

EXMOOR NATIONAL PARK AUTHORITY

3 SEPTEMBER 2002

MOTORISED SPORT AND RECREATION IN EXMOOR NATIONAL PARK

CODE OF CONDUCT AND EVENT GUIDELINES

Report of the Head of Recreation & Tourism

Purpose of Report:

To consult Members on the proposed approach to Motorised Sport and Recreation. With the Authority's approval, the draft Code of Conduct and Event Guidelines will be sent to user groups and interested parties for consultation.

Legal Implications including Human Rights Act 1998:

None

Financial Implications:

None

National Park Objectives:

To ensure that Motorised Sport and Recreation in Exmoor National Park is compatible with the principle of quiet enjoyment and the activities of persons living and working in the National Park, and to seek to achieve harmony between the first and second purposes of the National Park Authority (National Park Management Plan Objectives 11/2 and 11/3).

RECOMMENDATION:

To: AGREE:

- (1) the policy for managing motorised events; and
- (2) the draft Code of Conduct and Event guidelines for further consultation.

1. INTRODUCTION

- 1.1 A review of policy and practice for dealing with motorised events is required by the Best Value Review of Recreation Management. The Authority needs a policy in place against which future motorised events can be assessed. The proposed Code of Conduct and Event Guidelines will apply solely to motorised sport and recreation. The Authority currently publishes a general Code of Conduct for Recreational Events.

2. EXISTING LEVEL OF MOTORISED EVENTS

- 2.1 The number of vehicles in all events has increased by around 16% whilst those using off-tarmac sections has risen around 30% between 1993 and 2002 (see Appendix 1). This increase in numbers is not constant from year to year, but does appear to be the trend; 2002 will have hosted more motorised events and vehicles than any year on record.

2.2 Most of the events held in 2002 were running in 1993 and many have a very long history. The number of entrants in these events has not been increased greatly, mostly due to logistical constraints. The Authority receives few complaints about these events due to strong local contacts and knowledge of the organisers and the historic nature of the events.

3. **POLICY**

3.1 Motorised events have the potential to conflict with National Park purposes and lead to disruption to local people and other recreational activities. The Authority received many complaints about a new event this year, leading to the conclusion that many local people and other users tolerate or enjoy existing events, but are not keen for an increase in size or number. There has also been an un-quantified but widely reported increase in casual motorised use of the National Park for recreational use. It is therefore proposed in section 2.2 of the draft Code that, to limit these conflicts and pressures, any future new events or an increase in the size of current events would be resisted by the Authority.

4. **GUIDELINES**

4.1 Most motorised events are authorised by the Royal Automobile Club Motor Sports Association (RACMSA), and have to comply with their set of rules and guidelines. By producing these guidelines, organisers are given a clear outline of what the Authority requires from events.

5. **CONSULTATION PROCESS**

5.1 The consultation process for the guidelines will consist of the following actions:

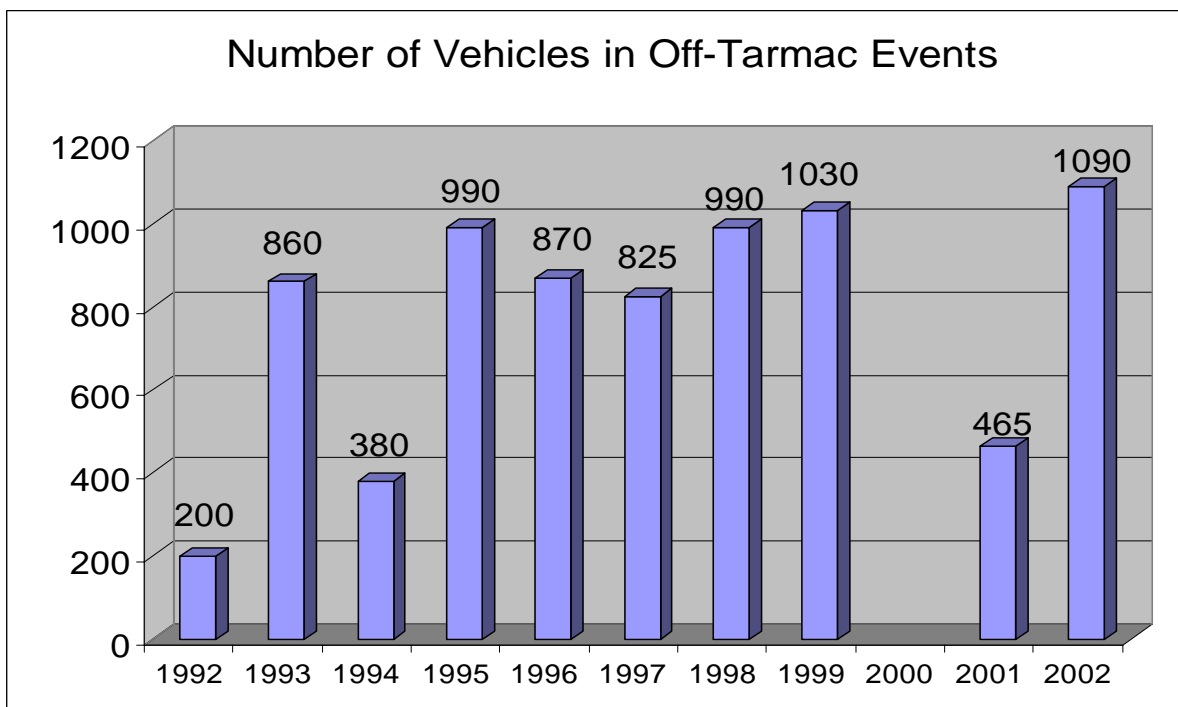
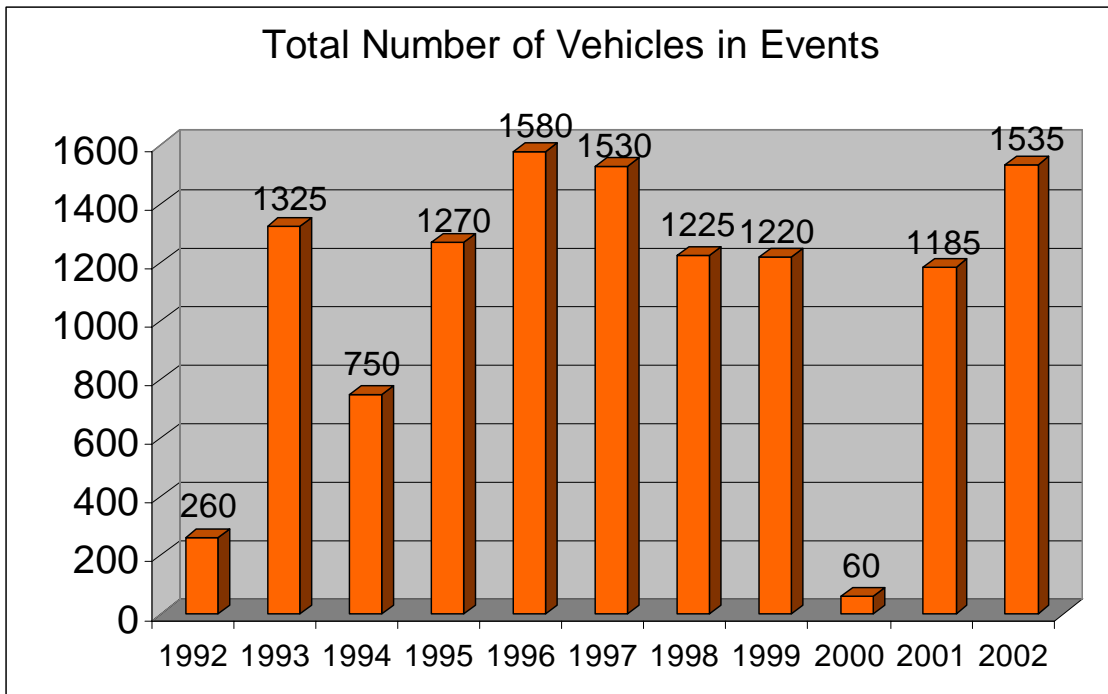
- October 2002 - Review the paper in light of feedback from the Authority.
- October-December 2002 - Circulate the paper to existing Exmoor Access Forum, Exmoor Consultative Forum, event organisers, user groups and relevant landowners and individuals.
- March 2003 - Compile feedback and work with consult tees on relevant issues.
- Mid 2003 - Compile final report and paper to committee for agreement.

Paul Hawkins
Recreation and Management Officer

19 August 2002

Appendix2 Code of conduct and Event Guidelines is found on T:\WP\R&T\Code Conduct motor sport

Appendix 1:



Footnote: The file for 2000 has been mislaid, hence the lack of records. 2001 is very low due to Foot & Mouth. 2002 has at least another 150 vehicles to be added to both graph totals.

These figures are based on the maximum number of vehicles permitted through the Motor Sports Association event authorisation. In some case the events are undersubscribed, in other cases they occasionally run slightly over capacity.

Motorised Sport and Recreation

Code of Conduct and Event Guidelines

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1 **INTRODUCTION**

- 1.1 Exmoor National Park is a very special place – one of eleven areas of England and Wales identified as examples of the country’s finest landscapes and given special protection. The National Park provides the public with rare opportunities for peace, tranquillity and solitude within a landscape rich in scenic beauty, wildlife and cultural heritage.
- 1.2 The National Park Authority has the statutory duty to conserve and enhance the Park’s special environment and to promote the understanding and enjoyment of its special qualities – its remoteness, wildness, tranquillity and beauty, and the richness of its wildlife and history. Any recreational activities or events that take place in the Park should do no serious or long term damage to these special qualities.
- 1.3 These guidelines have been produced by the Exmoor National Park Authority with the aim of ensuring that motorised sport and recreation that takes place within the National Park has the minimum possible impact on this special environment and other recreational users. It aims to ensure that all those who take part in this sport are well informed and aware both of their own legal obligations and the statutory duties of the National Park Authority, in order to protect the natural and cultural environment
- 1.4 Pressure from recreation is particularly high in National Parks. Sport that takes place in the National Park should depend on the area’s special qualities. Your sport could be equally successful in a less sensitive location, you may find there are many benefits in basing your event in areas that are less pressured. If you believe that your event has a place in the Park, contact the National Park Authority **as the first stage of planning** and we will advise you.

2 **EXMOOR NATIONAL PARK AUTHORITY POLICY FOR MANAGING MOTORISED EVENTS**

- 2.1 For the purposes of these guidelines, motorised events are defined as those in which more than 12 vehicles take part. Under the Motor Vehicles (Competitions and Trials) Regulations 1969, events involving no more than 12 vehicles are automatically authorised by the Royal Automobile Club Motor Sports Association (RACMSA). Organisers of events of any size should ensure that they are acquainted with the terms of the legislation prior to running any event for cars or motorcycles on the public highway.
- 2.2 With continued guidance and monitoring the number of competitions and competitors involved in motorised events in the National Park at present is sustainable. There are between 1000 and 1600 vehicles that participate in motor sport on Exmoor each year. This level has gradually increased with 7 events in 1994 and 9 events in 2001. Most of these events are historic and have been run for many years. However, any future increase in the number or size of events would be resisted by the National Park Authority.
- 2.3 Certain times of year should be avoided, particularly the peak summer tourist season (June, July, August) and the ground bird nesting season (April – July) on moorland. Exmoor National Park Authority will provide guidance to event organisers on times of year, and areas such as Sites of Special Scientific Interest to be avoided.

3 **GUIDELINES FOR EVENT ORGANISERS**

3.1 **AIMS OF THE GUIDELINES**

- 3.1.1 National Parks attract a range of events involving motorised vehicles, including fundraising and other sporting and challenge events. Any event inevitably has an impact on the environment and local community (eg. congestion, damage to routes and disturbance to residents). Exmoor National Park Authority has a duty to ensure the safety of members of the public using Rights of Way within the National Park, and to ensure that minimum damage is caused to this special environment.

3.1.2 These guidelines are designed to help event organisers minimise any negative impacts that might occur. They are applicable to events which:

- Are formally organised and designed to attract more than twelve participating vehicles and/or large numbers of spectators.
- Use public rights of way, permissive trails, open country or moorland over which access has been agreed.
- Are competitive or just for fun, are profit- or non-profit-making or raising funds for charity.
- Are timed or non-timed (promotion of races or trials of speed on a carriageway or public right of way is an offence under the Road Traffic Act 1988).
- Involve mechanically propelled vehicles of any description.

3.2 THE ROLE OF THE NATIONAL PARK AUTHORITY

3.2.1 Exmoor National Park Authority are agents acting on behalf of Devon and Somerset County Councils, the Highway Authorities, in most matters relating to footpaths and bridleways. The Authority's primary concern is to ensure the safety of members of the public on the highway. Footpaths and bridleways are public highways.

3.2.2 Section 47 of the Countryside and Rights of Way Act 2000 will end the duty on Highway Authorities to reclassify roads used as public paths (RUPPs). Every RUPP will become a restricted byway, over which the public will have a right of way on foot and on horseback, and for vehicles other than mechanically propelled vehicles. All RUPPs in the Devon part of Exmoor have been reclassified as either Byways Open to All Traffic (BOATs) or bridleways. RUPPs in Somerset remain the responsibility of Somerset County Council but are managed by the National Park Authority to bridleway standard.

3.2.3 In addition to its duty to maintain the rights of way network, Exmoor National Park Authority has the statutory duty to conserve and enhance the natural beauty, wildlife and cultural heritage of the area and to promote opportunities for the understanding and enjoyment of the Parks' special qualities. Enjoying motor sport in Exmoor National Park is therefore different to enjoying the sport elsewhere in the country. By the very nature of the sport, it has the potential to conflict with the statutory duties of the Authority. It is most important that motor sport recreation in the National Park is particularly well disciplined in order to avoid conflict with the purposes of the National Park Authority and with the interests of farmers, other landowners, local communities and other people using and enjoying the National Park, particularly on rights of way.

3.2.4 Under Section 33 of the Road Traffic Act 1988 a person must not promote or take part in a trial of any description on a footpath or bridleway unless this has been authorised by the local authority, in Exmoor this is the National Park Authority. A driver using a footpath or bridleway for access with landowners permission must exercise a high standard of care, since what might be acceptable on a vehicular road could well constitute driving 'dangerously' if on a footpath or bridleway.

3.3 NECESSARY AUTHORISATIONS

3.3.1 There are rules for all the various forms of trials and competitions set out by the governing bodies, but compliance with the **Motor Vehicles (Competitions and Trials) Regulations 1969** is essential to all of them. Motor racing on any highway has been banned for many years.

3.3.2 The Royal Automobile Club Motor Sports Association (RACMSA) is the governing body for motor sport in the U.K. Unless a Certificate of Exemption has been granted by the RACMSA, every event involving vehicles having more than three wheels must comply with the relevant RACMSA Regulations (contained in the RACMSA Yearbook). This is in addition to each event's own set of regulations (the Supplementary Regulations) which contain specific regulations for that particular event.

4 GOOD PRACTICE GUIDELINES

4.1 PLAN WELL AHEAD

4.1.1 The bigger the event, the earlier you need to start planning, as increasing competitor numbers will lead to greater potential impact. The following suggested consultation timetable prior to event is not intended to be exhaustive, but will provide a framework around which events may be organised.

Schedule for Advance Planning

- | | |
|-------------------------------|---|
| > 6 months prior to the event | <ul style="list-style-type: none">• Identify route and any special stages.• Discuss event with Exmoor National Park Authority, key landowners/managers/ farmers and Police.• Consult with statutory Authorities and farmer/landowner organisations.• Gain written permissions from landowners & identify any out of bounds areas such as Sites of Special Scientific Interest. |
| > 3 months prior to the event | <ul style="list-style-type: none">• Inform riding stables and other local rights of way user establishments.• Agree location and number of marshals at each location.• Inform any other landowners and residents affected, particularly owners or occupiers of dwellings not in settlements. |
| 2 weeks prior to the event – | <ul style="list-style-type: none">• Erect notices about the event at key access points.• Provide notification of the event in the local press. |
| on the day | <ul style="list-style-type: none">• Fully brief entrants on out of bounds areas, behaviour etc.• Have someone briefed to deal with unanticipated land access or public relations problems.• Provide marshals to ensure public safety and compliance with any restrictions.• Remove litter and events signs immediately after the event. |
| 1 week after the event | <ul style="list-style-type: none">• Acknowledge co-operation from landowners.• Contact National Park Authority to discuss any issues arising. |

4.2 CONSULT WIDELY

4.2.1 It is most important that the National Park Authority is contacted as early as possible. The Authority will give you advice on timing, routing, and important contacts. In particular Exmoor National Park Authority can help with providing information on landowners and other organisations that may need to be contacted.

4.3 OBTAIN PERMISSIONS WELL IN ADVANCE

4.3.1 Individuals on motorbikes and vehicles are legally entitled at present to use RUPPs, BOATs, unclassified roads and all other rights of way with the landowners consent. There is no right to use these routes for a competition or trial without the consent of Exmoor National Park Authority acting on behalf of the Highways Authority, and consent of the owner obtained in

writing owners must register their consent on a Form B in accordance with Section 35 of the Road Traffic Act 1972.

- 4.3.2 All land is owned by someone – individuals, businesses, organisations or public bodies. To cross any land not having public vehicular rights requires written permission from the landowner or land-managing body.
- 4.3.3 Consult with Exmoor National Park Authority over the use of rights of way in the early stages of planning your event. The Rangers Service will advise on suitability of individual routes for your proposed use. The Authority may be willing to authorise an alternative route avoiding sections of rights of way easily damaged in wet weather.

4.4 **AVOID INAPPROPRIATE DATES AND LOCATIONS**

- 4.4.1 Choose dates/ times/ locations carefully. The National Park Authority will advise you further on this. In brief:
- Avoid Bank Holidays.
 - Select start and end venue carefully (ensure sufficient car parking, toilets, drinking water, litter bins).
 - Avoid clashes with other events (for example be aware of the hunts and their regular meetings).
 - Consider whether the land is suitably robust for year round use - should it only be used in the summer?
 - Avoid trails already suffering from erosion, or those which could be damaged, particularly in wet conditions (eg. steep, thin soils)

4.5 **AVOID SENSITIVE SITES, HABITATS AND ARCHAEOLOGICAL FEATURES**

- Exmoor National Park Authority will help identify sensitive sites that should be avoided.
- English Nature must be consulted on crossing SSSI's at least 4 months in advance. Causing damage to a SSSI is a criminal offence.

4.6 **RESPECT THE NEEDS OF LANDOWNERS, FARMING, FORESTRY, AND THE LOCAL COMMUNITY INCLUDING LOCAL BUSINESSES**

- 4.6.1 The following should be noted and may require attention.
- 4.6.2 **Farming and Forestry:** Active operations where heavy machinery is being used or commercial activities make an area unsuitable for use will be identified by landowners on consultation, e.g. tree felling. Discuss the implications of the event on lambing or tugging season with individual farmers.
- 4.6.3 **Local Community:** Respect the needs of the local community and ensure close liaison with Parish Councils etc. Encourage participants to support local businesses whilst in an area.

4.7 **PREPARE FOR EMERGENCIES**

- 4.7.1 **Insurance:** A minimum of £2 million Public Liability Insurance, and preferably £5 million, must be taken out. In respect of any event held anywhere other than on a publicly adopted road, under a permit issued by the Motor Sports Association (MSA), competitors will be insured in respect of third party legal liability by the MSA Master Policy. Standard motor policies very rarely cover any use as part of an organised group. It is the competitor's

responsibility to ensure that he is properly insured, as required by law. Organisers should be prepared to disqualify any competitors who they believe have not checked their own policy.

4.7.2 **Emergency/Contingency Planning:** It is important to have contingency and/or cancellation plans for problems such as severe weather conditions (mist, storms, snow) or flooding.

4.7.3 **Communications:** Good communications during the event are essential. Bear in mind that mobile phones do not work everywhere on Exmoor and consider the use of CB radios for communications and marshals.

4.8 **SET A MAXIMUM NUMBER OF COMPETITORS**

4.8.1 Although careful choice of locations and timing helps to keep pressure to a minimum, once an event gets too large, damage to the environment and/or detriment to the enjoyment of other users is inevitable. Some new events begin small and become annual, and grow to well over the number of participants that were originally envisaged. It is essential for all concerned that events do not become too large for the environment of the National Park to sustain. **It is important that organisers consult with Exmoor National Park Authority** on this, so that a maximum number of entrants can be set for the event in agreement with the Authority.

4.9 **PROVIDE A THOROUGH BRIEFING FOR COMPETITORS AND MARSHALS**

4.9.1 **Initial information:** Information in written form is important, and the National Park Authority is keen to get Country Code/ National Park messages across to all users of the National Park. Safety issues and equipment are obviously important and should be included in this initial information.

4.9.2 **Briefing:** Briefing to all competitors immediately prior to the start of the event is vital, stressing issues such as courtesy to residents and other recreational users, not leaving gates open and avoidance of erosion. Keeping to the signed route, and/or information about where they are legally entitled to go must also be provided. **Remember your sport will be judged on how your competitors behave!**

4.9.3 **Marshalling :** The marshals provide contact between competitors and the general public, so an effective briefing of their role backed up with a written statement of their duties is crucial to the smooth running of the event. You will need to agree with Exmoor National Park Authority the ratio of marshals to entrants and their positioning. It is important that marshals are comprehensively briefed to provide information to competitors and the public. Radio/telephone contact between marshals is essential.

4.10 **BE PREPARED TO DISQUALIFY ENTRANTS**

4.10.1 Ensure competitors adhere to the rules, only go where they are allowed to go, and be prepared to disqualify immediately if rules are not followed.

4.11 **REMOVE ALL SIGNS OF THE EVENT**

4.11.1 It is important to minimise the visual intrusion of your event. Failure to remove all items immediately will not only damage the reputation of the organisation and/or sport, but may also deter landowners from welcoming future events. On fixed route events, 'sweepers' should be used to follow the last competitor to identify any damage and deal with any problems while providing the potential for support to distressed entrants. Landowners and path managers may prefer waymarking and control flags to be mounted on canes provided by the organisers, and these should be removed immediately after the event.

4.12 **ACKNOWLEDGE ADVICE, HELP AND CO-OPERATION RECEIVED**

- 4.12.1 Letters of thanks to all those who have assisted are an essential part of the post event process. A post-event meeting may be useful with the National Park Authority, particularly if it is an annual event which could benefit from discussion for next year. In some situations it may be considered appropriate to offer a donation towards the upkeep or management of the area used. This could be done in the form of a voluntary levy on competitors which helps in the awareness process and shows a responsible attitude.

Further copies available from
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Exmoor's 'Events Guidelines and Code of Conduct for Organisers' is based on '**Sporting and Challenge Events in the Countryside, Guidelines for Organisers**' produced by the Countryside Commission, the English Sports Council and the Environment Agency, February 1998, available from Sport England Publications, tel. 0990 210255 (Code 0768).