

**BEFORE THE LICENCING COMMITTEE
OF THE BRITISH HORSERACING AUTHORITY**

Mr J and Mrs S Best

1. This matter, concerning the conditions that might be necessary, was referred to the Licensing Committee for determination under Rule (B)13.3 of the Rules of Racing by consent between the parties on 21 September 2022.
2. On 11 July 2021 Mr Jim Best applied for a Combined Training Partnership Licence with his wife, the existing licence holder, Mrs Suzannah Best. After due consideration and interviews the BHA was prepared to issue the Applicants with a Combined Training Partnership Licence for 12 months in accordance with Rule (B)13.2, subject to the following conditions,
 - (i) Mr and Mrs Best shall not apply for any individuals to be Licensed with them as an Apprentice and/or Conditional Jockey;
 - (ii) Mr and Mrs Best shall implement an internal Owners policy, setting out the factors they will take into consideration when deciding on new Owners, and share this with the BHA within 4 weeks of their Licence being granted;
 - (iii) Mr and Mrs Best shall attend quarterly review meetings with the BHA to discuss issues including, but not limited to new Owners, Jockey selection and placement of horses in races;
 - (iv) The BHA reserves the right to apply to amend these conditions before the Licensing Committee as it sees fit during the duration of the Licence period;
 - (v) If any of the conditions are not met, the BHA reserves the right seek suspension or withdrawal of their Licence, as applicable.
3. By way of background Mr Jim Best was granted a licence in 2004 to train from a yard at Old Lewes Racecourse, which was also the family home. On 20 December 2016, following a rehearing before the Disciplinary Panel, he was found guilty of not giving proper instructions to a jockey and of conduct prejudicial to horseracing in relation to two occasions, and as a result was suspended for six months. Mrs Suzi Best then applied for a licence at the premises.
4. The Committee sat on 19 June 2017 and the matter was adjourned for the provision of further information with the hearing resumed 12 September 2017. After due consideration, the Committee granted a licence to Mrs Best but with ten conditions attached. In particular, that that Mr Jim Best should have no official or regulated function in relation to the training operation except on riding work on an ad hoc basis.
5. In December 2018 her licence was renewed with one of the conditions slightly revised. Minor revisions were also made in October 2019 and October 2020. An application to remove the conditions entirely was made in February 2021 with the result that six were

removed but four – still specifying some restrictions on Mr Best’s involvement – were retained.

6. It is the conditions that BHA wished to add to the granting of a combined training partnership licence that are the subject of the disagreement before this Committee. Conditions (i) and (ii) above have been agreed by the parties. The Committee was invited to adjudicate in relation to (iii), (iv) and (v) which were not agreed.
7. Because of the background, the BHA wished to ensure, as the applicants go forward as a family business, that integrity issues continued to be addressed through the conditions giving the applicants benefit as well as protection from possible negative public reaction. The applicants, however, while wishing to have a constructive working relationship with the BHA, considered that additional conditions (apart from (i) and (ii)) were unnecessary and disproportionate, and that imposing conditions would adversely affect the reputation of the business and create a perception that there was undue regulatory interference.
8. The Committee had been provided with written submissions from both sides and heard additional oral submissions on 21 September by way of a video link from Ms Rebecca Upton on behalf of the BHA and Mr Matthew Rowley for Mr and Mrs Best.
9. After due deliberation, it was the view of the Committee that conditions (iii) – regular meetings - should be retained. There had already been constructive dialogue and some amendment. The proposal was a sensible one and provides reassurance to all sides that the operation was progressing as it should.
10. With regard to condition (iv) - the BHA’s right to seek to amend – is a condition that is not unusual and in this case it makes it clear to all the consequences of transgression; and should be retained.
11. Condition (v), however, seems to the Committee to add little or nothing to the wide powers that already exist and the BHA have sufficient recourse to act in the best interests of the sport and the public. For these reasons the Committee agree that it is not necessary to include it, although are satisfied that conditions (i) to (iv) are necessary and proportionate.
12. The Committee note the oral enthusiasm of Mr Best to return to training and to be aware of his responsibilities and expect the co-operation that has already been demonstrated to continue in the new joint venture.

His Hon Brian Barker CBE, KC
Alison Royston
Steve Winfield

28 September 2022