

**Wroxton Motocross Track (Banbury MX Club)
application to Cherwell District Council for a
Lawful Development Certificate**

***"Unauthorised change of use of land from agricultural to motorsport
with significant intensification over recent years and erection of timber fence"***

Re: 19/00316/ENFC - Wroxton Motorcross Track, Stratford Road (A422), Wroxton

**COMMENTS & CONCERNS FROM HORNTON
PARISH COUNCIL ON BEHALF OF PARISHIONERS**

COMPILED MAY - SEPTEMBER 2020



A recent Ordnance Survey aerial image of the track in weekend use, with camping/vans packed in against both extended boundaries . More track work has occurred since this shot was taken.

**Compiled and produced, with parishioners,
by Hornton Parish Council
and approved by chair John Offord:**

*"The thoroughness of this document
is a measure of our concern about this issue"*

**To be read in conjunction with other submissions to
Cherwell District Council from
Hornton Parish Council in September 2020**



New earthworks reaching completion – diggers still present. Image taken 28 May 2020.

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*"This summer, when a lovely weekend has been forecast, I've often thought:
'I know, we'll invite the family over for a barbecue'.
Then I check: and, if it's a motocross weekend, I realise we can't do anything
in the garden. The family visit is off. This just can't be right or fair."*

Mr 'A', long-term Hornton resident, 2019



One race finishes and another immediately starts – up to 40 bikes per race. Hired out to Severn Valley Club, 5 July 2020 (during the pandemic period).



Left: Marshall's boxes on the newly-enlarged and improved track, May 2020

Around this time, the track manager, Brian Pounder, told track neighbours that the track had been 'running too fast' so they had introduced more features to 'slow it down' – we assume that's why there is now a 'triple jump' and wider track width. Regular Wroxton riders, posting on Facebook, rate it as a fabulous course and many say it is the best they know.



Left: part of the expanded camping area, looking towards the dirt entrance roadway and what appears to be a rubbish skip for campers. Other skips are set into the ground for rubbish burning after each meet.

May 2020

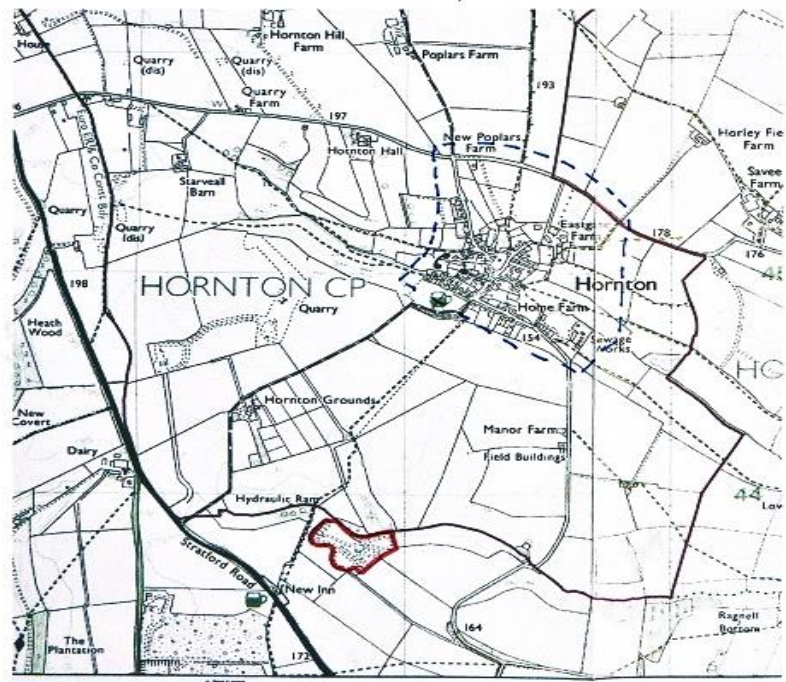


Above: After further earthworks during Covid lockdown, May 2020 (Photos this page: Hornton villager)

1. Why Hornton Parish Council is strongly opposing the LDC application

CDC = Cherwell District Council
HPC = Hornton Parish Council

The village of Hornton is the closest settlement to 'Wroxton Motocross Park' and considerably affected by its growing commercial operation. Hornton Parish Council (HPC) has compiled this document to respond to Cherwell District Council's (CDC) requirement that the track apply for a Lawful Development Certificate. We are extremely concerned about the current and future impact of a site that has **significantly intensified** in all respects in recent years, now operating as a lucrative commercial operation, causing widespread disturbance, complaint and anxiety among residents and posing a major threat to our village way of life.



— MOTOCROSS TRACK
--- HORNTON HOMES AFFECTED

This is the most serious issue to affect Hornton this century. It also affects neighbouring rural villages, businesses and homes, including those in Horley, Shenington, Alkerton and Wroxton.

In short, we believe that the track land does NOT – and cannot - truly revert to being agricultural outside of race days. Without any authorisation, it has been continually developed and enlarged.

Nor, by a wide margin, does it abide by the 14-day 'permitted development' rule. It has intensified massively over the last decade - and particularly in the last three-four years – producing more noise for longer. We contend that this document and our other submissions prove these points.

Many Hornton residents have raised the alarm via verbal and written complaints, formally and informally, particularly in the last two years. Even local motorsport fans feel the track should abide with reasonable restrictions, as the rest of us have to do. This upsurge in anxiety is no coincidence: it coincides with the marked upgrading and enlargement of the commercial remit and facilities at the track, without consultation or transparency with the Hornton neighbourhood.

As we write this, we are very concerned about the time, when Covid-19 restrictions allow, that the track will reopen in full. Since 5 July 2020, when hire-out race meetings have been held there, we have had another taste of its 'improved' and upgraded track features, its bigger, louder four-stroke bikes for (inter)national-level competition and its large-scale events and incoming riders and campers, many of whom stay on-site for entire weekends. Our fear, borne out by recent experience, is that if the LDC is approved we are only just beginning to know the impact of a site and a business that is sure to grow even further, confident of being unchallenged.

For absolute clarity, to date, HPC is NOT campaigning for track closure. We simply want the operation to return to running in a tolerable and reasonable fashion on the '14 day permitted use' rule as a local facility. We have made this direct appeal to them, several times.



Left: the resulting track after major circuit works in May 2020



Above: seen through the trees – a digger in action at the Wroxton track, 3 April 2020 (Photo: Hornton villager)

A neat way to summarise our concerns is to quote extracts from the 2019 email of two long-term residents sent to CDC Planning Enforcement. Their full email is in Appendix 3.2.7:

We have lived in Hornton for almost 30 years and we'd like to say, at the outset, that we have never been against the track operating - as it has done for almost all of that time. Until recently ... The disruption was minimal and, although we could hear some noise, it was tolerable for the limited number of days it operated each year.

Recently, however, a small local facility has turned into a national sporting facility - a facility that the organisers are proud to boast is one of the top three moto cross tracks in the country. The number of meetings has increased,

the number of spectators and their vehicles has exploded in size and the noise from the track is now quite extraordinary. Not surprisingly, one of the top three tracks in the country attracts bigger bikes, with bigger engines and more bikes racing at any one time. It is no longer a small track run by enthusiastic amateurs but a significant commercial enterprise, attracting hundreds of people from all over the UK.

... Now the noise is akin to what you'd hear at Brands Hatch. On one Sunday in August, the noise was so loud that, when we had friends round, we couldn't sit outside in the garden. And around half the weekends in late July/August were ruined because of the noise - sometimes on both days. So, at the very time of year when the weather was good enough for us to sit out in our gardens after a week's work, the noise from the track over the hill stopped us from being able to do so. ...

The operators of the track know all this, so we find it difficult to understand how they can claim to you that the noise, disruption and traffic - which they must know has grown exponentially recently - is no more intrusive now than it was a few years ago. If they were running the track back then - and we understand that they were - they must know that is untrue.

They must also know that, if they are attracting crowds of up to 1000 people, they need a licence, yet they have not applied for one. ...these rules and regulations ... are designed to ensure that everyone can co-exist peacefully together, without one group's hobby being stopped or another group's peace and quiet being disrupted unfairly. We are not NIMBYs in Hornton. We are happy for the track to continue but only if it operates under strict rules, regulations and guidelines - all of which now need to be rigorously enforced by you, given the thoughtless and selfish way the operators have been flouting them recently.

2. Executive Summary: key concerns & evidence

2.1 Overview

Extensive evidence to support the points below appears in the following sections and in the Appendix.

2.1.1 Countering the specific claims and proposals in the LDC application

See separate accompanying submissions from Hornton Parish Council.

2.1.2 Agricultural use & restrictive covenant

- **Agricultural use** : The statutory 14-day permitted use allowance requires that the land reverts to agricultural use in between events: however, there is virtually no grass left on the site, apart from the enlarged camping area. If sheep are put there at any stage then we would argue it is merely window dressing as there is nothing for them to graze on. The grass in the extended camping areas inside the new boundary fences is short and squashed down by the camper vans and other vehicles and not of valid grazing quality.
- **Agricultural land**: In our research we have found that Planning Inspectors appear more willing to countenance motor sport uses on previously developed land than on agricultural land which could revert to farming activities. This Wroxton track site was, previously, unsplit agricultural countryside but now is a permanent and literal 'brown field' site.

- **Criteria for development of sports in the countryside:**

Some LPA local plans, elsewhere in the UK, have specific criteria for the development of sport in the countryside – but we are not aware of anything specific on this kind of land use in the current Cherwell Local Plan. This being the case, we venture to suggest, therefore, that the following two examples are very reasonable and clear and might provide a helpful bellwether:

Kennet Local Plan – Policy SR 13 – Sport and Noise : Applications for new outdoor sports and recreation facilities likely to cause disturbance by way of noise and/or nuisance will not be permitted unless they: a) demonstrate the suitability of the chosen site; b) identify the methods for noise mitigation to be employed; c) provide adequate arrangements for the maintenance of the natural environment; d) pay particular attention to the impact of the proposal on the amenity of residents and other users of the countryside; e) demonstrate there will be no impact on the surrounding area through an increase in traffic; f) ensure landscape conservation, ecological and archaeological interests are protected

Warwick District Local Plan – Policy RL12 – Recreation in the Countryside : Use of the countryside for outdoor sport and recreation will be encouraged providing that activities are compatible with and sensitive to the rural environment. Proposals for the development of sports or other leisure activities likely to generate noise or disturbance will be assessed in terms of their impact on the rural landscape, compatibility with neighbouring and adjacent land uses, and proximity to other noise generating uses in particular, and compatibility with other policies within this Local Plan.

2.1.3 Significant intensification and boundary changes

- **One chance to act:** we believe that a profitable commercial track for national and international events – some aiming to attract as many as 280 adult riders from all over Europe – now exists on our doorstep and has grown to this scale without appropriate LPA intervention. If granted by CDC, the certificate means that enforcement action cannot be carried out to the development referred to in the certificate. CDC need to intervene now to draw a line before further development takes place.
- **Commercial operation:** We have been told, anecdotally, that the track was originally set up on a much smaller scale, philanthropically, by the current landowner's father as a local facility where all profits were given to charity. Current residents recall that the parish council in Hornton were aware of it at that time and had no worries, then, about it existing on this basis. Today, the situation is entirely different: Banbury MX Club charge for their own membership and for use of Wroxton track. Our research indicates that there are annual membership fees, race fees per participant (typically, a dozen races per day), track hire-out charges to third parties, weekend camping charges and, sometimes, for the bigger meets, spectator entry charges. We have not been able to locate company accounts for the track, but we have included some examples of charges in the Appendix. We have are not sure how the income is allocated.
- **Scaling up:** The track claims, in its LDC application, that it has been there for years and that it has not changed, except for 'small changes', in this time. **At the same time, the track team boasts, on social media, about the massive changes and upgrades it has made to the track, especially in the last three-four years.** Yes, there has been a scramble track on that site for years; but what started out as a relatively modest track for local Banbury MX users has now become one of the most prestigious and

sought-after tracks for national motocross riders, amateur and professional. There is lots of evidence to this effect on social media and in motocross media coverage (TMX, DirtHub etc) of events at the track. We have been told it has nearly reached the status to be classed as an international 'Grand Prix' circuit, based on the extended lap duration time.

Its purpose and usage have undergone deliberative material changes. The circuit has been developed and changed, several times over, the topography has transformed and boundaries of the site have expanded.

Contests of the the last few years at Wroxton include the the Bridgestone British Motocross Masters 1. Only since 201 has the track been of a scale and sophistication to host such events. (Video footage available.) It is a major commercial operation and, especially in the last four years – and most noticeably in 2018 and 2019 – it has changed beyond all recognition. Hornton Parish Council has not been informed of, or consulted on, any of these developments.

- **Mission creep:** This was a small local scrambling track 10 years ago – operating to the 14 days a year rule for agricultural land. But the existence of that small local track is not a precedent for a much bigger track to be developed, on a scale that now attracts many hundreds of people to major race meetings on the Motocross calendar to watch leading national and international riders racing louder and more powerful four-stroke machines round a quiet part of the Oxfordshire countryside.

May 2020 – tracks widened and more features added:



- **Traffic:** A narrow winding lane leads to the track site, the surface of the road is pitted and full of pot holes, many large vehicles traverse it, especially, when the track is hired out to big national events, the road is often blocked to local traffic, there is a dangerous turning off and onto the Stratford Road... More reasons why this is not the right location for this outdoor recreation hub.
- **Wroxton becoming the regional motocross hub:** Arlescote PC chair confirmed to us (July 2020) that the former Arlescote track, where Banbury MX used to meet, hosted its last season

¹ 'The Bridgestone British Masters is one of the UK's largest motocross championships consisting of youth, amateur and professional riders. The series takes place over six rounds at six different venues over six different weekends. The venues consist of a collection of some of the best motocross tracks around the country.' Source: www.offroadmotorsportuk.com

in 2015 as the site closed when Arlescote's Primrose Hill Farm was sold in 2016. Other area tracks have also closed in the last decade. This would fit in with the Wroxton track becoming the prime venue in this region: we believe its intensification, under current ownership, has been deliberate in order that it can become not only a centre for Banbury MX activity from 2017 but also the much-venerated, go-to venue for international riders and sophisticated and desirable enough to be hired out, commercially, for visiting clubs and major championships.

2.1.4 Noise

- Noise impact:** This has escalated in the last two-three years and was especially bad in the 2019 season.
At that time, Mr Brian Pounder, the track manager, brushed aside reports and the concerns of Hornton residents claiming 'the blackbirds are louder', a remark which caused considerable dismay and anger from residents. (See local press coverage in Appendix 3.3) Those affected by intolerable noise in their gardens and around the village have an entirely contrary view and experience. (See Appendices.)
- Offer from the landowner:** Repeatedly, Mr Pounder and the owner of the track, Mrs Sandra Kerwood, of Balscote, have assured the district council, the local media and the parish council that the noise they create does *not* cause a nuisance in Hornton.
Undermining their claim, however, in 2019 and again in 2020, Mrs Kerwood has clearly acknowledged that the track *does* have a noise impact in the village. She attended a HPC meeting on 9 September 2019 and said that she would try, where their forward scheduling allowed, to avoid running events on occasional days when Hornton holds key village events. HPC and many villagers feel this assurance misses the point: the noise is often intolerable on *any* day of the year, not just when village festivals are running or when our own traditional festivities might drown out the roar from MX engines.
Mrs Kerwood has repeated this offer in an email of 2020 – and we have again pointed out how it undermines her claim that there is no serious noise in Hornton and why we find the offer unacceptable. (See correspondence in section 2.3.)
- Noise abatement measures:** We are not aware of any measures or track constructions put in place to manage the noise impact, nor any signs of work underway to add such measures in future. As far as we know, there are no 'noise attenuation bunds' on the site and the prevailing wind carries noise right across the neighbouring valley and into and reverberating around the village of Hornton, amplified by the bowl of the village. It is also carried to other nearby villages, depending on wind direction.
- Required on-day vehicle noise inspections:** Sport England have clear stipulations on this point (1999) – quoted here. We wonder what checks are being done at Wroxton Track on race or practice days.
The sports' governing bodies stipulate stringent requirements for all vehicles taking part in competitions or practice days before events. All vehicles taking part in events or practice for events are subject to inspection by 'sound inspectors' licensed by the appropriate governing body. Vehicles that fail inspection are excluded from competition or practice until they can satisfy the relevant requirements.
Details of the various noise requirements can be found in governing body handbooks or standing regulations and are summarised in the Motoring Organisations' Land Access and Recreation Association (LARA) document Motorsport and the Planning Process (see Further Reading section). Information can also be found in the publication Guidance Notes on Noise

Control at Motor Sports Circuits produced by the Association of Motor Racing Circuit Owners (AMRCO) and the MSA.

- The landowner lives in a nearby village unaffected by the noise:** Mrs Sandra Kerwood lives in Balscote, on the other side of the Stratford Road from the track. She owns, and is a tenant on, other land in the adjacent track area.

We believe, from local accounts, that she has been based in Balscote, where she runs a livery business, since around 2017-18. This date coincides with when we believe the track's greater intensification of use occurred and its impact got much worse.

Although very close to Hornton parish, the track is in the parish of Wroxton & Balscote. Via a resident, earlier this summer Hornton PC checked with the chair of Wroxton & Balscote PC who advised that their village is unaffected by noise from the track. Hence, Mrs Kerwood cannot hear the noise from her own track when she is at home.



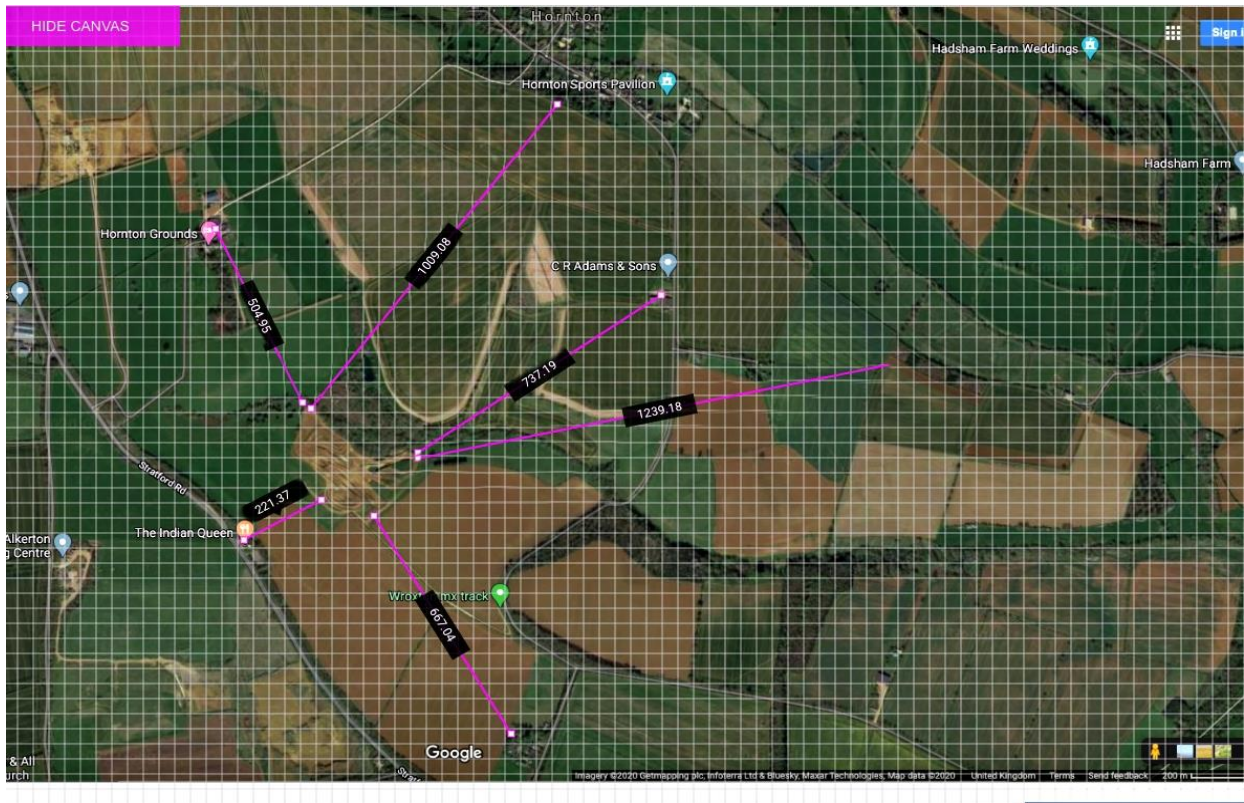
Racing on 5 July 2020 – the first hire-out event after lockdown.

2.1.5 Location

Close neighbours: Wroxton MX track is three fields away from the Conservation Area valley village of Hornton – this is 1009 metres in distance, as the crow flies. (See aerial shot below).

The closest homes, at the edge of the same field, are just 667 metres away. The nearest homes on the other side are at Hornton Grounds – 504 metres away – and Manor Farm bungalow (marked as CR Adams & Sons), 737 metres away.

The prevailing wind is south-westerly – from the track directly to the village of Hornton. Sound carries and reverberates around the village valley bowl, bouncing off the North bank into gardens and homes.



The worst-affected homes: Despite the chair of Wroxton & Balscote Parish Council believing his parishioners are not affected – or at least that they had not contacted him at that time – there *are* some residents of that parish who feel quite the opposite: they are the homeowners of Wroxton Heath whose back gardens face towards the track field. In September 2020, these villagers have written to Wroxton & Balscote Parish Council and to CDC... **See submissions on the CDC portal.**

Relocating the track: Mrs Kerwood told Hornton PC meeting in 2019 that 'these tracks have to go somewhere'. As she owns and rents other land in this area, perhaps she would like to move the track to one of her other portions of land? She might wish to relocate it to the other side of the Stratford Road, for instance. (We would advise her to propose a location that does not cause damage to the quality of life of any nearby rural householders.)

2.1.6 Conduct & Planning considerations

- **Planning objections:** From a Planning point of view, one might cite similar reasons for refusing this motocross development as for another local industrialisation/ commercial development of agricultural land in 2019, ie:

1. The existing development represents an unjustified and unsustainable form of development in a rural location, with lack of provision for sustainable and safe travel to and from the site and adverse impacts on the character of the surrounding environment, for which it has not been demonstrated that exceptional circumstances exist for such development in this unsustainable location. The proposals are therefore contrary to the provisions and aims of Policies SLE1, SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

2. By virtue of its siting, scale and form, on a prominent hillside location, a greenfield site and on an area of Grade 2 (very good) agricultural land, the existing development appears as an alien feature within the rural landscape, unacceptably extending the built form beyond the existing built limits of this area of open countryside. The development has a detrimental visual impact on the rural character and appearance of the locality, causing significant and demonstrable harm to the character and appearance of the area and valued open rural landscape. The proposals are therefore contrary to Policies ESD13 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

- **Lack of consultation and transparency and a missed deadline:**

Over the years, as far as we are aware, there has been no planning permission sought and lack of constructive/proactive consultation or dialogue with CDC or HPC at key stages of development and use of this track. The disregard for its growing impact is reflected in the fact that the track team even failed to observe the original mid-July submission deadline, set by CDC, for their LDC application. HPC inquired of the officer concerned, Nick Addis, on 20 July if anything had been received. It was at this point that Mr Addis (on 21 July) then contacted the track team to find out why not. They were then granted an extension.

- **Local Plan 2040:** In July CDC produced its review of the Local Plan to 2040. It stressed the importance of protecting 'valued landscapes' and 'areas of tranquillity'. Hornton Parish Council has proactively consulted on the early stages of the new Local Plan and welcomes this approach, together with the suggestion that the CDC would 'protect those areas which are relatively undisturbed by noise'. The two areas CDC suggest for protection are Otmoor and the Ironstone Downs, the latter being the area in which Hornton and Wroxton MX track are situated. Having stated such clear aspirations, it would surely be impossible for CDC to approve the track's LDC application.

- **Failure to comply with Sport England's Policy on 'Noise-Generating Sports':** Sport England's Land Use Planning Policy Statement contains advice on 'noise-generating sports' and a policy that will 'seek to ensure that proper consideration is given to the needs of noise-generating sports in land use development plans.'

Within development plans, it seeks policies that:

- *are based on a sound assessment of the adequacy of existing sites and the demand for new and extended ones*
- *allocate sites for noise-generating sports where their environmental impact can be minimised*
- *include positively worded criteria for site selection rather than operate a general presumption against development*
- *seek to ensure that proposals will minimise conflicts with other users and interests*
- *seek to ensure that, whenever possible, existing degraded or brownfield sites are used that will minimise environmental impact.*

- **What Sport England say about the Town & Country Planning Order 14-day rule:** *Most motor sports activities operate within the scope of the general permission granted by the Town and Country Planning (General Permitted Development) Order 1995 (GPDO). This permits use of any land, subject to a number of specified exclusions, for any purpose for not more than 28*

days each calendar year, of which not more than 14 may be for 'motor car and motorcycle racing, including trials of speed, and practising for these activities'. This allows the temporary use of open land for 14 days for motor sports racing or practice and 14 days for other motor sports activities such as training or other noncompetitive events. In fact most clubs appreciate that some sites cannot support 14–28 days of motor sport use a year and work to self-imposed limits much lower than would legally be allowed.

- **Duration:** Live motor racing fixtures last all day, over one or two consecutive days. Typical start time is 9am, though we are told that official start time should be 9.30 or 10am. On one occasion, 22 September 2019, a Hornton resident reported by email to CDC Environmental Health (officer Jim Guest) that a Sunday's racing on that date started at 9am and finished at almost 17.41pm. The sound was audible all over the village, worse in some locations, as well as behind closed doors. (See Appendix 3.2.)
- **Traffic and road safety:** on busy race days there are estimated to be well over 1000 spectators at the site, including a vast weekend camping and camper van field, all accessing it via a narrow, winding country lane that is one of two routes into Hornton village and off a dangerous crossroads junction on a fast section of the Stratford Road. In spring 2020 the road surface of that lane was patched due to massive wear and tear causing pot holes along its length. Sport England advise: "*Although major motor sports events can attract large numbers of spectators, a typical club event will normally attract only a small number of competitors and spectators, often less than 100 people. However, the rural location of many motor sports venues can result in the increased use of narrow country lanes. Governing bodies, therefore, recommend close cooperation with the police to select suitable routes to and from venues.*"
- **Code of conduct:** A code of conduct does exist for motorsport providers and participants. Does Wroxton track know and observe it? Sport England: "*Despite the best endeavours of the governing bodies, clubs and individuals motor sports activities are still perceived by some as unacceptable land use in virtually all areas. This is partly due to the unauthorised activities of some riders and drivers who use rough land without permission, often disturbing local residents. It is also due to lingering misconceptions concerning the nature of motor sports and those who participate in the various disciplines. Much good work has been carried out in recent years by **LARA*** and the governing bodies to produce information for the planning profession and codes of conduct and codes of practice for the motor sports themselves ...*"

* **LARA = The Motoring Organisations' Land Access & Recreation Association – see https://laragb.org/pdf/LARA_20191101_MotorSportEventsInCountryside.pdf**

2.2 Concerns of Hornton Parish Council

Our research through parish records did not find mention of Wroxton MX track at a HPC meeting until September 2017 when questions of the planning permissions at the site were raised due to complaints of noise disturbance in the village. (See Appendix 3.1.) This timing reflects the fact that the track was tolerable in terms of impact up until that time. We could hear it, distinctly, but we were prepared to live with it. However, since September 2017, issues connected with the Wroxton track discussed at HPC have become more frequent and more serious. **See Appendix 3.1 for extracts and examples.**

HPC chair, John Offord, explains: *"This was a track that we were prepared to live with. Its noise was audible in the village but not that often and not too badly. This situation has now transformed. The topography of the land and the prevailing wind towards Hornton – coupled with the scaling up of frequency, duration and commercialisation of the track and its events – have greatly increased noise levels here since 2017-2018.*

"Many parishioners' homes are now blighted by the noise; others are seriously affected. The Parish Council has appealed to the landowner but to negligible effect: she has acknowledged the noise impact but told us she intends to continue using the land in this way. We have no choice but to strongly oppose the LDC application and do all in our power to fight track claims that their facility has not intensified in the last 10 years. We also owe this, as a test case, to other rural villages who may face similar threats in future."

This article appeared in the Hornton village newsletter, on behalf of HPC, August 2019:

Motocross Mayhem

Concerns have been expressed in the village about the volume of noise emanating regularly from motocross events at the Wroxton track and the frequency and size of those events.

The Parish Council shares those concerns and has met with the land owner, the operators of the Wroxton motocross track and, in recent weeks, with Cherwell District Council's planning and enforcement departments.

Councillor John Offord, chairman of the Parish Council, said: "The good news is that Cherwell DC has now assigned an enforcement officer to the case and we hope to have a definitive decision from them shortly."

The noise levels generated by the events do not exceed the legal limits but there is little doubt that planning regulations which prohibit more than 14 meetings a year and more than 28 days on the site have been broken.

2.2.1 Email to the entire village from HPC's chair on 4 June 2020:

Banbury Motocross - we need to hear about Hornton residents' concerns

Hornton Parish Council is being consulted by Cherwell District Council (CDC) on the latest move by the owner and organisers of Banbury (Wroxton) Motocross track, just outside our village: retrospectively, they are applying for a Lawful Development Certificate to make sure that their existing use of the track is lawful for planning purposes.

There have been widespread concerns in our village - and nearby - that the track and the scale of its events are now having a detrimental effect. We need to represent these views to CDC.

As part of our Parish Council submission, we are encouraging any resident who has raised any kind of formal, public comment, concern or anxiety about the track at any stage in the last decade or more to let us have a copy of that point or complaint. Not so much what you feel now - but what you have **already** submitted to raise concerns (or approval). You may have addressed it to the Parish Council as a whole, or to a particular councillor, or to the track managers or to CDC. It may have been to do with noise impact, traffic, concern about planning permission or another aspect of the track. Cindy Koberl, our parish clerk, is compiling a record and will need you to let her have a copy of any letter or email. Please can you send these to her at clerk@hornton.org.uk by no later than **Friday 12 June.**

Many thanks for your help. We will keep you posted.
John Offord, **Chair, Hornton Parish Council**

2.2.2 Email from Hornton parish councillor, XXX, to Nick Addis, Planning Enforcement, CDC – 15 June 2020 (copied to HPC):

Wroxton Motocross Track - Mounting concerns as the track prepares to re-open

As you are aware, many of Hornton's residents have been very concerned about the enlarged motocross track at Wroxton, particularly in the last two years when it has been hosting much larger, much noisier and much more intrusive events that are way beyond the statutory 14 days per annum parameter and do not, in any way, allow for the site to revert to agricultural use in between the events. The 2020 planned core schedule has 26 days on it.

At about 2.30pm today (14.6.20), while the track was still closed due to the Covid-19 pandemic, I was surprised to hear from our home in Hornton the intrusive and unmistakable noise of motocross bikes again coming from the direction of the Wroxton track. It sounded like a few engines definitely going full tilt around the circuit. I walked over, on the public footpath across the three intervening fields, to see what was going on...

As I approached, via the footpath, the bikes stopped and then were loaded into vans which were parked near to the loo block in the parking/camping area. There were three vans and several people and at least three bikes. Unfortunately, I was not quick enough to take photographs of the actual riders on the circuit, but did get some of the bikes being loaded back into the vans... see attached. One of my neighbours also rang to say that they had seen bikes on the track, as they were walking on the footpath earlier.

As a Hornton parish councillor, my understanding is that this is agricultural land and the use of motocross bikes is strictly limited to 14 days per year, including for practice or track preparation, which is what I took this to be.

The very fact that I could hear a few bikes so distinctly from the far side of our valley village illustrates how much worse it is on race meeting days when the roar of the engines can be overwhelming due to the prevailing wind carrying the sound in our direction. Today I counted about 35 bike places in the starting gates now set up at the start of the track.

I trust that you will take this into consideration in your imminent work on the track's Lawful Development Certificate application as it appears that the track managers, once again, are operating to their own rules and I would question whether they are adhering to planning limits. I know I am representing the views of many of my neighbours in sharing these concerns with you and sincerely hope that Cherwell District Council can find a solution to this problem.

2.3 Correspondence with track landowner/business owner, Mrs Sandra Kerwood, 2020

Presented in chronological order:

13 July 2020

Dear Mrs Kerwood

Wroxton Motocross Track

Racing resumed again on Sunday (5 July 2020) on the track on your land at Wroxton. This was an event where the track was hired out to a third party club - Severn Valley. Our villagers report that up to 160 riders took part, each race had up to 40 riders and the sound carried across the valley, though buffeted around by the strong winds. The site was in use all weekend.

Given the widespread concern among Hornton parishioners about the noise and other detrimental impacts of the track in recent years - and the number of complaints we have received at Hornton Parish Council - I am compelled to put on the record at this stage our continuing concerns about the lack of reasonable constraints being applied to the number, scale, noise impact and duration of the events at the track and our fears that this will not change in the coming season.

We are also aware that further enhancements to the track have taken place during the lockdown period, adding to other track work done in the last three years or so. From our point of view, this does not bode well.

You will recall that my fellow councillor, Tim Hewlett, and I met with you and track manager Brian Pounder in March 2019 to voice our residents' initial concerns. At the time Mr Pounder made it clear that sticking to the statutory permissible 14 days of events per annum would not be viable from his point of view and that he had no intention of doing so. Since that time, in our view, the impact of the events at the track - which have grown into national and international championships - have illustrated a persistent policy to build the track's profile, increase its participants and spectators and promote it as the major commercial motorsport venue it has now become.

Last autumn, you attended one of our Parish Council meetings and advised us that you felt that these tracks 'have to go somewhere' and that you were willing to help Hornton out by not holding race events on days when we have village festivals or key social gatherings. I'm afraid we feel that offer very much missed the point and also acknowledged that there *is* a detrimental impact on our village life, mainly due to the excessive and intrusive noise that reverberates around the valley homes here.

We would be grateful if you could seriously reconsider your permission to Brian Pounder and Banbury MX Club to use the track and to let it out to third party motocross clubs, at least at the size and scale it has now become. We are appealing to you as a responsible landowner and as a good neighbour whose own village is not affected by the noise of this facility.

Yours sincerely

John Offord

Chair, Hornton Parish Council - On behalf of Hornton Parish Council

Subject: Re: Moto X Activity

Date: 2020-07-20 09:05

From: Sandra Kerwood <sandrakerwood@gmail.com>

To: pc.chair@hornton.org.uk

Dear Mr. Offord,

Thank you for your letter of 13th July, 2020. I note the concerns of the parish council about the resumption of the use of the motor cross track on Sunday 5th July. As with many other recreational sports the motocross riders were keen to get back on the track as soon as the government coronavirus guidance allowed as well as police and council approval that the meeting could go ahead.

You will be aware that the motocross track has been a permanent fixture on this land for nearly 40 years and throughout this time there has been a continuous use of the track. The nature, scale and frequency of these events has, on average, not substantially changed in over a decade. The recent "enhancements" that you refer to are the latest

in an ongoing programme of changes and improvements which Mr. Pounder undertakes frequently to ensure the track is safe and is fit for purpose.

Following correspondence with Cherwell District Council earlier this year, we are in the process of formalising the use of the track through the submission of a certificate of lawfulness application. This application will be lodged with the Council in the coming weeks.

I am still keen to avoid days when Hornton is having village events if dates are given with good notice but continue to support this piece of land for these purposes.

yours sincerely

Sandra Kerwood

31 July 2020 – 11.45am

Dear Mrs. Kerwood

Many thanks for your response of the 20th. I would just like to make the following points:

1. I am pleased that you obtained Police & Council approval to re-commence events.
2. The track has, I understand, not been there 40 years and the size & scale of events has grown exponentially with international riders attending.
3. The recent "enhancements" seem to include additional track, jumps, etc rather than safety measures.
4. It is pleasing that you are applying for a Lawful Development Certificate so the planning issues of the site can be regularised.
5. Re Village events, you are aware we are an active village. During spring & summer months many weekends have regular events but also irregular events such as weddings & parties etc. We are pleased you realise the track causes a disturbance to those in our village. I will liaise with others to supply you with a list for the rest of this year.

Regards
John Offord
Chair Hornton P.C.

25 August 2020

Dear Mrs Kerwood

Noise impact in Hornton from Wroxton MX track: behaving as a good neighbour

In your email, dated 20 July 2020, you said:

"I am still keen to avoid days when Hornton is having village events if dates are given with good notice but continue to support this piece of land for these purposes."

As we said when you first suggested this at our Parish Council meeting last autumn - and we repeated in my last email - Hornton Parish Council does not believe that the impact of the track on our village will be solved by you rescheduling a few events each year, at your own discretion and when it suits your commercial schedule.

In fact, in making this suggestion, you are clearly acknowledging that there is a significant noise impact from the track in our village. And, obviously, the noise impact does not only threaten to cause disturbance here on days when we are holding village events: it has been causing substantial disquiet on every day when the prevailing wind carries the engine and tannoy sound to our village. That includes normal weekends of home-based leisure time as well as days when there are private garden, wedding, family and village celebrations going on. In 2019, for example, this was the majority of days on which events were held at the track – your starter schedule for that year showed 24 active racing/'practice' days. We're proud of the efforts to which we go to hold public and private events and strongly believe we have the right to hold them without them being overshadowed by undue engine and/or tannoy noise.

If, despite our protests, you 'continue to support this piece of land for these purposes', as you put it, then we have every reason to expect that the scale, frequency and duration of the events will not diminish. In fact, it may even grow, as you might then assume you have an implicit green light to expand your business and/or do nothing to manage the current noise levels.

Therefore, we need to make it abundantly clear that the Parish Council's views are that this is NOT a debate about how many times you choose to reschedule some dates to avoid our village-based events – it is about the effect of the track whenever it is active and, especially, when the prevailing wind carries an intolerable noise here and makes the lives of many villagers quite miserable.

In the meantime, having informed us of your intention to submit the required LDC, we would be most grateful if you could keep us consulted and informed as the process goes forward. Hornton Parish Council will be strongly opposing your LDC application, as I said previously, and we believe there are no substantive grounds for one to be granted.

Yours sincerely,
John Offord
Chair, Hornton Parish Council
cc. Cindy Koberl, Clerk

2.4 History of concerns (past and current) of Hornton parishioners

See also Appendix 3.2 for further examples of parishioners' complaints.

2.4.1 On 19 August 2019, after a series of noisy events at the track, a version of this map (redacted from this document but already supplied in 2019 to CDC) was compiled by a disgruntled Hornton resident, with HPC approval, to show those households whose occupants agreed that they felt the village was 'badly affected' by noise from the track and who wished CDC to know this. Some of them contacted CDC themselves to voice their concerns – see Appendix 3.2.

The homes shaded dark blue on the map are those who spoke up at this time and were so concerned that they opted in to being on this map. They were located in all corners of the village.

Others had voiced their concerns at the time but are not indicated on this map. Since then, householders in additional homes have raised similar concerns.

2.4.2 There has also been coverage in the Hornton village newsletter, including from an MX/motorsport fan who feels the Wroxtton track has now overstepped the mark.

As a further village example, here is an extract from an August 2019 email from a young mother-of-two living in Bell Street, Hornton:

"...the noise is actually rather annoying and becoming more frequent! ... not to mention the numerous occasions where I have almost had an accident on the corner coming back home - where large camper vans turning out the venue are pulling out blindly! not being respectful to potential villagers! ... I also agree that this is a lovely sport and hobby for lots of people to enjoy and I think that's great! however the location and disruption affects our peaceful weekends!"

And a comment from a neighbour in a nearby village, also in August 2019:

"I know I would be thinking of moving house if this were my village. But why should anyone be driven to that?..." "It's a very difficult situation and the village has huge sympathy!"

2.5 Press, social media and broadcast profile (examples)

Many homeowners' concerns are recorded in 2019 local press (*Banbury Guardian*) coverage which is provided in Appendix 3.3.

Quotations in these reports are illuminating, especially in the degree of complaint raised versus the attitude of the track manager and landowner.

To provide irrefutable evidence of the growth and increased commercialisation of Wroxton MX track in recent years, one can view and compare early online amateur video coverage with professional media reports from 2018 and 2019. We can provide a sample of this footage to CDC on request.

As an example, extracts from the commentary in the Action Film Werx's coverage of the Bridgestone British Master 2018 Round 2, held at the Wroxton track, are worth highlighting here:

"over 280 riders"

"one of six prestigious tracks"

"one of the biggest and best motocross championships in the UK"

"grown in popularity and attracts riders from all over Europe... including some of the biggest names in international and UK motocross"

"a variety of spectacular jumps"

"a small valley has been incorporated into the track... [with its] hard-packed surface..."

And, in another Bridgestone report: "...the spectacular Wroxton track with its fantastic jumps and elevation changes..."

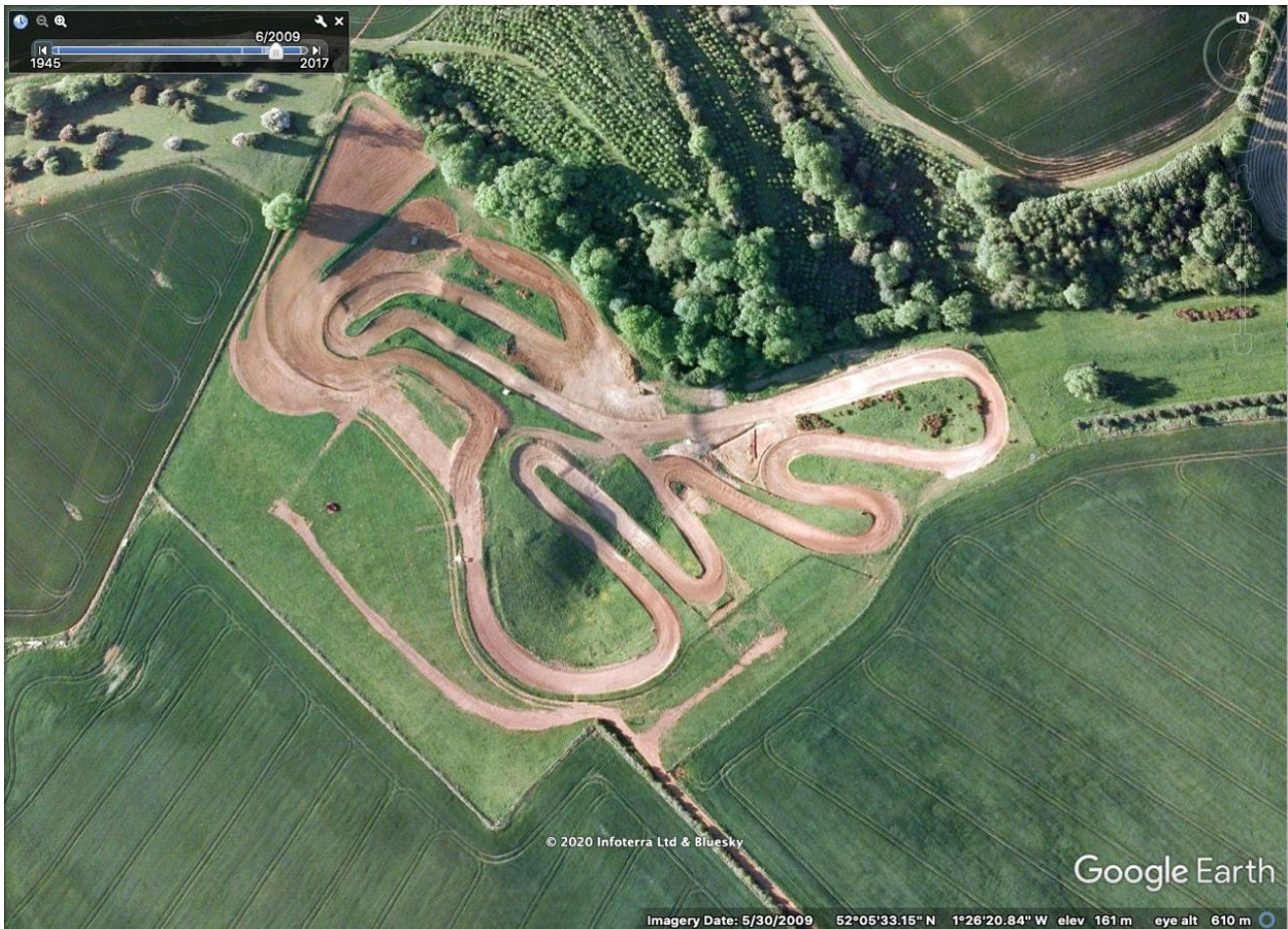
We believe this major Bridgestone event has only been coming to Wroxton track since 2016-17, in light of the changes and expansion of the facility from that time. This is crucial, further evidence of the venue scaling up, physically and commercially.

2.6 Key photographs and aerial views – chronology of how the site has grown

2.6.1 Aerial shots

Google Earth and Ordnance Survey carry these aerial views of the site which allow for a clear comparison of the earlier track – before 2010 - with how it has been developed since.

This is the Google Earth image from 2009, the last image taken before August 2010:



In her submission, the landowner, Sandra Kerwood says, 'A small number of changes and improvements are made to the track each year but the basic construction remains the same.'

Brian Pounder, who runs the Banbury Motocross Club, says, 'Since 2007 we have made a small number of changes and improvements to the track that exists on the site.'

But this is a drone photograph taken on September 1, 2020, showing just how much the site has changed during the last ten years:



We have analysed the changes in the site over time in two ways and both sets of analyses show that the applicants' assertions – that only small, incremental changes have been made - are not born out. Indeed, the analysis reveals irrefutable facts about the growth of the motocross track site, in terms of both overall boundaries and area plus intensification of use because:

- the site area has grown
- the width of the start - so crucial to allow more riders to take part in each race - has grown
- the width of the track has grown
- the length of the track has grown

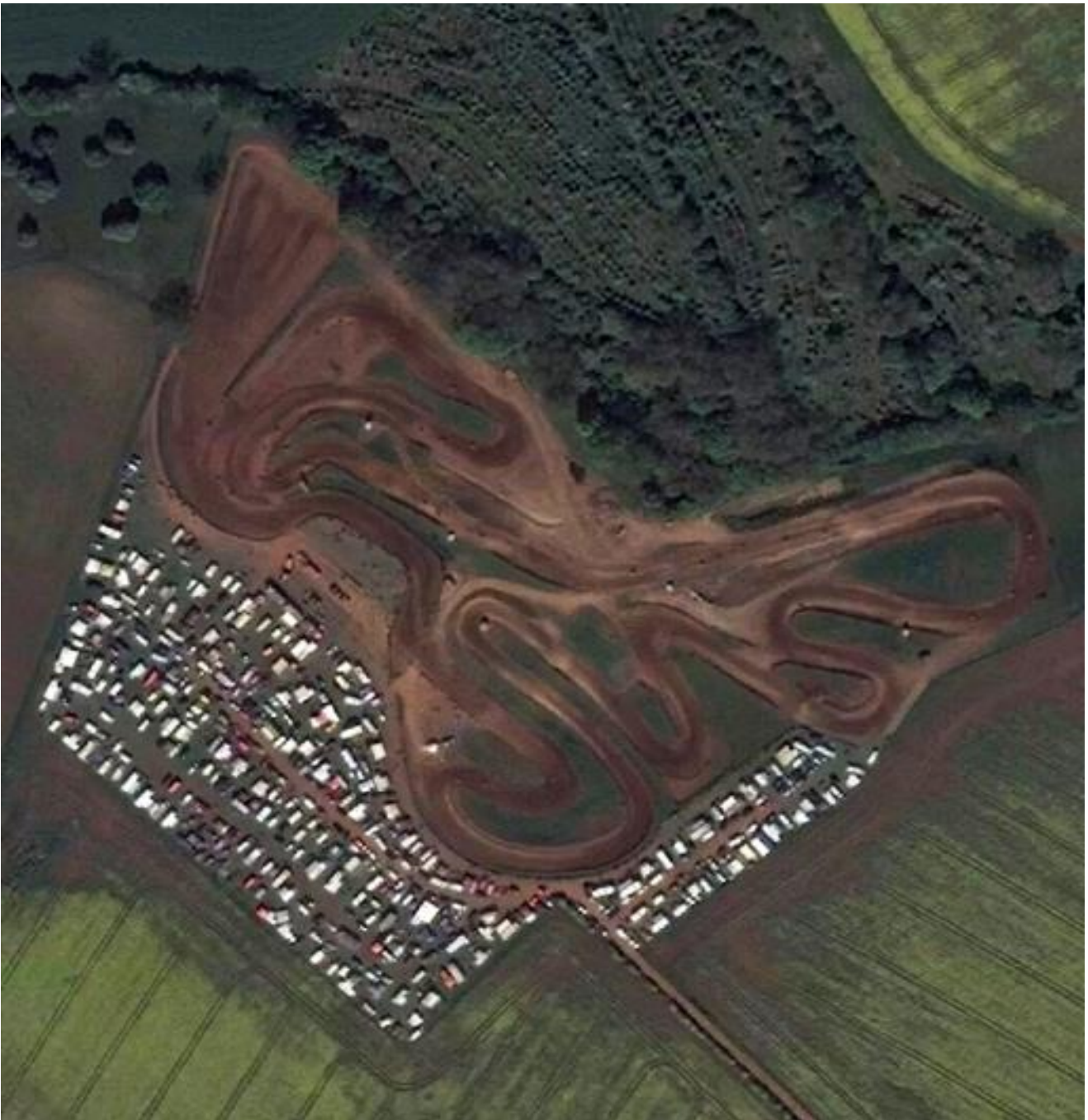
The first analysis was carried out by Chris Cox, an expert in analysing aerial photographs, and that concludes that the length of the track has grown significantly during the last ten years and so has the amount of the site occupied by barren, brown land, as opposed to green pasture that could be used for grazing.

Further research, using Sketchandcalc software, showed that the site area grew by almost 16.45% from 2009 to 2016, 12.68% from 2016 to 2020 and by almost a third - 31.26% - from 2009 to this year. The analysis also shows that average width has also increased over time, as has the start, allowing more racers to race at any one time.

See also separately-submitted topographical analysis (using SketchandCalc software) and expert witness submission, from Chris Cox.

In fact, when a race meeting is taking place, you can see just how intensely the site is used.

This is an aerial shot taken from Ordnance Survey. Unfortunately, it is not dated. However, we can tell roughly when it was taken: judging by the track's state of intensification and contours, it dates to approximately 2017-2018. Note the additional camping allocation due to the expanded boundaries, allowing the track to become a leading national venue for the first time and to accommodate many more top competitors and spectators plus attract MX media coverage:



APPENDIX

Appendix 3.1

Concerns and Actions of Hornton Parish Council

Representing a cross-section of village residents, HP has been dealing with the motocross issue. The frequency and severity of concerns has risen greatly in the last three-four years, due to marked intensification of activity at the Wroxton site during that period.

Here are some relevant extracts from Parish Council minutes, in chronological order.

NB. The first complaints and concerns arose about Wroxton track from autumn 2017 onwards, coinciding with further development of the track and the scaling-up of the events it held from that summer onwards.

2017

Minutes 04.09.17

15. AOB • Cllr Offord would investigate the planning permission for the motocross. Action: JO

2018-19

Minutes 28.11.16

13.2 Cllr Hewlett would add the potholes on the exit road from the village near the entrance to the motorbike venue to Fixmystreet.

Minutes 04.09.17

4. Matters Arising: Minute 15 planning permission for the motocross events – Cllr Offord reported that the event did not have permanent planning permission but instead had permission for 15 events annually with each temporary licence having a maximum of 21 days. The event was licensed for up to 500 people including staff.

Cllrs agreed that the event caused a noise problem for parts of the village and that the number of large vehicles attending the events caused damage to road surfaces. The Clerk would contact Finlay Scott to ask for contact details for the event organisers. Action: KM

Minutes 12.03.18

4. Matters Arising: Minute 15 planning permission for the motocross events – Cllr Offord reported that the Environment Agency would visit the motocross site this week and would then liaise with Cllr Offord. The Duty Planning Officer would also be contacting Cllr Offord to answer queries regarding the event planning permission. Cllrs agreed that the number of events had increased as had the number of people attending the events. It was noted that whilst the event was not commercial it was causing noise issues, damage to road surfaces and a litter problem and that this was not being monitored at present. It was agreed that Cllr Offord would arrange an informal meeting with the event owner to discuss further. Action: JO

Minutes 21.05.18

11. Matters Arising: Minute 4 motocross – deferred to the next meeting

Minutes 19.06.18

5. Matters Arising: Minute 11 Matters Arising motocross – Cllr Offord gave an update on feedback from Cherwell who had not yet been able to provide a list of motocross events for the current year. Cllrs agreed that it would be difficult to police the event and it was agreed that Cllr Offord would speak to the organiser regarding the issue of noise disturbance in the village resulting from the events. Action: JO

Minutes 09.07.18

4. Matters Arising: Minute 5 Motocross Events – Cllr Offord had spoken to the organiser of the motocross regarding the road surface deterioration at the entrance to the event field and the organiser had acknowledged that this was an issue. The organiser has reported that a litter pick took place after every event. Cllr Offord has also spoken to the land owner who had agreed to forward a list of planned events for 2018. The land owner had also confirmed that a noise test had been carried out on Quarry Road and that this had been within the legal boundaries and that the information has been passed on to CDC. Cllr Offord would contact the land owner again if he did not receive a list of events. Action: JO [Note – no list of planned events has ever been provided to Cllr Offord)

Minutes 17.09.18

4. Matters Arising: Minute 4 Motocross Events – Cllr Offord had received a list of the remaining events scheduled for this year from the event organiser. Cllr Offord advised that the event licence allowed **14 event days and 14 practice days annually**. This also included days when vehicles were on site but no competing was taking place. Following discussion it was agreed that Cllr Offord would request a list of all events and practice days for 2019 and that the council would revisit the issue in January. Action: JO

Minutes 25.02.19

4. Matters Arising: Minute 4 Motocross – The council would continue monitoring the number of visitors and the days of the events taken place to ensure they stay within the guidelines. Action: JO

Minutes 01.04.19

3. Matters Arising: Minute 4 Motocross – Cllr. Hewlett and Cllr. Offord met the land owner and two event organisers. The organisers confirmed there would be no increase on the number of events this year but there would be 3 larger championship events. Cllr Offord would make the organisers aware of the participation limit to ensure the events to be in compliance with the legislation of the county council. Action: JO

Minutes 13.05.19

9. Matters Arising: Minute 4 Motocross – Cllr. Offord raised the concern over number of days and attendees at the events, as well as the effects on the roads with the Cherwell District Council but had received no reply. Cllr. Offord would follow up with CDC and forward the event dates to the councillors to monitor the noise level in the village. Action: JO

Minutes 08.07.19

4. Matters Arising: Minute 4 Motocross – The planning Enforcement Officer, Nick Addis, would investigate concerns over the number and size of Motocross events raised by Cllr. Offord under case ref. 19/00316/ENFC. The officer responsible for monitoring the noise levels checked at various points around the village during the event of the big meetings and they were insufficient to cause any action to be taken. The council would continue to work with the enforcement to ensure the events adhere to regulations. Action: JO

Minutes 09.09.19

3.1. Motocross Villager's campaign – Mr. XXX wished to clarify whether the recent villager's campaign to reduce noise from Motocross represents the view of the Parish Council. Cllr. Offord responded that the villagers were acting independently and they were not part of the parish council. The Parish Council initialised the discussion by raising parish's concern of the growing Motocross events with the local authority, Cherwell District Council Planning. The focus for the council was not to get rid of the events, but to ensure the events were kept under the agreed planning regulations such as the number of the events and attendees. The chair of the parish council met the owner of the land and the owner expressed the willingness of liaising with the village to avoid having Motocross meetings on the day when the village is having events such as open gardens. The PC was in consultation but the issue would have to be resolved by CDC depending on their interpretation of the rules.

Buildings/Constructions – Mrs. XXX asked if there were planning to construct racing stands on site and how would the villagers find out about it. Cllr. Hewlett advised there was no planning for such

constructions submitted and the parish council would get a copy should there be any application. The planning applications were also available for public access from CDC website.

Noise levels – Mrs. XXX asked who should raise the noise issue with Cherwell. Mr. XXX said the main issue of the villager's campaign against Motocross was the noise levels. Mrs. XXX said the noise levels were high and constant in the past few years. Cllr. Offord responded that the parish council had previously contacted CDC environment who came and took readings and none of those readings exceeded the noise levels for action to be taken although the readings were taken only from the green. Mrs. XXX requested parish council to take this up to CDC so they could re-take readings from various areas in the village. Mr. XX advised the villagers could raise the concern of noise directly with governing body of the race, they could deal with the issue more effectively than Cherwell. Action: JO

2019:

Email issued to villagers under the direction of Hornton Parish Council chair, John Offord, 2 September 2019 (extract) – villagers' letters to CDC followed this – see Appendix 3.2.

Hi Hornton,

There have been a lot of complaints about the noise from the Moto Cross track this year – so much so that parish councillors are taking the matter up with Cherwell District Council, which has the power to act. The parish council now needs your help.

Please could you send an email or a letter to Cherwell's Planning Enforcement Officer as soon as possible, setting out your views about the track. He's a busy man and if we want him to do something about the noise – which for many has got beyond a joke this year in terms of volume and frequency – he needs to know that a lot of people in the village feel angry about it. Emails and letters showing the strength of feeling about an issue like this really can make a difference.

So what do you need to know before writing the letter?

First, the background. There has been a Moto Cross track on the site for many years but, until recently, it wasn't a serious problem for us. There were only a limited number of meetings a year, the number of racers was small and the kind of bikes they were racing there didn't make a great deal of noise. But, in the last year or so, a little local track has become one of the biggest in the country, with anything up to 1000 spectators, bigger bikes and more bikes racing. That's why the noise has got so bad.

As a little local track running a few events each year, it didn't need planning permission. You're allowed to run events like moto cross meetings on land without planning permission because it's classed as *permitted development*.

But – and it's a very big "but" – the organisers can only race on 14 days a year under those rules, and spend another 14 days on site clearing up afterwards. That's it – no exceptions. However, this year the track will be used for 24 days' racing and the meetings are now so big that there's no way the organisers can be out of there in just a day. They're cynically flouting planning rules.

...

So our parish councillors are pressing Cherwell to enforce the planning and licensing rules – and that's where our emails and letters will help to the Planning Enforcement Officer will help.

Minutes 11.01.19

5. MotoCross

Cllr. Hewlett read out the following updates from Cllr. Offord: "The planning enforcement officer was drawing up a lists of questions that the operator is obliged to answer and support with back-up information. We have to be able to help him to improve, there are more larger events which constitute the change of the use effectively."

Mrs. XXX explained the procedure on councillor's request: The questions drawn up by the enforcement officer were standard questions such as how many events, the duration of the events, the number of bikes, the size of the engine of the bikes, how many people, vehicles camped at the event – the general questions of the usage of the site. The operator would be obliged to provide answer within 21 days. Once the responses were received, the planning officers would start to investigate, this could take months. The councillors tasked Cllr. Offord in his absence to keep in touch with the enforcement officer to find out what the questions were and if we get sight of responses. Action: JO

Mrs. XXX further provided updates on the issue. There were over 100 villagers had been in contact with Mrs. XXX - either written to her or talked to her - expressing their concerns about Motocross from different parts of the village. The main concern on the enforcement side was the site had already got very large, it held national championships and other large events. Nobody wanted to ban it, to move it, or have the place to be stopped from operating - but if the events got even bigger, we would need to have a stand to intervene to ensure the events would be operating within the limited parameters. She had expressed these concerns to the enforcement officer. The hope was that the enforcement officer would ensure the events [are] operating within permitted boundaries, size, volume, frequency and duration so it wouldn't have such a big impact on us.

The other aspect was the environmental protection side of it. The two departments (planning enforcement and environmental protection) in Cherwell District Council worked side by side. The concern of the noise levels were mainly from Millers Lane side of the village but also from all four corners of the village. On the days when the environmental officer came to village to measure the noise levels, the readings were under the threshold to be considered as nuisance. Mrs. XXX advised that there was an app for mobiles, called the Noise App, which is considered to be trusted and acceptable by local district councils to provide accurate readings. If the villagers could help to get readings using this app when the events start again, the readings would be sent directly to Cherwell District Council. The environmental protection officer would have to take action when the readings reached the threshold. The information about the app could be found on the village's Facebook [page]. The council thanked Mrs. XXX's contribution and would provide support to encourage the use of the Noise App. The clerk would put this on the agenda of the meeting next spring at the beginning of the season. Action: CK

2020

Minutes 10.02.20

14. MotoCross Mrs. XXX advised that the "NoiseApp" is an app to download to mobiles and it is free to use. The readings would be sent to CDC straight away. It would be good if the parish council could promote the use of it before the start of the season as agreed in the last meeting. She would keep in touch with the CDC enforcement department to see if they had the feedback from the survey sent to the land owner in January. The parish council had not received the list of dates of this year's events.

Minutes 16.03.20

4. Matters Arising: Minutes 14 MotoCross – Cllr. Offord emailed CDC Planning Enforcement Officer for an update.

Minutes 060720:

1. Motocross

The noise level of the latest MotoX event yesterday (5th July) was clearly audible in the village once again and the cause of concern, adding to many other previous complaints received. The track's development, enlargement and growing popularity in hosting international, major commercial race events, bringing hundreds of top riders to the site, were talked about and concerns debated. All agreed the situation had worsened considerably, in all aspects, since 2017-2018. The parish council had made appeals to them but the track had been further developed during the lockdown period. It was agreed that professional advice might need to be sought and that the situation would continue to be closely monitored.

Appendix 3.2:

Record of recent complaints of Hornton parishioners

This is a representative sample of many public complaints and concerns raised from parishioners in recent years. It is presented in approximate chronological order. There is an email audit trail of all items. (Some villagers have requested that their names not be used.)

3.2.1

August 2017: XXX to Hornton Parish Council

Sent: 06 June 2020 13:22

To: clerk@hornton.org.uk

Subject: Moto cross

Hi Cindy, I complained to Roger Bellamy mainly about the noise just after he first joined the parish council. I understand he brought it up at his first meeting thereafter. Perhaps we should get a large discount on our council tax if this goes ahead. Roger has now left the P C

3.2.2

2017-2020: Roger Bellamy – Hornton Parish Councillor, 2016 to 2018

"I was approached by my neighbour, Mr xxx, on a Saturday in August 2017. He complained that the MotoCross had 'become much louder of late and, as a Parish Councillor, what would I do about it?'

At the following Parish Council meeting I duly raised his concern.

"Also, I remember the Chairman reporting back at a subsequent meeting that he had contacted the landowner who said 'she didn't wish her tenants to create a problem for Hornton residents'. I don't believe this was the following meeting after I had raised the matter. ...

Incidentally, when I broached x's complaint, I added that I too, had noticed the increased noise and added that I felt the frequency had increased too."

(Email of 070620)

3.2.3

2019: Pete Lemon and Jim Guest (CDC)

Sent: 19 August 2019 14:46 To: Jim Guest

Subject: Fwd: Wroxton Motocross

Dear Mr Guest. Further to your conversation with my friend XXX, I am writing in support of of the concerns being raised about the increased use and noise generated by the motocross track near our village, please see the attached Word doc. I am happy to meet with you at any time, particularly race weekends, to assess and discuss the matter with you.

Kind regards,
Pete Lemon

Reference Case Numbers: 101001073263 and 9/00316/ENFC

Dear Sir/Madam.

Yet another weekend where the opportunity to spend some quiet time enjoying my garden was spoiled by the sound of up to 160 motorcycles just over half a mile from my front door!

I would like to lodge my comments with you regarding the above numbered cases about the legality and environmental impact of the Motocross track near to our village.

Although often referred to as "Wroxton Motocross" the track is 2.07 miles to the centre of that village whereas it is just 0.72 miles from our home in Hornton where the sound is almost constant during race weekends.

The noise created by motocross motorcycles and quad bikes is of such a pitch and volume that it carries to our village with those properties on the north side (south facing) roads, Eastgate and Millers Lane, being blighted the most and are able to hear race announcements, engines starting and revving and so on. However, all of my friends in the village have commented about how intrusive the noise has become lately and at least two were recently unable to eat outside on a Sunday when they had guests for lunch.

When the wind is from SW it gets even worse and then the whole village experiences the volume of the screaming engines. In fact there are few if any parts of the village and surrounding countryside that are now truly peaceful on race meeting weekends.

Like me, you may have read recent reports in the Banbury Guardian which include reported sounds tests being within acceptable levels and even suggestions (somewhat offensively in my opinion) that the sound of a blackbird or rustling leaves on a tree are the more prevalent sounds to be heard in the village on race weekends.

It is not so much the volume of noise generated by the motorbikes it's the constant background whine that we have to endure from 9am on Saturday and Sunday during race weekends.

It's difficult to appreciate what this sounds like and the impact it has unless you live here. Imagine, if you will, the sound of a bumble bee trapped in a tin can in your living room whilst you are watching an film. It wouldn't be the loudest sound in the room but it would be annoying and it would spoil your enjoyment of the film.

Now imagine that level of annoyance in your garden all day Saturday and Sunday during the summer. The blackbirds, the rustling trees, the BBQ, the lawnmower, the children playing will all make more localised noise but behind all of that there is the constant whine of the motorcycle engines. And bear in mind, these are not highly silenced road bikes; these are highly tuned racing machines.

It seems that the track is being used more often this year and the number of bikes and so the associated support and accommodation vehicles has also increased with the inevitable impact on the lanes to the site entrance.

It doesn't take much research online to find evidence that the track has been developed for this year's meetings and there are many superlatives praising the work carried out over winter to make it ready.

This work enabled the return of quad bike racing this spring after 5 years absence and commercially sponsored teams and events are commonplace if you look on the "Wroxton Motocross Track" Facebook pages and those of the motocross press. One of just six, two-day race meetings that make up the Bridgestone British Masters was held at the track in May this year.

This is evidence that the track is being developed to accommodate more race types and bigger events and has already become "...one of the three top tracks in the country." as the organiser Mr Pounder recently told the Banbury Guardian. He went on: "We usually have about 160 competitors and mums and dads come too so it can add up and there could be 400 - 500 there."

I understand from the Hornton Parish Council July meeting minutes that the site is operating under The Town and Country Planning (General Permitted Develop) Order 1995, Schedule 2, Part 4: Temporary Buildings and Uses, Class B: Permitted Development, which, for motor car/cycle events, allows for just 14 days use per year.

I also understand that there are 24 days of racing planned this year spread over 19 weekends. Even when racing is only on a Sunday, it seems that they practice on the Saturday as we still experience some noise.

In 2019 there was/will be race meetings every month from February to November (10 months!) with 15 race days taking place between May and September, when people are most likely to be using their gardens. Three weekends in June alone!

Given that set up and riders arriving usually starts the day before race day and allowing for a clear up day afterwards, this would mean the site is in use up to 57 days a year. It seems to me that the use of the track is in breach of the planning law.

In summary, I would like you to take into consideration my concerns regarding the legal status of the track under current planning law and the environmental noise impact on our village, a conservation area, generated by the racing track.

This situation has to be moderated if it is breach of the law and cannot be allowed to continue to grow unchecked.

*Thank you
Pete Lemon*

On 23 Aug 2019, at 15:43, Jim Guest <jim.guest@cherwell-dc.gov.uk> wrote:

Hi Pete,

Thanks for your email and the supporting information for the ongoing case with Wroxton Motocross Circuit. I will be working on this in conjunction with our Planning Enforcement team. I will aim to install noise recording equipment at different locations around Wroxton in time for the next event which is the second weekend of September. I will ensure you are kept up to date on any progress.

In the meantime, please do get in touch if you have any further problems or queries.

Kind regards,
Jim

3.2.4 2019: Doug Smith to HPC & CDC

Sent: 03 September 2019 18:04

To: 'nick.addis@cherwell-DC.gov.uk' <nick.addis@cherwell-DC.gov.uk>

Subject: moto cross noise and disruption

Dear Nick

I am writing to you to express my dismay over the noise and disruption caused by the expansion of the moto cross races on weekends near Hornton. I have lived here now for nine years and have noticed a great increase and expansion of the events. I thought they were only supposed to race for one day each weekend they come over a period of 14 events. I can assure you that that is certainly not the case. The constant racing and tannoy noise starts Saturday morning and carries on until Sunday afternoon. If they are permitted to actually run moto bikes noisily on one day only then that would account for 7 events. However, there seems now to be an event every other weekend.

I read in the Banbury Guardian that the event organiser came to Hornton to check the noise and believed it was no louder than a blackbird call. I found this insulting. There is an obvious difference between the natural sounds of birds singing and the constant mosquito like drone of industrial vehicles. Perhaps he loves the drone of these petrol belching machines and finds it soothing. The rest of us, who chose to buy houses and live in a quiet village environment, certainly do not.

I have also noticed how big the event seems to have become. There used to be a handful of trucks and vans located near the tracks. Now the vans and trucks line the whole horizon as far as they eye can see across that big field. A friend of mine thought it looked like a big music event or festival when they came to visit recently.

We have never been consulted about the obvious expansion of the event or the increase in the number of noisy racing days. I must assume therefore that the event organisers have little or no respect for the impact of their noisy and polluting event. In this world of global warming, I feel it is obscene that these organisers

wish to just keep expanding this petrol driven pollution and the local council seems to just accept it blindly. The run off from the track feeds directly into a small brook which eventually feeds major rivers.

On Friday afternoons as we enter the village now we can find ourselves in a traffic jam of large trucks and vans. I notice as well that once they have left there are empty beer bottles and cans and MacDonalds packaging strewn in the hedges.

I am not making this plea as a "nimby", but rather as an environmentally aware and concerned local tax payer. Action must be taken to send a message that Cherwell District Council protects the rights of local citizens and believes in limiting pollution (both noise and environmental).

Please take immediate action.

I appreciate your time in reading this email.

3.2.5

2019: Anne & Peter Joyner to Hornton PC and CDC (N Addis)

Mr N Addis, Cherwell District Council, 4 September 2019

Re: Wroxton Motocross

We understand that you are currently considering the operating methods of the Wroxton Motocross Track run by Mr Brian Pounder on land adjacent to Hornton village.

We have lived in Hornton for 30 plus years and have therefore been tolerantly aware of the various clubs and activities in the local area. Up until the last couple of years these local clubs; shooting, gliding, go-kart and the motocross, have all caused minimal noise and disruption.

We are, however, extremely concerned about the gradual and profound changes in use of the motocross track. It started off as a hobby track, but over the last couple of years it has expanded dramatically. We know for a fact that it has hosted at least two International race weekends as well as prestigious British race meetings. Consequently the vehicles have become much more powerful and noisy and, of course, much more numerous. In addition what used to be a temporary ad hoc campsite now holds hundreds of huge camper vans, caravans and transporter vehicles more akin to a full-blown holiday park. The site (does it have mains drainage?) must surely have also changed in order to provide refreshment, toilet and shower facilities for so many people when we always understood that the organisers did not have permission to build there.

Visitors begin to arrive on the site on the Friday of race meetings and leave late on Sunday when presumably the clearing up begins, which means that the site is now in use for three if not four days a week rather than the day of the races. In addition to this the number of meetings has increased from 14 spread out over the year, to the point where during the summer the noise and disruption has been more like every other weekend.

We appreciate that the organisers have taken care to direct their visitors away from the village and only access the track from the Stratford road side of the village, and that they pick up any roadside litter. This access road, however, was one of the small local roads not designated for regular repair and so its increased use by heavy vehicles has resulted in considerable damage to the road edges and surface.

We are extremely concerned that if left unchecked it will only be a matter of time before the organiser erects a grandstand, clubhouse, restaurant and bar or some other sort of built facility. In that case there would also be an increase in the existing loudspeaker/tannoy noise, and the growth of the track would continue unabated. We very much fear that a full scale racetrack is likely to grow by stealth on our doorstep unless some sort of controls are put in place.

Thank you for taking the time to read this letter and we sincerely hope that you will give our objections due consideration.

3.2.6

2019: Lorna and John Abbott to CDC

Sent: 05 September 2019 09:56

To: nick.addis@cherwell-DC.gov.uk Cc: John Offord
 Subject: Moto Cross/Hornton

Good morning Mr Addis

... I'm writing to express my deep concern about the flagrant flouting of planning and licensing rules by the organisers of the Moto Cross events staged just outside the village of Hornton.

It has become clear that in recent years this Moto Cross enterprise has morphed from a small and responsible one into a major unregulated and unlicensed commercial one. The number of events held has increased significantly as have the number of people attending, the latter reaching over 1000.

Small local events have turned into national ones.

These major changes have occurred without any consultation with local people.

3.2.7

2019: Lynn & Roger Corke to Nick Addis, CDC

Date: Tue, 10 Sep 2019 10:22:40

Dear Mr Addis

We understand that you are the planning enforcement officer for Cherwell District Council who is examining the operation of Wroxton Moto Cross track.

We have lived in Hornton for almost 30 years and we'd like to say, at the outset, that we have never been against the track operating - as it has done for almost all of that time. Until recently, it operated a few times a year - around a dozen - and was clearly a local facility that local enthusiasts enjoyed. The disruption was minimal and, although we could hear some noise, it was tolerable for the limited number of days it operated each year.

Recently, however, a small local facility has turned into a national sporting facility - a facility that the organisers are proud to boast is one of the top three moto cross tracks in the country. The number of meetings has increased, the number of spectators and their vehicles has exploded in size and the noise from the track is now quite extraordinary. Not surprisingly, one of the top three tracks in the country attracts bigger bikes, with bigger engines and more bikes racing at any one time. It is no longer a small track run by enthusiastic amateurs but a significant commercial enterprise, attracting hundreds of people from all over the UK.

The organisers have tried to claim in the Banbury Guardian that there has been no change in the type of racing that has been carried out over the last few years. If that is the case, how can they account for the increase in the volume - and the change in character - of the noise from the track? We used to call the noise made by the bikes at a meeting the "buzzy bees" because that's what they sounded like. You could hear it but, on the live-and-let-live basis, it could hardly be called intrusive. Now the noise is akin to what you'd hear at Brands Hatch. On one Sunday in August, the noise was so loud that, when we had friends round, we couldn't sit outside in the garden. And around half the weekends in late July/August were ruined because of the noise - sometimes on both days. So, at the very time of year when the weather was good enough for us to sit out in our gardens after a week's work, the noise from the track over the hill stopped us from being able to do so.

And the amount of traffic now going to and from the site is much greater than it used to be - and far too much for the narrow country roads leading to and from the track. Neither does it help that some vehicles and trailers go in and out from the main Stratford Road. The road layout there - on a stretch where cars are often travelling at 60mph quite legally - is not designed for large numbers of big vehicles, often with trailers, to pull in and out safely and they can't.

The operators of the track know all this, so we find it difficult to understand how they can claim to you that the noise, disruption and traffic - which they must know has grown exponentially recently - is no more intrusive now that it was a few years ago. If they were running the track back then - and we understand that they were - they must know that is untrue.

They must also know that, if they are operating under permitted development rules, then they are only able to operate on 14 days a year, be on site for another 14 days and clear every item relating to moto cross off the site between meetings. They must know that, for any more meetings than this, they need to apply for full planning permission.

They must also know that, if they are attracting crowds of up to 1000 people, they need a licence, yet they have not applied for one.

They continue to ignore all these rules and regulations which are designed to ensure that everyone can co-exist peacefully together, without one group's hobby being stopped or another group's peace and quiet being disrupted unfairly.

We are not NIMBYs in Hornton. We are happy for the track to continue but only if it operates under strict rules, regulations and guidelines - all of which now need to be rigorously enforced by you, given the thoughtless and selfish way the operators have been flouting them recently.

It is most unfortunate that you have to take enforcement action in this case but please can we have your assurance that you will do so as soon as possible.

3.2.8

2019: YYY, emails to HPC and neighbours

27/08/19 09:04

I now have a decibel meter as an app on my iPhone.

I have collected some 30 second average sound recordings and measurements.

Eg:

Normal conversation at home..... 54 - 57dB

General hubbub in a café 77 dB

Car on motorway at 70mph..... 100 dB

Planes overhead in Hornton - taking off from Birmingham Airport73 dB

I'll collect more over the next few weeks

When next there is a Motocross event I'll take some recordings and measurements...

We find the starts particularly noisy.

23/09/19

I took some more sound measurements with my Decibel Meter yesterday.

Very wind dependant but our side of the hill receives full on sound at race start times.

One period yesterday sustained 100dB

3.2.9

2019: XXX, dialogue with Nick Addis and Jim Guest at CDC

XXX has been in contact with HPC, its chair John Offord and clerk Cindy Koberl, other HPC councillors and officers in the Planning Enforcement and Environmental Protection teams at CDC on many occasions since August 2019 and up to and including June 2020. There are copious online records of everything.

Examples:

22/09/19 16:54:

I have been out and about in Hornton at various times today ... Here is a summary of what I heard of the motocross:

- The bikes started at 9am approx*
- They are still going at 16.47 (and I have witnesses of guests here and my husband to corroborate this)*
- During my outdoor listening opportunities, they were loudest in the early-mid afternoon - I have no idea whether they race larger or bigger-engine bikes at that time or whether the atmospheric conditions changed*

...

- I walked a loop ... to the Horley Road then down Millers Lane this afternoon (between 3 and 4pm) - at the upper sections of this loop I could hear very loud engine noises, the roar of race starts etc. The same as far

down as our garden Today, the sound diminished a lot as you head across The Green to Bell Street and West End. ...

22/09/19 17:52 – to Jim Guest, CDC:

One more contemporaneous update for your audit/evidence trail...

I have just stood out in the back garden at our home ...for 20 minutes. The bikes went silent at 17.41 precisely. They were certainly racing at full throttle till this time. I could distinctly here lots of different engine noises revving up and down as they went round the track. ...I have waited another five minutes and they haven't started up again so I assume that is the end of today's event.

Contemporaneous note of XXX's representations to HPC councillors in 2019:

"When the Wroxton motocross track first opened there was, in Hornton, widespread tolerance and willingness to accommodate it while it was on a relatively small scale and for local Banburyshire families and their enthusiastic children. The change of scale and impact in the last four years (2017-2020) or so, however, has triggered a higher degree of anxiety and unhappiness with the operation of the site. At no stage have the residents been approached for their views or had shared with them the intentions for the track's development. The Parish Council has, on a few occasions, sought reassurance from the track manager, Mr Brian Pounder, or the landowner, Mrs Sandra Kerwood, but this has been in short supply and, when eventually delivered, felt to be either inadequate, unsympathetic or incomplete. We remain on civil terms with both of them, despite this.

"The issue is that the track has become a major commercial enterprise – a national and international facility for competitors, spectators (plus their campsite) of all ages, plus media. On race days and weekends, the number of participants and their supporters has dramatically increased. Plus the many people camping at the site for one or two days, with tents and camper vans.

"Also, in the last few years, including during the recent lockdown period, enormous landscaping has taken place on the course. [Plus an under-track drainage system has been added.] You only have to look at photographic evidence to see this instantly. It is now considered, by commentators and riders, to be one of the most 'prestigious' and 'exciting' tracks of its kind in the UK.

"Noise from the track is a serious problem for Hornton – and, to a lesser degree, for other nearby villages, including Horley, Shenington and North Newington. On race days, depending on the wind direction – and the prevailing wind is southerly or south-westerly, directly towards Hornton from the track – many homeowners cannot sit out in their gardens during the spring and summer months. From early morning till evening, the noise of revving engines, track noise and the tannoy system booms around the village, reverberating and bouncing off the valley sides. It is hugely invasive. Taking advice from a Cherwell District Council officer, we will be monitoring it using the Noise App in the coming season.

"Many of us wonder where this will stop. We are astounded that the track has grown to this scale and, apparently, been able to ramp up its commercial revenue and international prominence without any kind of statutory check or guidance. All of us believe in 'live and let live', but also in mutual respect and abiding by reasonable planning laws and limitations plus the terms of their licence."

3.2.10

June 2020: John Wright to Nick Addis, CDC, copied to HPC's Clerk

Re: Banbury (Wroxton) Motocross Track.

For many years now, Banbury Motocross events have been operating at Wroxton MX track, near the village of Hornton, as I'm sure you are aware. The effects, in terms of noise and traffic, of the meetings have always been something of a nuisance since the first years of its running. Sadly, the problem has worsened over the last few years and reach a peak in 2019. The prospect of bike racing resuming after lockdown has finally prompted me to write to you to register my views on the matter.

There are a number of issues I find disturbing:

- *Seemingly, limitations on the overall number of events have, for a long time, been breached, far exceeding the 14 days generic limit, and the land does not revert to agricultural use in between.*
- *The events now have grown from a series of local Banburyshire and regional activities into*

international championships and major competitions for all ages; without planning permission or a licence being applied for, I assume.

- *Do the permissions controlling such events allow for weekend camping? If not perhaps another example of flouting the rules!*
- *As the number of events has grown so has the number of participants and spectators – apparently, now well over 1000 people for the larger events.*
- *Noise levels have consequently risen considerably and are now very intrusive.*
- *Noise created (engines and tannoy) affects all of Hornton village - you cannot escape the problem, including at my home: ...*
- *Equally, the sound of the races echo and reverberate around the valley in which Hornton sits. There is no escape short of staying indoors, most unsatisfactory.*
- *Access to and from the meetings is far from adequate and potentially hazardous. In particular, the exit from the site is only yards away from a blind bend.*
- *The approach roads are far too narrow for such large vehicles (camper vans, support vehicles and trailers) and the number involved. Ultimately, the roads and grass verges are getting damaged. Much to my annoyance, I have been forced off the road during the exodus of such large vehicles in convoy, on more than one occasion.*

To conclude, it must be quite obvious that I am far from happy about the present situation that I and others in our community have had thrust upon us. There has been no consultation about any of the scaling up or impact on the village and, I understand, the track manager is dismissive of the effects on us.

It is hoped that my views will have some effect on the outcome of any planning decisions to be made concerning the future of the Banbury (Wroxton) Motocross Track. I respectfully urge that planning permissions be curbed and thereby activities reduced, rather than allow any further expansion of the business.

3.2.11

June 2020: Andrew Higgins to Nick Addis, CDC, copied to HPC

Wroxton Motocross Track: Activity on the track this weekend (14 June 2020) + Facebook and video evidence

Many Hornton villagers have been very concerned about the motocross track at Wroxton, run by Banbury Motocross Club. In the last few years it has been hosting much larger, much noisier and much more lucrative events that have a huge noise impact and seem to be impervious to any planning controls.

Walking yesterday near the track site, I noticed bikes using the track and camper vans parked up in the camping area. Strange! I thought that we are still in semi-lockdown and that the track is limited to 14 days per year of usage? I could hear the bikes roaring round from some way off.

When I got home that evening I looked up the Banbury MX Facebook page to find that Jessica Pounder, one of the Pounder family track management team, had posted the following with a video of one of the bikes doing a fast lap of the track earlier in the day, when I saw them. Note the mention of the 'lap time extension' and the 'new section'. Also, the clear reference to 'working hard' to get the track ready to re-open - once again, indicating very clearly that this is a permanent track feature on the landscape.

I am attaching here a link to the Facebook page in the hope that, despite the Wroxton MX Facebook page being a closed group, you can see the video posted with these words and see for yourself how developed and huge and developed the Wroxton circuit now is:

<https://www.facebook.com/groups/724606377655766/> [see below]:

Jessica Pounder

Admin 1 hr 14 June

Evening all hope you have had a lovely weekend

Today we trialed the recent changes as you can see a definite lap time extension with the new section, all jumps are do-able and safe.

We are clinging to hope that it's not too much longer until we can invite you all back and hold events again.

Although still very much locked down the we are working hard and can't wait to return.

Thankyou to the boys for working so hard all year round & continuing to make Wroxton the track it is today.

With racing about to resume (they are hoping to do so in July), I and my neighbours are even more concerned about this track and its effect on us. Hornton Parish Council has flagged that the track is, under your jurisdiction, about to apply for a Lawful Development Certificate: surely our concerns and the track's actions, especially in the last few years, cannot mean that an LDC will be granted?

From: Nick Addis <Nick.Addis@Cherwell-DC.gov.uk>

Date: 16 June 2020 at 10:12:34 BST

Dear Mr Higgins

Re: Unauthorised change of use of land from agricultural to motorsport with significant intensification over recent years and erection of timber fence

Thank you for email of 15 June 2020. Your comments have been noted.

However, Planning Enforcement do not process planning applications. Should the Track submit a planning application, the public documents can be viewed by visiting <https://www.cherwell.gov.uk/info/9/planning-and-building> and any comments regarding the application can be added on line.

At this time the Track has been invited to apply for a Lawful Development Certificate and have been given until 16 July 2020 to submit the application.

Cllr John Offord of the Hornton Parish Council is aware of the situation.

Should you have any queries in the meantime, please contact me.

Yours sincerely

Nick Addis

Planning Enforcement Officer

3.2.12

June 2019: Mr and Mrs A Higgins to Nick Addis, CDC, and HPC

As long-term residents of Hornton, we have become increasingly concerned by the way the Wroxton Motocross track has expanded in recent years. Having learnt recently that the organisers are applying to CDC for a Lawful Development Certificate (LDC) and with the imminent prospect of race meetings resuming in July, we feel it is time to express our serious reservations about this operation.

Over the years, the track has changed from a relatively amateur local enterprise with a few weekend meetings each year to a national sporting facility – “one of the three top tracks in the country”, according to the organiser, Mr Pounder. It now attracts riders from all over Europe including some of the biggest names in international and UK motocross as well hosting one of just six, two-day race meetings that make up the Bridgestone British Masters, most recently in May 2019.

This change has led to many more race fixtures; more powerful bikes leading to a very noticeable increase in engine noise; many more competitors and supporters with a concomitant increase in traffic leading to a degradation of the already poor surface (and verges) of a road that is far too narrow to accommodate the many, large vehicles now accessing the site. In short, Wroxton Motocross Park, as it is now called, has become a major commercial enterprise.

We ... have witnessed considerable earthworks there this spring during the Coronavirus lockdown. It is obvious that the boundaries have been expanded and we are also unclear as to how it can possibly revert to agricultural use between race meetings, practice sessions and hired-out fixtures. We would be interested to know how such a substantial change in use, from what was once essentially a field into an established racetrack, has occurred without (to our knowledge) referral to the Planning Department of CDC.

2019 was one of the worst years we can remember for noise pollution from the track, which held far more meetings than in previous years. Now we notice that the 2020 Wroxton MX schedule lists 26 race days, far more than the legally allowed 14! We have no desire to spend our summer weekends indoors to escape the noise of revving engines and the tannoy/loudspeaker system and would therefore strongly urge that CDC both curb any planning permissions and allow no further expansion of this business.

We will be submitting similar concerns when and if the LDC application is made by the track management in July 2020.

3.2.13

July 2020: Mrs XXX to Nick Addis, CDC, and HPC

Re: Wroxton Motocross Track

I understand your department is currently awaiting the application for a Lawful Development Certificate from Wroxton MX Track on land near Hornton village. I would like to voice my concerns about the impact of the track on our village.

We have lived in Hornton for over twenty years and are aware of various local outdoor recreation clubs and activities. Up until 2017-2018, these local clubs, ranging from shooting and gliding to motocross, have caused tolerable noise and disruption. However, now the Wroxton MX track is overstepping the mark. There have been gradual and wide-ranging changes at the motocross track. It has expanded dramatically and it is used more often, with heavier traffic inhibiting the route into the village. I believe that it now exceeds the original standard 14-day agricultural land limit and the meetings are getting bigger and bigger and hosting lucrative international events attracting UK and European top riders and their powerful and noisy vehicles, as well as their supporters and spectators, many of whom camp at the site, in the recently-enlarged camping area, for entire weekends. It's now become a 'motocross village'.

It is concerning how this commercial race track has grown to this degree, unchecked and uncurbed by any planning constraints that the rest of us observe.

Hornton Parish Council have also raised concerns, on behalf of some villagers and have also made direct representations to the landowner and manager of the track. It would be encouraging to know that some sort of reasonable controls be put in place and complied with.

Thank you for taking the time to read this letter and that the views raised will be taken into account in the LDC process.

3.2.14

July 2020: Mr & Mrs Bridgeman to the chair of HPC

Re: Motocross which we note is on the agenda of your next meeting.

Originally, we were not opposed to the Motocross. Everyone needs somewhere to follow their sport and we were encouraged to support it on the grounds that it was for local youngsters to enjoy some sport and family fun at a strictly limited number of meetings.

We were assured that the number of weekends would not increase, neither would the number of races in a day and nor would the volume of sound ever be allowed to rise to public nuisance levels. We assumed that any changes to these assurances would need to be put to residents and any proposed development of the site would need planning permission before any work were undertaken.

It appears assurances have not been adhered to and neither has necessary planning permission been sought at the appropriate time to enable residents to examine the proposals and put their comments to the Planning Authority.

3.2.15

July 2020: G Griffiths to Nick Addis, CDC, and HPC

Sent: 28 July 2020 14:15 Subject: Racing at Wroxton

Dear Mr.Addis

Wroxton Motor cross Track - Event held July 26th.2020.

I felt compelled to write re the above event. I've been pretty tolerant in the past but this Sunday was a very different matter. I had taken myself, coffee and the papers into the garden for a peaceful hour. It lasted ten minutes! It was the noisiest it has ever been with little respite. A combination, no doubt, of bigger engines, the prevailing wind and the size of the event.

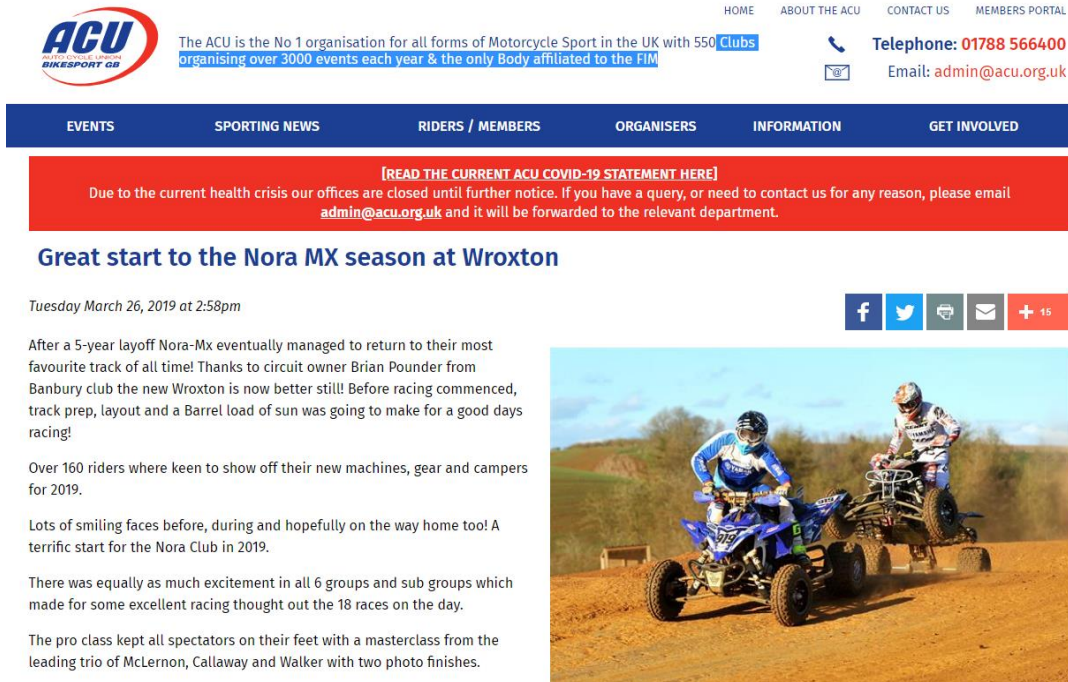
I don't know what can be done but something should be. The Wroxton MX Track has grown out of all proportion for a rural area from small local events to national and international occasions.

I believe also that the racing and clearing up takes longer than the days allotted.

Perhaps Cherwell Planning can suggest a way forward allowing us all to rub along together amicably.

Appendix 3.3: Key media coverage examples

In March 2019 the Wroxton track season got off to a flying start – with media prioase for the further improvement of the track by Brian Pounder (named in the intro below) and boasting of **160 riders** attending this event:



The screenshot shows the ACU website header with navigation links: HOME, ABOUT THE ACU, CONTACT US, MEMBERS PORTAL. The ACU logo is on the left, and contact information is on the right: Telephone: 01788 566400, Email: admin@acu.org.uk. A blue navigation bar contains: EVENTS, SPORTING NEWS, RIDERS / MEMBERS, ORGANISERS, INFORMATION, GET INVOLVED. A red banner below the navigation bar contains a COVID-19 statement: [READ THE CURRENT ACU COVID-19 STATEMENT HERE] Due to the current health crisis our offices are closed until further notice. If you have a query, or need to contact us for any reason, please email admin@acu.org.uk and it will be forwarded to the relevant department. The main article title is 'Great start to the Nora MX season at Wroxton' with a timestamp 'Tuesday March 26, 2019 at 2:58pm'. The article text describes the return of the track after a 5-year lull, mentions 160 riders, and lists the top performers in the pro class. A social media sharing bar is visible above the article image.

ACU
BIKESPORT GB

The ACU is the No 1 organisation for all forms of Motorcycle Sport in the UK with 550 Clubs organising over 3000 events each year & the only Body affiliated to the FIM

HOME ABOUT THE ACU CONTACT US MEMBERS PORTAL

Telephone: 01788 566400
Email: admin@acu.org.uk

EVENTS SPORTING NEWS RIDERS / MEMBERS ORGANISERS INFORMATION GET INVOLVED

[READ THE CURRENT ACU COVID-19 STATEMENT HERE]
Due to the current health crisis our offices are closed until further notice. If you have a query, or need to contact us for any reason, please email admin@acu.org.uk and it will be forwarded to the relevant department.

Great start to the Nora MX season at Wroxton

Tuesday March 26, 2019 at 2:58pm


After a 5-year lull Nora-Mx eventually managed to return to their most favourite track of all time! Thanks to circuit owner Brian Pounder from Banbury club the new Wroxton is now better still! Before racing commenced, track prep, layout and a Barrel load of sun was going to make for a good days racing!

Over 160 riders where keen to show off their new machines, gear and campers for 2019.

Lots of smiling faces before, during and hopefully on the way home too! A terrific start for the Nora Club in 2019.

There was equally as much excitement in all 6 groups and sub groups which made for some excellent racing thought out the 18 races on the day.

The pro class kept all spectators on their feet with a masterclass from the leading trio of McLernon, Callaway and Walker with two photo finishes.



Meanwhile, witnessing all these events from their village vantage point in Hornton...

HPC chair, John Offord, is prominently quoted in the first half of this first 2019 story in the Banbury Guardian: eg.

"Most people would accept it if it were what they were entitled to but the size and frequency of the race meetings has been ramped up gradually and it's now unacceptable"

His claims are dismissed by landowner Mrs Kerwood:

"It is a very good site and accessible and these things have to go somewhere."

Track manager Brian Pounder, of Kidlington, pours scorn on the Hornton claims of noise and raises issues about planning and the licence terms:

"You could faintly hear bikes but the loudest noise was a blackbird singing"

"... allowed 28 events a year. ... We've run 21 or more dates over the last ten years."

' did not think planning consent was needed for the toilets...'

" we are going to apply for a licence for attendance. Wroxton is one of the three top tracks in the country ... it can add up and there could be 400-500 there"

Banbury Guardian, 8 August 2019:

Two sides disagree on rights for motocross

Hornton villagers' summer days disturbed by noise and traffic

By ROSEANNE EDWARDS
roseanne.edwards@gjpimedia.co.uk
01295 817674

Environmental health officers have been drawn into a dispute between residents of Hornton and organisers of a popular motocross site.

The Wroxton Motocross Track runs 21 or more competitions each year but Hornton Parish Council claims the limit under planning law is 14.

John Offord, chairman of the parish council, said: "The track has been there a long time and is operated under 'permitted rights'. That allows them to be on site for 28 days a year but only 14 racing days.

"Over the years there have been more and more events and each has got larger and larger. They've even had national events there.

"It means an awful lot of vehicles travelling on these little country lanes – but noise has become the biggest issue.

"When it was a small event

some people complained but most tolerated the noise. Now the operation has grown in scale hugely.

"It used to be maybe 100 to 200 people there but now it's up to 1,000 in breach of the planning rules.

"To have crowds over 350 they need to liaise with councils and prepare risk assessments."

Mr Offord said the organising teams were on site the day before racing and again afterwards resulting in up to 42 days' presence instead of a maximum of 28. He said the parish council had met with the organiser, Brian Pounder and landowner Sandra Curwood but neither believes they are breaking planning law.

"We got no positive result from them so we referred it to Cherwell District Council's enforcement department," said Mr Offord.

Mr Offord said the track is about half a mile from Hornton and that numerous large vehicles, cars and caravans use the country approach roads to reach the track.

"The noise affects some parts of the village more than others and it is especially bad when the wind is blowing in this direction," he said.

"The problem is that most events are held in the summer months between 10am and 6pm when people want some peace and quiet in their gardens.

"Most people would accept it if it were what they were entitled to but the size and frequency of the race meetings has been ramped up gradually and it's now unacceptable."

Landowner Sandra Curwood of Balscote said: "They brought this up last year and I went to a planning specialist who said we were within our permitted development rights.

"It's possible it seemed worse last year because of the good weather and people were outside in their gardens more.

"It is a very good site and accessible and these things have to go somewhere. There would be a bigger problem with queuing on race days if people didn't go there the night before."

Organiser Mr Pounder said

the club was allowed 28 events a year. "To say it's only 14 race days is totally wrong," he said.

"We've put in (to the council) ten years of dates. We've proved the numbers haven't gone up. We've run 21 or more dates over the last ten years."

Mr Pounder said the club had bought a noise reader and that there were no readings in Hornton over and above background noise levels. "You could faintly hear bikes but the loudest noise was a blackbird singing," he said.

"We did get a visit from two of the Hornton parish councillors but that was the first we had heard of this. We are going to apply for a licence (for attendance). Wroxton is one of the three top tracks in the country. We usually have about 160 competitors and mums and dads come too so it can add up and there could be 400-500 there."

Mr Pounder said the organisation did not think planning consent was needed for the toilets wind-breaks and he was waiting to hear the outcome of an investigation by Cherwell.

This was the village's reaction to that story, Banbury Guardian, 15 August 2019:

Thursday, August 15, 2019 www.banburyguardian.co.uk

Hornton motocross is 'like Brand's Hatch'

Angry villagers say peace is shattered by 28 days of racing

By ROSEANNE EDWARDS
roseanne.edwards@banburyguardian.co.uk
01295 817674

Hornton villagers have reacted with anger to claims by organisers of a nearby motocross track that the operation is not noisy.

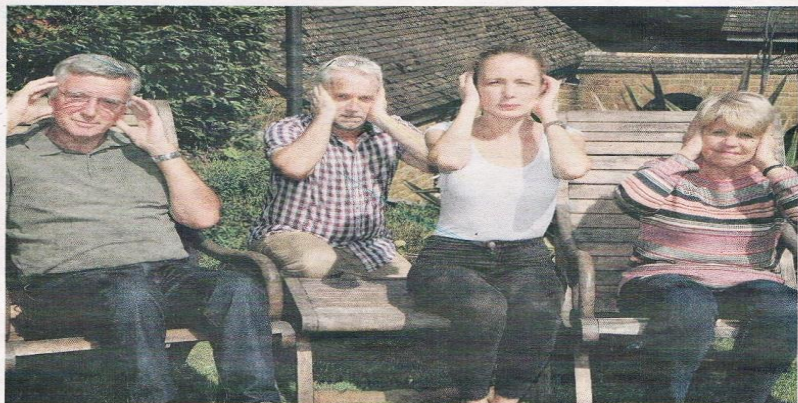
Brian Pounder, who runs the Wroxton Motocross Track, said in the Banbury Guardian last week that the group's own noise recordings showed blackbird song to be louder than the motorcycles racing.

Hornton Parish Council has complained to Cherwell District Council because under 'permitted rights', the track is only allowed 14 race days a year and villagers claim up to 28 races are held. Organisers say they are allowed more than 14 competitions.

Some villagers say they hear the noise inside and out on race days. One said he had to hold a garden party inside on Sunday because of the relentless sound of bikes.

Roger Bellamy of Millers Lane said: "The club appears to deny there should be any restriction on their hobby.

"The noise can really be intrusive. I used to live next to the flightline for RAF Brize Norton and can honestly say the noise here is more intrusive by volume and duration. The allotments on the hill above the village are especially prone. You can even under-



John Abbott, Roger Bellamy, Jessica Wolckenhaar and Laurie Furneaux object to the noise of motocross racing

stand the commentary and details of each race," he said.

"This wouldn't be allowed close to Banbury so why should Hornton suffer? With most meets taking place in the warmer months it's a blight on our outdoor environment at weekends. I'd rather have HS2 – it'd be a lot quieter."

Chris Woodcock said: "I've lived in Hornton since 1993 and never known noise disturbance like it. We hear it very distinctly in our garden and in the house if windows are open. This motocross lo-

cation is in open countryside where the noise does carry and it goes on for most of the day. It has been worse in the last couple of years."

Peter Joiner said: "My main concern is that they are now a large national operation and there may be plans to build a large grandstand with an even louder tannoy system operating every weekend."

Roger Corke said: "We used to call the motocross events the 'buzzy bees' because that's what they sounded like. Now, the engines are much more

powerful, louder and the noise pollution sounds as though we live near Brands Hatch."

Mr Pounder said the majority of bikes were now four-stroke rather than two-stroke but that for all machines, the noise limit is 96 decibels maximum at the trackside.

He said sound readings over the two days of racing this weekend showed that noise in the village was mainly trees rustling. "It was background noise and trees rustling; you couldn't hear the bikes," he said.

Appendix 3.4: Illuminating extracts from Banbury MX/Wroxton track Facebook pages - spring and summer 2020

As of June 2020, the Banbury MX Facebook page had 9,217 members

Evidence of new development and further enlargement in 2019- 2020:



This is the track photograph carried as the masthead of the Banbury MX Facebook page in 2020

HERE WE SEE THAT THEY WERE ON SITE ON SUNDAY 14 JUNE, DURING THE LOCKDOWN PERIOD, TO TEST THE TRACK AND DO MORE WORK ON IT (screen grab available):

Jessica Pounder

Admin 50 mins Sun 14 June

Evening all hope you have had a lovely weekend 🌻

Today we trialed the recent changes as you can see a definite lap time extension with the new section, all jumps are do-able and safe.

We are clinging to hope that it's not too much longer until we can invite you all back and hold events again.

Although still very much locked down the we are working hard and can't wait to return.

Thankyou to the boys for working so hard all year round & continuing to make Wroxton the track it is today.

Banbury MX:

Dawn Pounder

Admin 16 May at 14:48

Hi everyone hope your continuing to keep safe and well during these difficult times?! Just checking in and letting you know we are ready and waiting for Boris to give us the green light!

We have taken this opportunity to add the finishing touches to Wroxton, it sure has had TLC! Check out the video below (after the triple) we will update with more pics tomorrow ??

Jessica Pounder**Admin** 17 May at 17:19

Jumps in the middle

Now a roller/ski into a bigger table top?

A How long is big table**W** I'd say 80ft**Jessica Pounder.** _ Not measured dad just got carried away with the dirt,**W** got to be around that I'd say**Jessica Pounder****Admin** 17 May at 17:24

Triple has a nice new face to it? ...

N does this open for practice days**Jessica Pounder**_ We run race meetings typically March time till Oct and then squeeze a handful of practice days in nov if the weather allows**A** Amazing track I cannot wait to race there again! Last time I raced was here on remembrance Sunday....**P** that's how they run there club, and it's a good club and an excellent track**B** how much for club membership as id pay to ride this track like**W** membership is £50 I think bud and that's for the year, then you pay £40 or £45 for each round you race

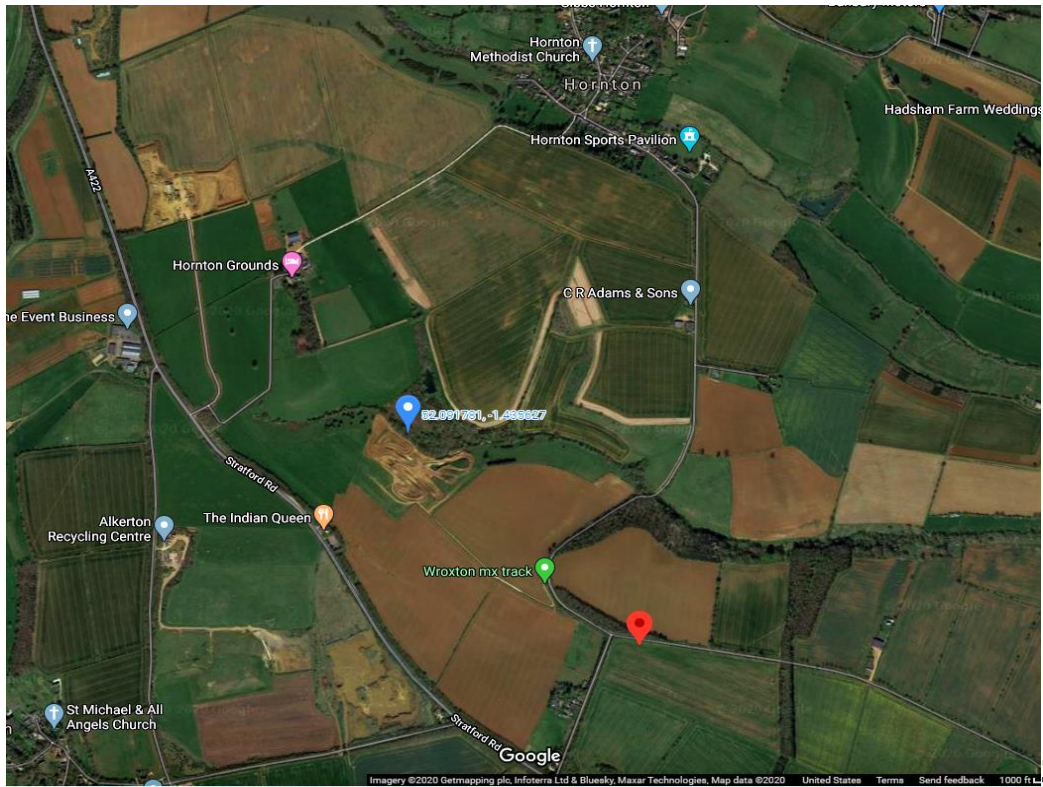
...

I Omg just seen it on fb looks bloody awesome ? ...

Appendix 3.5: More photographs

3.5.1 Hornton in relation to Wroxton MX track

In this 2020 view, Hornton is shown to the top edge of the picture. The track is marked with a blue marker, near centre, and the entrance to it, from a narrow lane leading to the village, is marked in green.



3.5.2

Pictures that reveal recent intensification and material changes in site

Event due to happen in April 2020 – did not go ahead due to Covid-19 lockdown:



Bridgestone Masters, 2019:



August 2019 - Portsmouth MXC Round 11:



APICO BSMA Nationals, Round 4

Race report: <https://www.dirtHub.co.uk/bubb-blitzes-wroxton-apico-bsma-nationals-round-4-race-report-and-results/>

The contests held, for up to 22 competitors in each one – were Auto's; Juniors; Small Wheel 85's; Big Wheel 85's; Senior Open; Senior 125's; Vets 35+; Vets 45+; MX1; MX2 :



21 July 2018 – from the Banbury MX Facebook page:



3.6 Commercial Profile and income: charges and fees levied by Wroxton Motocross Park/Banbury MX Club

Wroxton Motocross Park (home to Banbury MX Club) has become a commercial operation, especially in

the last few years.

They use the site for some of their own Banbury MX events and, increasingly, to hire out to third parties. Various income opportunities have been developed, including fees per race and camping charges. They charge £45 per year for Banbury MX Club membership or day memberships and licence fees.

Here are two 2020 charging examples, the second one from the first event of the delayed 2020 season when the track was hired out to Severn Valley MX Club:

3.6.1 Banbury MX Charges 2020 – from the Banbury MX website

http://www.banburymotocrossclub.co.uk/race_fees.html

Race Fees And Age Groups Backgrounds / Numbers (from 1st Jan)

Autos: £25 6 to 8 Years White with Black Numbers

65cc £25 6 to 10 Years Black with White Numbers

85cc S/W £30 9 to 12 Years Red with White Numbers

85cc B/W £30 11 to 15 Years Green with White Numbers

150 F B/W £30 12 to 15 Years Green with White Numbers

125/144/150 Youth £35 14 to 18 Years Blue/Black with White No's

250 F Youth £35 14 to 18 Years Blue/Black with White No's

Adults A,B & C £35 16 Years +Black with White Numbers

Club Membership (Inc Licence) £45

DAY MEMBERSHIP £5

ADULT day licence £10

ALL youth riders MUST have a full licence with ORPA

These are the groups for the ADULT Club

Small wheel 85

Big wheel 85/105/150f

125 Open (125, 250F)

Adult A

Adult B

Adult C

Over 35's

These are the groups for the SCHOOLBOY Club

Auto's

65cc

85 small wheel

85 big wheel

125 Open (125, 250F)

Adult A

Adult B

Adult C

3.6.2 Example of charges for an external club using the site for a major race event – 5 July 2020

This information was taken from the Go Race (www.goracemx.com) website on 16 June 2020, advertising the first event at the site after lockdown – even though, at that time, there had been no definite ruling on whether

such events would be permitted after 4 July.

This is an example of a third party MX club hiring the site for its own event.

Severn Valley MX Club Championship Wroxton

- **Type:**Race
- **Club:** Severn Valley MX **Championship:** Severn Valley Club Championship 2020
- **Venue:** Wroxton ([Map](#)) **Track Postcode:**OX156EU
- **Dates:**05-07-2020 to 05-07-2020
- **Sign-On Opens:**07:30 AM
- **Event Begins:**09:00 AM
- **Online Entries Open:**14-06-2020 08:00 PM
- **Online Entries Close:**04-07-2020 06:00 PM
-

BW 85	,	40	£40.00	£40.00	Now Open
SW 85	,	40	£40.00	£40.00	Now Open
Auto	,	40	£35.00	£35.00	Now Open
Vets	,	20	£40.00	£40.00	Now Open
Junior- 65	,	40	£35.00	£35.00	Now Open
Adult A	,	40	£40.00	£40.00	Now Open
Adult B	,	40	£40.00	£40.00	Now Open
Adult C	,	40	£40.00	£40.00	Now Open
Senior 125	,	40	£40.00	£40.00	Now Open

● BSMA 10.00

This is the advertisement carried on the Banbury MX Facebook page from 3 July promoting the camping charges to their own followers who might be attending the event.

The event is on Sunday 5 July – from the times posted here it is obvious that campers arrive the day before and are on the site overnight.

Banbury mx

Jessica Pounder
Admin · 16 hrs · 🌐

If you managed to get an entry at wroxton sunday 5th july

Camping at Wroxton
OX15 6EU for practice
event 5th July

gates open from 3pm

£5 per vehicle
gates close at 11pm

STAY ALERT
CONTROL
THE VIRUS
SAVE LIVES

COVID-19 RULES MUST BE
FOLLOWED AT ALL TIMES

👍👎❤️👍 25

8 comments

The British Schoolboy Motorcycle Association (BSMA) are hiring the track on 22-23 August for their major championship.

Camping begins on the Friday and will last all weekend, with a clear-up on the Monday. Competitors and their families come from all over the country, during the Covid pandemic period.



BSMA 2020
Champion of Champions
Wroxton
22 - 23 August

Two days racing with overnight camping permitted on Friday and Saturday evening.

Open to book in for BSMA licence holders until 9 August then open for day licence holders from 10 August.

Please call the office to book in. ~~£90~~ **£70**

For more details please call the BSMA office

07436 563 264
www.bsmamx.co.uk



This is what Dirt Hub say about the event:

<https://www.dirtHub.co.uk/the-bsma-champions-of-champions-is-back/>

In years gone by the Champion of Champions alongside the BSMA Finals was one of the two biggest events on the Schoolboy calendar in the UK and with entries already piling in it looks like the 2020 staging could well go down in the history books.

The event is taking place at the Wroxton circuit in Oxfordshire on the 22nd and 23rd August with a stacked two days of racing lined up with camping available for the Friday and Saturday.

Entries are open now until the 9th August for BSMA license holders and then for riders who need Day licenses from the 10th August.

3.7 'A weekend in the life of...' Wroxton MX Track

Saturday 4 & Sunday 5 July 2020

A Hornton resident was so concerned about the post-Covid re-launch of 'Wroxton MX Park' that he monitored its activity over this July weekend, the first fixture to go ahead in 2020. He found many worrying indicators...

The track had been booked by the Severn Valley MX Club and was in use all weekend: Wroxton track/Banbury MX Club team were hiring out the course and renting out overnight camping spaces – see advertisement, opposite – which appeared on the Banbury MX Club Facebook page during the week beforehand.

According to this ad, the gates opened at 3pm on the Saturday. In fact, when our villager checked at 12.15pm and then again at 2.47pm (see pics below) on that day, camper vans were already parked up, the gate open and preparations in full swing.



Racing started at 9am on the Sunday. Due to Covid restrictions, no walk-in spectators were allowed – just the 160 riders and their immediate entourage plus course stewards: this was a relatively "small" race meeting for the site, described as such by one of the neighbouring landowners that weekend. We do not know what other Covid-19 safe distancing and safety measures were observed.



Immediately above is a view of just part of the camping field, seen from the Wroxton Heath road, at 10.50am on Sunday 5 July when racing was well underway. The following shots were taken between 2.15pm and 2.40pm on Sunday 5 July, from the adjacent footpath. The first ones show some of the camping/camper van set-up more clearly, grouped in part around the permanent loo block.



We know, from Severn Valley's published schedule, that participants were taking part in nine main races and were of all ages, child and adult. The villager spoke, briefly, to one of the riders waiting to start a young adult race at 2.30pm. The competitor was waiting in the 'crush' (see picture below) where riders rev their engines, loudly and continuously, for about five minutes before they are 'set free' onto the course. The rider told the villager that there were up to 40 competitors in the next race.



The race began at 2.30pm, with these scenes of dust and noise (see below). An

ambulance vehicle was in attendance throughout (visible towards the right of the second picture below) and about 10 stewards in high-vis jackets were on duty on the course. The previous children's race had finished, on the same circuit, literally minutes before this one began.



ENDS