

JOCKEY CLUB PROPOSAL FOR HACK SAND REPLACEMENT

Head of Service:	Jackie King, Director of Corporate Services
Wards affected:	College Ward; Town Ward; Woodcote Ward;
Appendices (attached):	Appendix 1: Proposal for Replacing the Hack Sand Ride – Report of the Jockey Club Appendix 2: Map - proposed location of the Hack Canter area

Summary

This report accompanies a proposal by the Jockey Club to replace the Hack Sand Ride on Six Mile Hill with a sixteen-metre-wide strip at the bottom of the hill with a Hack Canter area. The Jockey Club have concluded that replacement of the existing Hack Sand Ride would be uneconomical and that they would continue their responsibility for maintaining the proposed Hack Canter area, going forward.

Recommendation (s)

The Conservators are asked to:

- (1) Approve in principle, the Jockey Clubs proposal to replace the existing Hack Sand Ride on Six Mile Hill with a Hack Canter area as indicated on the map at Appendix 2, subject to the following:**
 - a) That any (and all) relevant permissions are obtained prior to the commencement of any works to replace the existing Hack Sand area, for example, approval of the Department of Culture, Media and Sport (DCMS)**
 - b) That no future maintenance costs of the proposed Hack Canter area fall to the Conservators**
 - c) That the Health & Safety implications of installing the new Hack Sand Canter area are considered fully by the Jockey Club prior to implementation**

1 Reason for Recommendation

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- 1.1 The Conservators have regularly discussed and reviewed the concerns of hack riders about the state of the Hack Sand Ride at the bottom of Six Mile Hill. The Jockey Club's proposal attached at Appendix 1, proposes a solution to a long-standing issue.

2 Background

- 2.1 The condition of the Hack Sand Ride on Six Mile Hill has been a cause for concern spanning several years and one which the Conservators have considered on a number of occasions
- 2.2 The Hack Sand Ride has fallen into disrepair and has been assessed by the Jockey Club as uneconomical to repair.
- 2.3 Following discussions with The British Horse Society, the Epsom Riders Protection Society and the TGMB a potential compromise and solution to this long-standing issue has been reached and is set out in further detail by the Jockey Club in Appendix 1.
- 2.4 The proposal is to replace the existing Hack Sand Ride with a sixteen-metre-wide strip at the bottom of Six Mile Hill, to be referred to as the Hack Canter. Appendix 2 indicates the location of the proposed replacement hack sand area.
- 2.5 It is proposed that the new Hack Canter area would be made available to hack riders each day, after the Training Hours and would be managed and maintained by the Gallops Team.
- 2.6 The Jockey Club have, separately, confirmed that they would be responsible for the cost and work involved in maintaining the Hack Sand area and that no future maintenance costs or responsibilities would fall to the Conservators as a consequence of this proposal.
- 2.7 The existing Hack Sand Ride would be permanently closed and allowed to return to its natural state.
- 2.8 The proposal will require the approval of the Department of Culture Media and Sport as the Act allows under Section 15 (3) for the Conservators to allow *temporary* closure of rides provided a replacement is provided. The proposed arrangement would constitute a permanent change.
- 2.9 The Conservators are asked to approve the proposal, in principle, subject to the Jockey Club obtaining the relevant permissions sought, both of the Department of Culture, Media and Sport and other permissions required, such as planning permission (if applicable).

3 Risk Assessment

Legal or other duties

- 3.1 Impact Assessment

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3.1.1 None arising as a result of this report.

3.2 Crime & Disorder

3.2.1 None arising as a result of this report.

3.3 Safeguarding

3.3.1 None arising as a result of this report.

3.4 Dependencies

3.4.1 The recommendations suggest that 'in principle' agreement should be provided by the Conservators subject to the relevant permissions being obtained, that no future maintenance costs fall to the Conservators and that the Health & Safety implications of the proposal are considered and managed by the Jockey Club.

3.5 Other

3.5.1 None as a result of this report.

4 Financial Implications

4.1 None, provided that no future maintenance costs related to the Hack Sand area fall to the Conservators.

4.2 **Section 151 Officer's comments:** None arising from the contents of this report.

5 Legal Implications

5.1 The Jockey Club are obtaining legal advice on the proposed change to the Hack Sand ride and will be responsible for securing any permissions required, including permission from the Department of Culture, Media and Sport to make a permanent change to the Hack Sand as The Epsom & Walton Downs Regulation Act 1984 ('The Act') only allows for a temporary change.

5.1 **Legal Officer's comments:** As this is an "in principle" decision, the legal implications arising from this report are minimal. Members have been advised that temporary closure is embedded in Section 15 (3)(a) of the Act. It states that "If in the opinion of the Conservators it is necessary to do so –

(i) as respects any rides or areas shown on the signed map to prevent undue deterioration of the surface or to secure it's natural or other restoration;

(ii) as respects any other ride or area of the Downs to prevent their injury or disfigurement or to protect their use for open-air recreation;

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they may from time to time by notices posted as such places as they think fit temporarily restrict or prohibit the riding or exercising of horses on any such ride or area restricted by such notices”

- 5.2 If Members are mindful to agree and proceed with the recommendation, Officers, however will need to ensure that the Jockey Club have secured and checked that all necessary statutory or regulatory consents are in place before any changes are made to the Hack Sand ride. The Jockey Club will be responsible for costs of obtaining the consents and to comply with all applicable legislation.

6 Policies, Plans & Partnerships

- 6.1 **Council’s Key Priorities:** The following Key Priorities are engaged: not applicable.
- 6.2 **Service Plans:** The matter is not included within the current Service Delivery Plan.
- 6.3 **Climate & Environmental Impact of recommendations:** None arising directly as a result of this report, although the proposal to allow the existing Hack Sand area to return to its natural state may have some future advantages in terms of biodiversity and habitat creation.
- 6.4 **Sustainability Policy & Community Safety Implications:** None arising from the contents of this report.
- 6.5 **Partnerships:** Not applicable.

7 Background papers

- 7.1 The documents referred to in compiling this report are as follows:

Previous reports:

- [Conservators, 28 October 2019, Progress Report](#)

(See reference to Hack Sand)

Other papers:

- None