



The Motoring Organisations' Land Access & Recreation Association

The Provision of Off-Road Driving Sites

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Introduction

This LARA Document was originally published in January 2016 as a part of *Motor Sport Events in the Countryside. Good Practice Guidance for Event Organisers & Land Managers*, the current version of which may be found on the LARA website at <https://laragborg.wordpress.com/publications/>

This paper is a brief overview of the subject, and good advice is to be found in the various Reference Documents listed below, which explain why some sites succeed while others fail.

I. **'Off-road driving sites' largely fall into three categories:**

- **Motor sport event sites** – which include permanent race tracks like Brands Hatch and the wide range of permanent sites at which organised events take place. The bottom end of this category would be something like a moto-cross track on a farm, where the track itself is a permanent feature, although the land is grazed between events. Motor sport event sites might be owned by commercial enterprises, by motor sport clubs (comparatively uncommon) or by, typically, farmers, who allow access by licence or lease. In general, there is no 'public access' to the use of these sites. Control rests with the site owners and event-organising clubs.
- **Motor sport practice tracks.** Bar a few such sites owned by clubs, these sites are operated by the small business sector. The commonest type is the moto-cross practice track, where riders of proper MX machines can ride in near-race conditions. Another type would be the 'rally school' offering tuition and coaching to car rally drivers. These tracks are open to the paying public, but generally offer only specific activities on any site, closely disciplined for safety. The frequency of use and character of the site usually push these to need formal planning permission.
- **Recreational motoring sites.** This wide band encompasses karting centres (outdoor, indoor and ice rink), 4x4 driving sites, recreational quad bike tracks, and a very few offering motorcycle activities. These sites have an overlap with motor sport practice tracks, but the single defining difference is that at motor sport tracks users bring their own vehicles, while at recreational tracks they mostly hire on-site vehicles. The frequency of use and character of the site usually push these to need formal planning permission.

2. **A short history of off-road driving sites**

- 2.1. Purpose-built racetracks started with Brooklands before the Great War, but most racing took place on parkland circuits (the grounds of stately homes: Cadwell Park, Mallory Park, Oulton Park, Goodwood, Donington Park, etc.) which evolved into proper permanent facilities. Others developed, post-WWII, from airfields (e.g. Silverstone) and grass tracks (e.g. Brands Hatch). Others (generally smaller) grew up out of post-industrial regeneration in the 1980s and 1990s (Teesside, Three Sisters, Rockingham).
- 2.2. In the late 1950s some 'banger racing projects' started. These were primarily aimed at young offenders, or young persons at risk of offending, and were not motor sport as such, but because of the high level of ongoing agency resources available, these schemes have a record of success and longevity.

- 2.3. In the early 1980s what was probably the first attempt at providing a public access motorcycle 'trail park' was opened in Kent by the road safety campaigner, the late Dave Taylor. Here the public could turn up and pay to hire a trail motorcycle (i.e. a road legal machine with reasonable off-tarmac capability). The site soon failed for commercial reasons – not least that the income generated could not keep pace with the damage inflicted on the hired machines.
- 2.4. In the mid-1980s there was a wave of interest in such sites as a way of curbing/diverting illegal off-road motorcycling and, by the same solution, providing a popular facility for the wider community. There was a high level of activity in the Northeast of England, not least due to regional Sports Council funding, and the availability of 'derelict land grant' and other post-industrial regeneration funding. Almost all these schemes swallowed huge amounts of money, yet failed to some degree. Those that have survived evolved and adapted according to hard economic truths that are proved time and again.

3. Which motoring activities can be provided for on off-road driving sites?

- 3.1. These views are generalisations based on observation of many, and participation in quite a lot of, schemes over twenty years. There are exceptions. Where there are exceptions, before accepting a site as a possible model for others, consider whether that site is operating within prudent and sustainable business and health and safety parameters.
- 3.2. **'Serious' motor sport** is generally catered for by the top and middle sectors of site provision: the big race circuits, the commercial use of Forest Enterprise plantations for rallies and enduros, down the scale to on-farm MX tracks, and the occasional use of rough pasture and quarries for car, 4x4 and motorcycle trials. Land access for these events is on commercial and social terms. Organisers pay for land use and, where an event like a trial is not a money-spinner, landowners are frequently generous in allowing use. In truth, the constraints on land availability for competitive events are planning rules, noise rules, conservation designations and agri-environment schemes (currently the Basic Payment Scheme and Cross Compliance).
- 3.3. **4x4 driving at a 'recreational level'** (which might be defined by saying it involves standard, or only lightly modified, road-legal vehicles) does seem to be catered for by the commercial sector to a degree. '4x4 driving centres' exist and survive. This is probably because these sites operate under quite rigid discipline, and have a high proportion of 'instructors' to drivers. Participants do not want to damage their own vehicles, the driving is challenging without the terrain being dangerous, and – not least – enough people seem willing to pay a realistic sum of money to use these sites. The number of sites may now have reached an economic equilibrium with the number of people able and willing to pay the going rate.
- 3.4. **Quad bike driving** is somewhat different. Leaving aside road-legal machines, quads fall into three categories: agricultural, recreational (including children's) and race. Commercial quad centres (all those that LARA knows) use their own fleet of agricultural, or heavy recreational, quads. These machines are stable, relatively slow, and forgiving to drive. The tracks set out are simple and safe (lots of straw bales). No quad centre known to LARA allows the use of customers' own machines, or race quads.
- 3.5. **Karting centres** are operated in a similar way to quad facilities. They use solid recreational machines for public hire. Risk is low, and injury accidents rare and mostly minor.

3.6. **Off-road motorcycling sites** are a rather different matter. One major factor is simple economics. Dave Taylor's early trail park found that its trail bikes were reduced to inoperability within a few weeks of regular use. Two schemes in the Northeast of England found exactly the same in the early 1990s. Relatively cheap, relatively low performance, motorcycles are nowhere near as durable as recreational karts and quads. No scheme has ever tried (to LARA's knowledge) hiring out 'proper' off-road motorcycles – MX bikes, enduro bikes, or race quads – for public use in a 'free activity' environment. There are 'enduro schools', but these operate much like rally car schools – close discipline, small numbers, and relatively high cost.

4. **Do provided sites cure the illegality problem?**

4.1. It is a fact that the 'problem' in illegal off-road vehicle use is predominantly MX, enduro, and quads for adults and children, plus 'mini-motos' and similar (mainly children and youths) on parks, open land, beaches, streets and public paths. There is some illegal use of 4x4s, but this tends to be on 'traditional sites' and is far more susceptible to enforcement (the drivers have licences) and exclusion (by gates and barriers). Can a proper off-road site cater for these people? If they want to continue the character of their illegal riding on a legal site, then LARA's view is that sites cannot be a substitute under the present legal environment. What these people are doing is now often called 'freeriding' – a term imported from snowboarding and mountain biking. Freeriding happens outside organised events, yet is often event-like in its character: 'radical' riding. It is, by definition, without rules, frequently outside the law, and if there is any code of behaviour or ethics, it is self-ordained. It is notable that local authorities have recognised this social phenomenon in skateboarding and provided skateboard parks with all the usual ramps and jumps, which are effectively self-policed by the users.

4.2. Would what works for skateboards work for motorcycles? Almost certainly not. Skateboards are more akin to the type of recreational karts hired to the public – slow, all of similar performance, and with only minor scuffs, or a broken wrist, as a realistic worst outcome from a fall. MX bikes are a different world altogether. The mixture of machine performance, rider ability, rider intelligence, age, experience and protective equipment that would happen in a motorcycling 'freeriding site' amounts to an unmanageable recipe for disaster – and certainly an operation that would give actuaries nightmares. To make such sites insurable (and if they are not insurable, should the public sector go near them?) the amount of rules imposed would change the character of the activity so much that the sites could not cater for the current set of illegal users – even if they had the money to pay for use of the site.

5. **Danger & liability**

5.1. So how can such a dangerous activity as moto-cross racing take place? Because the level of discipline imposed on entrants in a race meeting is so high, with marshals, machine examinations, protective clothing, medics, supervisors, etc., as to make the events an insurable risk at a premium the sport can afford. Remove the discipline to cater for 'the public' riding similar machines in a casual way, and the risk rockets.

- 5.2. To make ‘casual’ sites feasible would require a fundamental legal change to disapply risk and liability law entirely from the site as regards a claim against the site provider. This would probably be against European law and, even if it went through, the courts would soon be looking to restrict its scope.

6. **Provided sites v. green road driving**

- 6.1. LARA does not in any way support the idea that off-road driving sites are a realistic, workable, desirable or acceptable substitute for the loss of traditional lawful driving rights on minor highways. Such sites are valuable and desirable, and will provide an outlet for the ‘cowboys’, but should be promoted on facts, and their own worth, rather than being a smokescreen for removing long-established highway rights.

7. **Reference Documents**

- 7.1. See also LARA Document 2019.03.25, “*Anti-Social and Unlawful Motoring in the Countryside Enforcement, Education and Alternative Provision*”, available at:

http://laragb.org/pdf/LARA_20190325_AntiSocialMotoring.pdf

- 7.2. LARA’s website at www.laragb.org holds a number of reports regarding the provision of off-road driving sites, primarily:

Wales Off-road Motorcycling Steering Group Annual Report 2006, available at:

http://laragb.org/pdf/WORMS_200600_AnnualReport.pdf

Off Road Motorcycling in Greater Manchester: Identifying Solutions 2005, available at:

http://laragb.org/pdf/RROSE_200503_OffRoadGreaterManchester.pdf

Motorsport in the Community: The Way Head 1992, available at:

http://laragb.org/pdf/SPCO_199203_MotorsportInTheCommunity.pdf

Northern Motorsports Project: The Way Ahead 1991, available at:

http://laragb.org/pdf/SPCO_199100_NorthernMotorsportsProject.pdf