

ARNCOTT MOTOCROSS TRACK
PUBLIC INQUIRY held 25th JULY 2012
APPEAL DECISIONS

This Public Inquiry was held to consider the appeal by Schyde Investments Ltd (the owners of the track) against the Enforcement Notice issued by Cherwell District Council regarding the breach of Planning Control caused by the intensification of use of the track at Murcott Road, Upper Arncott.

An agreement was reached between CDC and the appellant on 25th July, at the Inquiry. This agreement is to ensure, insofar as motocross racing and practicing takes place on the land, that it only takes place as follows:

- (a) During the remainder of 2012 (August – December), only on the dates identified in the 2012 diary.
- (b) From 1st January 2013, on only:-
 - (1) 30 Wednesdays at most in any calendar year, such Wednesday use limited to 10.30-15.30 and a maximum of 15 motorcycles or quad bikes on the track at any one time.
 - (2) 20 weekend days at most for practising in any calendar year, with any such weekend practising use limited to one day over any given weekend, between 10.30-15.30 and a maximum of 35 motorcycles or quad bikes on the track at any one time. No practising on consecutive weekends
 - (3) 6 weekend days at most for competitive racing in any calendar year, with any such weekend racing use limited to 09.00-17.30 and a maximum of 40 motorcycles or quad bikes on the track at any one time. No racing on consecutive weekends.

The appellant also undertook to provide a management plan to CDC every year for approval governing any motocross use of the land in the year next following which would include an undertaking that no motocross use would be carried out other than in accordance with the approved management plan

The Inspector was invited to endorse the above corrections to the Enforcement Notice, and the Inquiry was therefore closed. The Summary of Decision is that the appeal is dismissed and the Enforcement Notice is upheld with these corrections. The Inspector also states that she is satisfied that the corrections do not result in any injustice to the appellant and/or CDC.

The reaching of this agreement at the start of the Inquiry meant no evidence was heard or witnesses called, preventing the Parish Council's case from being heard. We were not party to the negotiations, only being told what had been agreed after the agreement had been reached.

We are not aware of any plan to effectively monitor the actual usage of the track, or noise levels. When these points were made to CDC's officers it was suggested that it would be obvious if more than the agreed number of motorcycles/quad bikes were on the track, and that excessive noise should be reported to CDC Environmental Health. This puts the onus of monitoring squarely on Arncott residents and ignores the actual siting of the track, with no direct views from outside the perimeter of the land, and the difficulties of contacting/getting out EH officers.

If you are unhappy with this outcome, or feel that CDC should have done more, or made a better effort on our behalf, or that the lack of official monitoring of usage and noise is not acceptable, or that the agreement has resulted in injustice to the village and residents of Arncott, you may contact the Local Government Ombudsman as follows:-

The Local Government Ombudsman or Telephone 0300 061 0614 or www.lgo.org.uk
PO Box 4771 (National geographic rate)
Coventry CV4 0EH

Arncott Parish Council
10th August 2012