

APPENDIX B

SELECTED CASE STUDIES

Case studies showing how policing has helped to combat illegal vehicular use

‘Operation Freedown’ – Kent Police

Operation Freedown began when, in 2002, the police responded to many complaints about off-road motorcycling. There had been no co-ordinated approach and the police called a meeting of all stakeholders. There were finite resources and it was decided to concentrate on ‘hotspots’ of known activity. The operation started at Freedown, and neighbourhood watch schemes, stakeholders etc. were used to identify popular times of the week. Officers with video cameras were waiting and there were prosecutions. Stakeholders were used to build up intelligence of patterns of use. There were also volunteers on the ground who reported number plates, and the police sent written notices to the owners. It transpired that many were company vehicles.

The police introduced a new code of ‘nuisance motor vehicles’ on the database and this also allowed for searches of patterns of use to be made.

Partnerships were also built up with local shops and newspapers. Information was given to buyers of certain types of vehicles, to inform them of responsible behaviour.

The problem, when tackled at Freedown, moved to other areas, and it became clear that more education was needed. Many vehicles came from social housing areas and clauses were inserted into tenancy agreements to prevent antisocial behaviour.

Trail riders were found, on the whole, to be responsible users: it was ‘boy racers’ who caused the problems.

Kent has 100 rural wardens (Kent County Council staff) – and will soon have police community wardens. Rights of way, environmental health and planning officers are also used.

Bucklebury Common, West Berkshire

Newbury police have served notices and confiscated vehicles, after observing problems with vehicular abuse of the common, first-hand. The police allocated resources to the problems following a high level of complaint from the public. Many motorbikes came from the local estates. 4 Wheel drive vehicles came from much further afield.

Sussex Pathwatch (taken from a report by West Sussex County Council to the County Surveyors’ Society, July 2008)

‘Sussex Pathwatch’ was formed to combat motorized vehicles using public rights of way illegally in the Sussex countryside. A discussion group has been formed which comprises Sussex Police, South Downs Joint Committee, West Sussex County Council, Parish Councils, Landowners, recreation user groups and countryside organizations.

The initiative is essentially a scheme to encourage reporting of incidents, via a website or a police telephone number. Credit-card sized cards were distributed via libraries, TICs, parish councils and other local outlets.

Once incidents are reported a serial number is generated and allocated to a police officer. The officer then verifies the recorded information with the informant wherever possible. If the

registration number is recorded this will be checked on the Police National Computer (PNC). The registered owner is sent a letter informing them of the complaint, along with a T51/1 form requesting the vehicle's owner to identify the driver at the time of the incident.

The identified driver is subject to either a verbal or written warning, or a Section 59 warning (anti-social behaviour with a motor vehicle, under the Police Reform Act 2002). Notification of any action is then placed on the PNC, which alerts other officers to it. The S.59 warning lasts for 12 months and if further incidents of anti-social behaviour with a motor vehicle involving the driver occur, the vehicle will be seized. If this happens, the owner has to pay to recover the vehicle (currently £105, plus £12 for every day the vehicle remains seized). If the owner has not recovered the vehicle after 28 days, it may be crushed. The vehicle can be seized each time anti-social behaviour is reported and a new 12-month period will extend from that subsequent date.

Where there are a series of reports being generated from an area, wherever possible, Special Police Officers visit the area in an attempt to catch drivers committing a crime.

Some farmers and land managers (including Estates such as Goodwood, West Dean) have subscribed to Countrywatch, where they purchase a radio (around £200) enabling them to communicate directly with the Police and each other. These are particularly useful for warning neighbours that vehicles are travelling in their direction and to notify the Police when a crime is being committed.

The TRF has reservations about the scheme, as the public does not often understand what constitute an offence, and will report merely the presence of a vehicle. There is a value in reporting schemes, however, to help better understand patterns of use.

Meetings

Sussex Pathwatch meetings are held every four months and are open to anyone who wishes to attend. Currently they are attended by SDJC (Chair and secretariat), WSCC, Sussex Police, representatives from local parish councils, user groups (e.g. British Driving Society, British Horse Society) and other land managers (e.g. National Trust, Estates, farmers). Motoried user groups, including the TRF, the Land Access and Recreation Association (LARA) and the Green Lane Association (GLASS), initially attended meetings, but withdrew their interest. They are all still invited and sent notes of the meetings, as it is considered that they would be a valuable asset to the group.

A different venue is chosen for each meeting, hosted by a different parish council or organisation, due to the large geographical area of Chichester District. The meetings give feedback on reported incidents (which is important to make people feel that their reporting is worthwhile) and provides everyone with an opportunity to discuss problems in their areas, with the relevant organisations present to address them. The importance of continued reporting to ensure the future success of the project is also emphasised and additional publicity carried out at appropriate times.

Now the reporting system is in place the group feels that signage needs to be improved to make people aware that motor vehicles are not allowed on Restricted Byways, as all too frequently when a vehicle is approached by a member of the public or land owner the driver claims not to know he is not allowed to ride/drive there. Wooden 'no motor vehicles allowed' signs, similar in size to residential road signs, are being considered in about 10 of the worst locations. Smaller signs are being considered for wider signage, bearing in mind many of the Restricted Byways are within an Area of Outstanding Natural Beauty where signage 'clutter' needs to be kept to a minimum. Funding is currently being sought for the signs.

Successes/problems

The scheme is already recording successes. Illegal motorised activity is estimated to have reduced by between 50% and 75% in Graffham Parish, one of the worst affected areas since the launch of Sussex Pathwatch. Over 150 warning letters have been sent to offenders, 30 Section 59 warnings have been issued and two prosecutions are pending. In addition to this, through the reports received, hot spots have been identified and Police Community Support Officers have subsequently been patrolling these areas, leading to a reduction in activity.

Examples of alternative off-road sites not involving the use or PROW

Attention is initially drawn to the Auto Cycle Union's initiatives, see www.acu.org.uk / local authority support). Seek such a site via the draft Local Development Framework, planning applications, Stewardship, LEADER etc. Consider a pilot scheme in an area where the parish council is supportive. See the initiative by Berkhamstead Motor Club, which has negotiated the use of a Council 'land bank' for use as a motorcycle scrambling area, combined with other leisure use. An organization called 'Enduroland' also operates sites, at £30 per day, which can attract 100+ motorcyclists on a Sunday. Provision of such sites definitely results in a decrease of 'fun riding' on public rights of way.