped. It lost money in 2019 and 2020. It has had to use up cash reserves to keep going. Health and safety matters place increasing demands on us. COVID has further complicated matters, and our revenues have decreased considerably. Our manager can expand on that cash position if you wish.

The Deputy Chairperson (Mr McGuigan): Thank you very much. Before I open the meeting to questions, I just make it clear to members and yourselves that we are here to talk about the Bill. We do not want to delve beyond that.

Mr McGlone: Gentlemen, I do not know your part of the world that well, nor the racing fraternity that you represent. Can you clarify for me, please, the link, if any, commercially or otherwise, between yourselves and Emma Meehan, the previous witness, who spoke on behalf of Down Royal?

Mr Stewart: We are both racecourses in the North of Ireland. Our aim is to further racing throughout Ireland. We liaise on certain matters. Downpatrick Racecourse facilitates a different type of horse racing from, probably, the Maze. We are a National Hunt course. The Maze is more inclined to deal with top-class flat racing, as well as some National Hunt.

Mr McGlone: OK. I am not yet *[Inaudible owing to poor sound quality]* the legal stuff at all, Chair.

Do you support, then, the payments to Down Royal as presently constituted?

Mr Stewart: Yes. We appreciate that the new operators, for want of a better word, at Down Royal should have access to the fund going forward.

Mr McGlone: All right. That is OK. That was just unclear. Maybe my hearing was not particularly good in picking up what you were saying. That is grand, Chair. That is all I wanted clarified. Thank you, gentlemen.

The Deputy Chairperson (Mr McGuigan): No other members are seeking to ask questions, so I thank the representatives for their attendance. Thank you all very much for coming along.