

The Hill 2019

29th January 2019

Dear Sir

Invitation to bid for betting positions on the Hill at Epsom Downs Racecourse for 2019

This letter sets out the bidding process to determine which bookmakers will be permitted to operate from betting positions in betting areas on the Hill at Epsom Downs Racecourse on 31 May 2019 ("**Ladies Day**"), 1 June 2019 ("**Derby Day**") and 26 August 2019 ("**Bank Holiday**") (each a "**Bid Day**" and together the "**Bid Days**").

Accordingly, you are invited by Epsom Downs Racecourse Limited (the "**Racecourse**") to submit a sealed written bid for any betting positions available on a Bid Day provided you follow the process outlined below.

1 Bidding process

1.1 The table below lists (a) the betting areas on the Hill, (b) the Bid Days on which they are available to bookmakers, (c) the maximum number of bookmakers who may operate in each betting area on a Bid Day, and (d) the minimum sum which may be bid for a betting position in each betting area. Please see the plan published on the website www.agt-ltd.co.uk for the approximate location of each betting area. Some variation to the layout of the betting areas may be necessary compared to the layout of the betting areas on corresponding days in 2018, depending on how the Racecourse's Hill operation is implemented, e.g. locations of entertainment, market stalls, food and beverage units etc.

Please note: on Ladies Day and Bank Holiday we anticipate that certain betting areas will have a more limited public attendance and will therefore require fewer bookmakers as compared to Derby Day. The maximum bookmaker number will, for the following betting areas on those days, be as follows:

- Hill Coach Park: Ladies Day: 2; Bank Holiday - not available
- Walton Enclosure: Ladies Day: 8; Bank Holiday: 5
- Hill Betting Square: Ladies Day: 8; Bank Holiday: 5
- Hillside Enclosure (formerly Family Enclosure): Ladies Day: 2; Bank Holiday - not available
- Market / Old London Rd: Ladies Day 2: Bank Holiday - not available

A. Betting area:	B. Bid Days:	C: Bookmaker number:	D: Minimum bid (£):
Market/Old London Road	Derby Day Ladies Day	4 2	350
Hill Coach Park	Derby Day Ladies Day	18 2	400
Walton Enclosure	Derby Day Ladies Day Bank Holiday	22 (10, 3 and 9) 8 5	500
Hill Betting Square	Derby Day Ladies Day Bank Holiday	15 8 5	600
Guards Tent	Derby Day Ladies Day	8 5	500
Hillside Enclosure (Formerly Family Enclosure)	Derby Day and Ladies Day	6 2	300
Car Park 26	Derby Day	4	400

- 1.2 You are permitted to bid for and operate any number of betting positions in any number of betting areas on the Bid Days up to a maximum of two (2) betting positions in any single betting area except for the Hillside Enclosure, Market/Old London Road and Car Park 26 betting areas where you may only bid in each betting area for one (1) betting position (together the "**First Option Bid**").
- 1.3 Your bid for a betting position in a betting area shall be for all Bid Days on which it is designated to operate in the table above. For example, if you bid for a betting position in the Walton Enclosure betting area, that bid shall be for a betting position on Derby Day, Ladies Day and the Bank Holiday. However, if you are awarded a betting position, you will not be obliged to operate from the betting position on all Bid Days. If you bid for a single betting position only for your First Option Bid, you may also make a second bid ("**Second Option Bid**") for a single betting position in any betting area on the Bid Days by completing the section entitled "Second Option Bid" on the bid form. If you bid for more than one betting position in your First Option Bid, you may not make a Second Option Bid.
- 1.4 Bids must be submitted in writing using the bidding form published on the website www.agt-ltd.co.uk, and **sent by recorded delivery** to the following address: The Hill 2019, Administration of Gambling on Tracks Limited, 3a Kings Hall, St Ives Business Park, St Ives, Cambridgeshire, PE27 4WY.
- 1.5 You must hold a valid betting operating licence under the Gambling Act 2005 and be registered with Administration of Gambling on Tracks Limited ("**AGT**") to submit a bid and operate from a betting position on the Hill (for details on registration with AGT go to www.agt-ltd.co.uk).
- 1.6 In order for a bid to be valid, each completed bidding form must be received by AGT together with a cheque or cheques made payable to Administration of Gambling on

Tracks Limited for each separate amount bid for each betting position that you bid for plus the applicable betting administration fee for each betting position (together the "Payment") by **no later than 29 March 2019**. For example, if you bid for three betting positions, you must submit three cheques with each cheque containing the Payment (i.e. the amount bid for a betting position and the applicable betting administration fee) in respect of each betting position you bid for.

- 1.7 All valid bids received by AGT shall be stamped with the date of receipt by AGT. Bids and cheques received after **29 March 2019** will not be considered. The Racecourse and AGT will not be liable for, or obliged to accept, any bid despatched by you but not received by AGT.
- 1.8 Once submitted and received by AGT, a bid is deemed to be binding on you and may not be rescinded or amended by you in any way. Accordingly, if you are awarded a betting position by the Racecourse following the bidding process, the relevant cheque shall be deposited by AGT into a nominated bank account. No refunds shall be payable except the betting administration fee in accordance with paragraph 2.3.
- 1.9 If you are not awarded a betting position by the Racecourse, any cheque submitted by you pursuant to paragraph 1.6 for a betting position will be returned to you by AGT following completion of the bidding process.
- 1.10 This letter and any dispute or claim arising out of or in connection with it or its subject matter, whether of a contractual or non-contractual nature, shall be governed by and construed in accordance with the law of England. The courts of England shall have exclusive jurisdiction to settle any dispute arising out of or in connection with this letter.

2 Level of bids/administration fee

- 2.1 Any sums bid by you will be deemed to be inclusive of VAT and bids will only be considered if they are for a sum equal to or in excess of the minimum sum for the relevant betting area as set out in the table in paragraph 1. Any sums bid must be in whole pounds.
- 2.2 If you are awarded a betting position by the Racecourse, the sum you bid for that betting position will constitute the licence fee (which includes the cost of the betting badge) for that betting position. In addition to the licence fee, you will be required to pay a Betting Administration Fee for a betting position as follows:
 - (a) £23 for betting positions which are open for one Bid Day only;
 - (b) £46 for betting positions which are open for two Bid Days only; and

(c) £69 for betting positions which are open for all Bid Days.

2.3 If you are awarded a betting position by the Racecourse, the Betting Administration Fee is payable by you in advance. However, if you do not attend the betting position on the relevant Bid Day(s) AGT shall refund the Betting Administration Fee for that betting position on the relevant Bid Day(s).

2.4 Each bookmaker shall be responsible for safely securing betting joints at the allocated betting position by way of a spike, 'corkscrew' or similar.

3 Award of betting positions

3.1 After the closing date the Racecourse and AGT will review all valid bids received by AGT, following which the Racecourse shall award positions on a list created by AGT for each betting area (the "**List of Bookmakers**") according to the amount bid. The number of positions on the List of Bookmakers shall not exceed the maximum bookmaker number for each betting area as stated in the table in paragraph 1. The highest bid for a betting area shall be allocated the first position on the List of Bookmakers and then positions on the List of Bookmakers shall be allocated in numerical order according to the successive next highest bid until either the List of Bookmakers is complete or all bids have been allocated (whichever is the earlier).

3.2 Where there are bids of the same amount for a betting position, the first bid received by AGT will take precedence and then the second bid received and so on (as the case may be). Valid bids of the same amount for a betting position received on the same day will be selected at random.

3.3 The Racecourse reserves the right at its absolute discretion to refuse to accept or review a bid.

3.4 The Racecourse reserves the right at its absolute discretion to refuse to accept or review a bid in respect of any betting area where the number of bids received is insufficient to provide an acceptable number of betting positions.

3.5 You will be notified in writing on or before **18 April 2019** if you have been awarded a betting position and of your list position on the List of Bookmakers and will be issued with a licence in the same or substantially the same form as the licence published on the website www.agt-ltd.co.uk

3.6 The licence contains the terms and conditions for bookmakers operating at a betting position on the Hill. You will not be permitted to operate at a betting position without signing and returning the licence to AGT.

- 3.7 The signed licence must be received by AGT and the Payment must be cleared into AGT's bank account on or before **26 April 2019**.
- 3.8 The Racecourse reserves the right to offer the betting position to an alternative bidder if the signed licence is not received by AGT or the Payment has not cleared into AGT's bank account by **26 April 2019**. No Payments shall be refunded except the betting administration fee in accordance with paragraph 2.3.
- 3.9 Following receipt of the signed licence and Payment, the Racecourse will sign the licence and return a copy of the completed licence to you and will issue you a betting badge.

4 Allocation of betting positions

- 4.1 Betting positions in the relevant betting areas will be allocated in accordance with the position allocation policy set out in the licence as may be amended from time to time. The position allocation policy has also been described below for ease of reference:
- (a) a bookmaker shall not be allocated a betting position in a betting area on the Hill unless the bookmaker holds a list position on the relevant List of Bookmakers;
 - (b) positions in betting areas on the Hill will be allocated to bookmakers in numerical order as they appear on the relevant List of Bookmakers at such time as the Racecourse deems appropriate;
 - (c) a bookmaker may not receive or take bets anywhere on the Epsom Downs Racecourse other than from the allocated betting position without the prior written consent of the Racecourse and breach of this obligation shall result in a bookmaker being removed from Epsom Downs Racecourse;
 - (d) on Derby Day, bookmakers' pitching-up time will be up to five (5) hours prior to the start time of the first scheduled race and the bookmakers shall be notified by AGT prior to Derby Day of the time a betting ring manager will be available in each betting area;
 - (e) on Ladies Day and the Bank Holiday, bookmakers' pitching-up time will be up to three (3) hours prior to the start time of the first scheduled race;
 - (f) bookmakers who arrive after position allocation has commenced will be allocated a betting position as soon as reasonably practicable;
 - (g) the number of betting positions allocated shall not exceed the list position number for each betting area, which is determined by the Racecourse from

time to time; or the actual number of positions on the List of Bookmakers awarded by the Racecourse and

- (h) the layout of the betting area shall be determined by the Racecourse from time to time.

4.2 When operating from a betting position on the Hill you shall issue printed itemised tickets to all customers who place bets with you.

If you have any questions regarding this bidding process, please contact Steve Clare by telephone on 07836 515624 or by email at steve.clare@redgateconsulting.co.uk.

The Racecourse will carry out a review of the procedure for allocating betting positions on the Hill after the 2019 season.

Yours sincerely

Simon Durrant

on behalf of the **Epsom Downs Racecourse Limited**