

Wales Off-road Motorcycling Steering Group

Annual Report 2006





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1. Executive summary and conclusion

Off-road motorcycling has recently been a rapidly increasing activity, both lawful and unlawful. Opposition against the activity is also growing and in many instances the number of available sites or locations is reducing due to policy, planning or environmental restrictions. The issue remains largely unresolved and in many agencies is still given insufficient priority or resources. If the dichotomy of increased activity and reduced availability is not resolved, the amount of illegal use, complaints and safety risk will continue to increase.

There has been a lack of consistency among agencies and organisations across Wales towards the provision of facilities as well as the education and enforcement against the illegal activity. While there are some good examples, this is not generally replicated across Wales. The primary objective of the Steering Group has therefore been to seek greater commitment and consistency towards both provision along with education and enforcement.

Key recommendations in the first – and also this second – Annual Report therefore include: greater partnership working, more effective communication and a requirement for policy and practical guidance.



In 2005, the Steering Group concluded that the role of the Welsh Assembly Government (WAG) would be pivotal in promoting a pro-solution approach, requiring all agencies to work together in finding consistent and equitable solutions across Wales. The group identified the need to provide framework guidance within which many of the agencies work and also have an important role in ensuring effective cooperation and interaction with DEFRA, DTI and other GB agencies which are involved in this issue. A presentation of the first Annual Report was made to Carwyn Jones, Minister for Environment Planning and Countryside in June 2006. Subsequently he invited Lynne Neagle, AM for Torfaen, to chair the group and it is envisaged that she will chair the first meeting in 2007.

Off-road motorcycling is still an emotive issue. Solutions therefore need to be developed sensitively to avoid a further polarisation of views. The resolution of conflict requires a pro-solution approach which tackles both the rising problem of illegal use and also makes provision for off-road motorcycling as a legitimate recreational activity.

The Steering Group concludes that while progress has been made in the last 30 months, particularly in promoting a partnership approach, the recommendations in this report identify that there is still much more work to do before the work of the group is concluded. While the WAG is seen as key to effective progress being made, the Steering Group also recognises the opportunity and responsibility for self-help among the members of the Group and its two sub-groups to work together to make sustainable progress.



2. Background and introduction



Unlawful off-road motorcycling has become a major issue in Wales during the last few years, both in our communities and in the open countryside. (In this report, off-road refers to all usage – lawful and unlawful – which takes place off the surfaced highway.) The negative feeling from the general public towards off-road motorcycling as an activity has escalated at the same time as the interest in undertaking the activity has risen with a substantial year on year increase in bike sales; more recently still the ready availability of inexpensive mini-motorcycles has exacerbated the problem. To communities and those who enjoy peaceful recreation, the activity has often been seen as uncontrolled, dangerous, antisocial and intrusive as well as damaging to the environment. To responsible motorcycle users it has been seen as an opportunity to develop independence, mobility, friendship, excitement and skills.

Many such users have been undertaking the activity lawfully, on authorised private sites or on public byways, but an ever-increasing usage is unlawful. Of particular concern has been the riding on unauthorised routes or land and also the use of untaxed, uninsured or unsuitable machines often with no training, increasingly by children.

While most would agree that something needed to be done, there had tended to be little consensus or coordination towards finding solutions, with both positions appearing to be irreconcilable. Therefore in May 2004, Forestry Commission Wales (FCW) as Wales' single largest land manager, together with The Countryside Council for Wales (CCW), with responsibilities for access issues in Wales, co-hosted a major conference with the objective of exploring opportunities for structuring and managing the activity for the benefit of both positions. A Conference Steering Group assisted in ensuring that all key interests were represented and comprised representatives from FCW, CCW, Welsh Local Government Association (WLGA), Land Access and Recreation Association (LARA), The Police Service in Wales, the Auto-Cycle Union (ACU) and the Assembly's Community Safety Unit (CSU).

The Conference, opened by Carwyn Jones, the WAG Minister for Environment, Planning and Countryside, urged all present – particularly those with very strongly held views – to seek an agreed way forward.



The 200-strong Conference, which included those in favour and against off-road motorcycling, explored the issue from the perspective of users, landowners, enforcers and providers, resulting in 19 separate recommendations being made. The Conference agreed that the Conference Steering Group should continue and work to take forward the Conference recommendations. It also unanimously supported the following summary position statement:

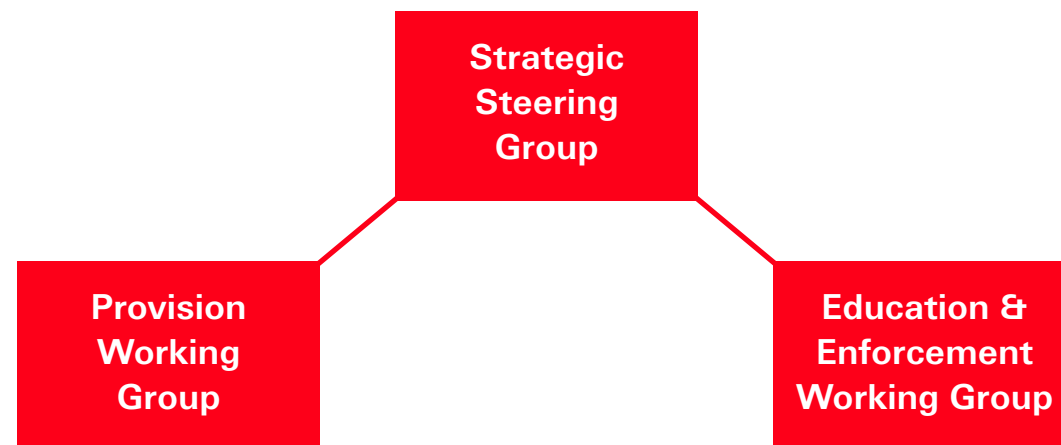
'to promote a consensus and partnership approach across Wales towards both:

- **The development of opportunities for off-road motorcycling as a legitimate outdoor recreation activity**
- **The curtailment and management of unlawful off-road motorcycling**





The original Steering Group members reconvened after the Conference to review the issues within the 19 Conference recommendations. It was agreed that they should be grouped under three headings, each then to be taken forward by a different group with terms of reference that can be summarised as follows:



Strategic Steering Group responsible for:

- overall coordination, representation and research and to oversee the two working groups
- to help WAG develop and implement policy and technical guidance on the issues of education, antisocial behaviour, health, enforcement and provision

'Provision' Working Group responsible for:

- seeking out, communicating and supporting the provision of a limited number of pilot study sites across Wales
- to advise the Steering Group of any significant issues which needed strategic support to facilitate implementation

'Education and Enforcement' Working Group with a short-term remit to ascertain:

- the extent of enforcement policy across Wales
- the level of understanding of the legislative framework
- communication, education and training
- the collection of data on the illegal issue

It was recognised at the outset that the issue continued to be sensitive and emotive, with the risk that there could be a polarisation of strongly held views. It was therefore agreed that the issues needed to be progressed with sensitivity, taking forward both elements in tandem.

a. Steering Group

During the first two years after the Conference a key objective has been to build and consolidate relationships and effective partnerships between the members.

The group has met regularly and its representation has strengthened so that it now includes an MP (Huw Irranca-Davies), representatives from the Wales Police Service, CCW, WDA, FCW, ACU, LARA, DVLA, WLGA, DEFRA (as observers) and also Geraint Jones, a motorcycling world champion. In 2007 the Group will be chaired by Lynne Neagle AM. Each member has been raising the awareness and seeking support within their own spheres of influence. This progressive building of trust and support has been seen as vital to ensure that progress is sustainable. Specific progress can be summarised as follows:

- Meeting with Welsh MPs in Westminster to raise awareness and seek support for the development of wider provision as well as identification and adoption of best education and enforcement practise.
- Meeting the Minister for Environment Planning and Countryside to both present the first Annual Report and also to ascertain how to seek further Assembly support and ownership of the group's objectives.
- Our research identifies that very few Local Authorities have any strategic plans to consider provision. Indeed there is no incentive or requirement for them to do so. The Group has identified that there needs to be national guidance to Local Authorities to 'encourage' the provision of sites.
- The DVLA provides, and has been promoting, the opportunity for voluntary registration of off-road motorbikes. It identifies that there is considerable opportunity for expansion of voluntary registration, although recent parliamentary proposals (December 2006) to make this compulsory were not adopted, as it is believed that adequate powers exist to enforce against misuse of off-road vehicles.
- Input into DEFRA's policy development in relation to off-road motorcycling.





b. Provision Working Group

The group has met regularly and is encouraged by the growing support and increased membership. Chaired by the ACU it includes FCW, Community Safety Partnership (CSP) representatives and Wales Police Service. CSPs are seen as key local coordinators to support provision. Progress is being made in Cardiff, Neath Port Talbot, Blaenau Gwent, Rhondda Cynon Taff and Bridgend. Substantial progress was being made in Swansea, but the proposal for a legitimate off-roading site failed after significant objections were received at the last hurdle. This reinforces the need to have national guidance on the issue of site provision. Wider involvement is being encouraged throughout Wales. Commercial operators are likely to be key providers on a number of sites. There are also opportunities for the voluntary/charitable sector to be involved, particularly those working with the young or disadvantaged. Key to progress will be resolution of certain issues requiring Assembly support or guidance. The mechanism to seek this support is through the Steering Group.

Provision is identified as being needed in two distinct situations:

- Local sites on private or public land where off-road motorcycling can be undertaken
- The development of comprehensive, properly signed route networks for trail riding



c. Education and Enforcement Working Group

The group has met. Its membership, chaired by a representative of Denbighshire County Council, includes representatives from the Police Service in Wales, FCW, DVLA, CCW, motorcycle manufacturers and users. While there has been an emphasis on enforcement, the group sees the need to progress education, training and the communication of what is and what is not permitted.

Operations have taken place across Wales involving partnerships, particularly between the police, Local Authorities and landowners.

In addition, following an initial secondment of 6 months to scope out the issues of forest crime, FCW and South Wales Police have agreed a secondment to FCW for the next 2 years due to commence in January 2007. Off-road motorcycling will be a key aspect of the seconded's work where coordination between police, Local Authorities and FCW will be key to effective enforcement action.



5. Recommendations from the Steering Group

A. Strategic

No.	Issue	Solution	No.	Recommendation
5.1	Lack of data in relation to the extent of the opportunities and problems	Undertake research into the economic and even health benefits and also extent of the illegal activity, etc.	5.1.1	WAG (CSU) to commission research which would include: <ul style="list-style-type: none"> The tourism/economic benefits associated with diversification The extent of the illegal activity (crime audit) The cost to the Health Service of related injuries
5.2	Lack of regulation or control over off-road bike standards, including mini-bikes There has been a rapid increase in sales of mini-bikes in particular which are often seen as toys.	Develop appropriate criteria on quality standards and usage which can be legally enforced	5.2.1	WAG should liaise with DTI and Department of Transportation the importation, distribution, sale and usage of all non 'road-legal' off-road bikes, including mini-bikes, in relation to standards and criteria/guidance as to quality and usage
5.3	Lack of awareness of the work of the Steering Group or often the work others are doing And also to ensure that others who are seeking to tackle the issue are not reinventing the wheel or working in isolation.	Better communication of the progress being made on provision, education and enforcement	5.3.1	Steering Group members to make presentations to coordinators of key partnership groups such as WACSO, National Access Forum, WACPO, WLGA, and Environmental Health Officers
5.4	There is a need to raise the awareness of the working and recommendations of the Group within the National Assembly and across the Welsh Assembly Government	To promote a cohesive approach within the Assembly ('Making Connections')	5.4.1	Through the Chair, ask EPC Minister to liaise with other departments which have the issues or impacts from illegal motorcycling to work together to achieve mutual objectives, e.g., Social Justice, Sport/Culture, Economic Development
			5.4.2	Steering Group to make a presentation of the issues and its recommendations to Assembly Members
5.5	There is insufficient consideration of the potential for off-road motorcycling as a legitimate sport	Develop vibrant and successful off-road motorsport in Wales as part of the rally 'offer'	5.5.1	Work closely with the Wales Motorsport Initiative of the WAG to support legitimate off-road motorcycle events as part of a Wales Rally brand. This includes: <ul style="list-style-type: none"> Supporting the development of event and test facilities Promotion of a Wales Centric Academy for motorsport competitor development

5. Recommendations from the Steering Group

B. Provision

No.	Issue	Solution	No.	Recommendation
5.6	Insufficient sites and lack of guidance The Government Motorsport Unit has funded the ACU to create a dedicated Local Authority Support Unit (LASU) which has already started working with 20 Local Authorities across GB on specific projects or plans for provision	Development of guidance on what makes a suitable site for off-road motorcycling	5.6.1	ACU through LASU to take the lead on producing best practise guidance which needs to include construction details, access considerations, safety management, difficulty rating and site interpretation
5.7	There are few defined or signed route network available for off-road use in Wales There is concern that legal access for motorcycles will be reduced through the rationalisation of PRowS (under CRow) and also the recently implemented NERC Act	Clarify and secure well signed route networks within Wales Solution	5.7.1	CCW to pilot work with Local Authorities to look at opportunities for sustainable off-road network and route development based on the existing PRow network and unclassified roads.
			5.7.2	
5.8	There is no incentive or requirement on Local Authorities to encourage site provision	Local Authorities should be encouraged to consider site provision in developing their Local Development Plans	5.8.1	WLGA to identify the current hurdles to provision, e.g., planning, community safety, noise and make recommendations
			5.8.2	WAG to provide guidance and "encouragement" to UA's to support provision of sites in LDPs. Inclusion of the requirements in a TAN is recommended as a minimum requirement
			5.8.3	Community Safety Partnerships (CSPs) to be encouraged to have a pivotal role in site identification and in Community Plan strategies
5.9	Development of off-road provision is a daunting task with little guidance on procedure At present many groups and agencies are approaching each site in different ways. There is a need to look at effective mechanisms, key partners, funders, etc. Swansea's experience may help in producing this guidance	Establishment of an effective multi-agency approach to provision	5.9.1	ACU (using funding it has received from central government) to look at effective mechanisms for provision – best practise guide on procedure
			5.9.2	CCW to include information about motorised recreation in web-based and related recreation sources
5.10	Lack of encouragement for farmers to consider off-road development as part of diversification Current events in rural mid Wales bring in more than £1M to the local economy each year	Encouragement of diversification opportunities in off-road provision for private landowners	5.10.1	WAG to encourage Local Authorities to support and encourage landowners wishing to diversify for the provision of off-road facilities, in accordance with revised Planning Guidance

C. Education and Enforcement

No.	Issue	Solution	No.	Recommendation
5.11	<p>Lack of consistent and meaningful enforcement across Wales There are examples of off-road police and LA enforcers, but there are concerns over safety/accidents, etc. Bike Watch is being promoted by a number of CSPs to report illegal motorcycling There is a lack of resources and priority given to effective education and enforcement</p>	<p>Enforcement must be backed up by appropriate resourcing and raising the priority</p>	5.11.1	Enforcement Group (working with police forces and any LA enforcers as well as the SW Police FCW seconded police officer) to produce recommendations for a more effective and consistent approach to enforcement action, including use of ASBOs
			5.11.2	Steering Group to seek support of WACPO to make enforcement of off-road motorcycling and its associated antisocial behaviour a higher priority across police forces and divisions in Wales. WACPO to examine best practise and provide advice to the police forces
			5.11.3	CSPs/Welsh Association of Community Safety Officers (WACSO) to promote 'Bike Watch' across Wales
			5.11.4	WAG and DEFRA to actively promote the Government circular on enforcement to key target audiences, e.g., police, CPS, Las, etc
5.12	<p>There is insufficient requirement for bike and owner identification All competition event bikers have to be registered via Datatag with ACU. DVLA also has a low key voluntary registration scheme. But there is no coordinated approach to registration and many bikes and owners are totally unregistered, with no means of identifying a bike or its owner.</p>	<p>More effective mechanisms for identification of motorcycle ownership</p>	5.12.1	WAG support for DVLA to widely promote its voluntary registration scheme. DVLA to manage the registration of off-road bikes
			5.12.1	ACU to work with DVLA to integrate its event objectives with the DVLA scheme
			5.12.2	WAG to liaise with DTI regarding working towards requiring all bike retailers to register the bikes they sell with DVLA. In view of the recent UK ministerial opposition to compulsory registration, support for 5.12.1 above would still be appropriate in Wales
5.13	<p>Lack of knowledge about what is and what is not permitted and where Since the Conference there has been a considerable increase in sale of bikes, particularly mini-bikes, with no clear guidance or regulation</p>	<p>Need for much better and more consistent publicity of what is and is not permitted</p>	5.13.1	WAG to support and work with WACPO, WLGA Wales Association of Community Safety Officers (WACSO), CCW, ACU, and other relevant partners in the production of publicity to highlight what is and what is not permitted. (The LARA access guide could prove a useful reference, when updated)
			5.13.2	CSPs to coordinate distribution of publicity material, targeting known hotspot areas

Name	Organisation
Huw Irranca-Davies	MP for Ogmore
Tim Stevens	Land Access and Recreation Association (LARA)
Norman Liversuch	Caerphilly CBC and Welsh Local Government Association (WLGA)
Stephen Buckley	Forestry Commission Wales (FCW)
Jont Bulbeck	Countryside Council for Wales (CCW)
Peter Charleston	North Wales Police/CCW secondee
Brian Puckett	Auto Cycle Union (ACU) and Local Authority Support Unit (LASU)
Rachel Morgan	WLGA
Chris Croad	Driving Vehicle Licensing Authority (DVLA)
Antony Wallis	FCW
Fran Richley	Gwent Police
Geraint Jones	Yamaha Off Road Experience/ACU
Martin Jones	South Wales Police
Peter Hanson	North Wales Police
Andrew Reeks	WBBU
Alan James	Welsh Development Agency (WDA) Wales Motorsport Initiative
Tom Waterer	Motorcycle Industry Association
Carl Close	Police Liaison Officer Assembly Government
David Jeremiah	Torfaen Borough Council



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