



## **Legal and Democratic Services**

**Head of Legal & Democratic Services: J M Egan LLB**

Civic Centre Carlisle CA3 8QG Telephone (01228) 817000 Fax (01228) 817048

Document Exchange Quote DX 63037 Carlisle Type talk 18001 01228 817000

Council Web Site [www.carlisle.gov.uk](http://www.carlisle.gov.uk)

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TO THE CHAIRMAN AND MEMBERS OF  
THE EXECUTIVE

**Please ask for:**

**Direct Line:**

**E-mail:**

**Your ref:**

**Our ref:**

SH/

31 March 2003

Dear Member

**EXECUTIVE – 3 APRIL 2003**

I refer to the papers which have been despatched for the meeting of the Executive on 3 April 2003 and now enclose a copy of two letters from Councillor Joscelyne to the complainant and the portfolio holder and a copy letter from the Head of Environmental Protection Services to Councillor Joscelyne which provides Members with the background to the item at A.3 on the Agenda dealing with unauthorised motorcycle scrambling on land behind Alexander Drive, Scotby.

Yours sincerely

Head of Legal and Democratic Services

# Environmental Protection Services

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Head of Environmental Protection Services: R W S Speirs MIEH MIOA  
Civic Centre, Carlisle, CA3 8QG • Telephone (01228) 817000  
• Fax (01228) 817346 • Typetalk 18001 01228 817000

Cllr D Joscelyne

COPY

Please ask for:

Direct Line:

E-mail:

Your ref:

Our ref:

EP13/1/4 GM/HBS

12 February 2003

Dear Cllr Joscelyne

## UNAUTHORISED USE OF LAND FOR MOTOR CYCLE SCRAMBLING REAR OF ALEXANDER DRIVE, SCOTBY

With reference to "The Limes" petition concerning the use of motor cycles. Legislation available to Environmental Health Officers does not empower them to take any action concerning this type of noise.

In addition the security of the land in question is entirely a matter for the landowners or managing bodies, not being appropriate for Environmental Health Enforcement. As far as I am aware the two interested parties in control of the land in the area are;  
Hewden Plant Hire Ltd, Durranhill Industrial Estate, Carlisle CA1 3NU Tel: (01228) 528271 and  
Cumbria Contract Services, Skirsgill, Penrith CA10 2BQ, Tel: (01768) 242001 (managers of the landfill site).

I trust that this information will be of assistance to the other agencies for any action they may take.

Accordingly, I have forwarded a copy of this letter and the petition to them.

Yours sincerely

**R W S Speirs**

Head of Environmental Protection Services

**Copy to:** Cllr Geoff Prest, Development Control Portfolio  
Inspector Coates, Community Police Brampton Area  
Alan Eales, Chief Planning Officer  
Wetheral Parish Council

**Enclosures:** see attached



INVESTOR IN PEOPLE

CARLISLE  
CITY COUNCIL



**Cllr Don Joscelyne**  
District Councillor  
WETHERAL WARD

Friday, March 28, 2003

sent mid march

Dear ]

Following my visit at your address last Wednesday, I confirm the statements I made regarding the options I considered were open to be explored with a view to overcoming the impact on your complainant group resulting from unauthorized use of the Hewland land behind your properties by motor cycling youngsters.

Firstly, in the unavoidable absence of PC Bray I explained that the possible use, as being considered by him, of land behind Rosehill, was by its nature of flat surface, unlikely to be accepted by scrambling type users. Secondly the requirement for planning permission of its use was, by the very location, likely to produce many objectors and resultant refusal.

The "Motor Project" concept also being considered by PC Bray, enabling all the required factors to be covered, is superb but a somewhat tenuous operation to set up and meet all essential criteria. I support fully, further progress and offer assistance from officers of Carlisle City Council community projects in pursuance of the objectives.

It is rather unfortunate that use of the Hewland land behind the hill that screens the noise factor, has so many problems of potential liability, its further pursuance, unless linked to a fairly heavily financed Motor Project is questionable.

Finally, if all of the former options fail to succeed, then despite my, and PC Brays efforts that are a credit to the role he is pursuing as the Community officer in trying to accommodate the needs of this group of youngsters, there is only left, implementation of cessation of use using trespass as the criteria and Hewlands support in this direction

2.

by secure fencing of its land. The Police are currently familiar with this last ditch method, but I emphasize this really is a last resort.

I wish to give your residents group every support and to this end have arranged for the Executive member group to agenda a presentation of the excellent video you presented to the writer, clearly showing the impact of this motor cycle use behind your properties manifesting itself with unbelievable intrusion into your lives. I find it incredible that our environmental operation in its inference by letter to me, advises that it is powerless to take action to overcome the problem. I sincerely hope that by raising the profile of this issue to the "Cabinet " of your Council all avenues can be pursued.

To enable the request for your problem to be presented with video evidence at the Executive meeting on 3<sup>rd</sup> April will you be kind enough to make an official request to them in writing? I have prepared the ground for this process with Cllr Geoff Prest, the portfolio holder for environment issues. As you will see from the distribution listing, Cllr Prest will have a copy of this letter.

Yours Sincerely

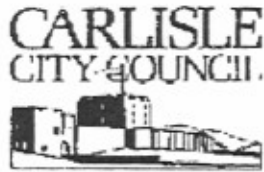
Don Joscelyne

Cc

Leader of the Council  
Environment issues portfolio  
Ward member  
Head of Environment protection  
Community Police officer

Cllr Mike Mitchelson  
Cllr Geoff Prest  
Cllr. Gareth Ellis  
Richard Spears  
PC Bray

3.



**Cllr Don Joscelyne**

**District Councillor  
WETHERAL WARD**

28 March, 2003

*Sent early march !!*

**Richard Spiers  
Head of Environmental Services  
Carlisle City Council**

**Unauthorised use of land for motor cycle scrambling  
Rear of Alexander Drive Scotby**

**Dear Richard,**

I have been handed the enclosed petition from residents of the housing estate referred to by them as "The Limes".

Yesterday I visited the spokesman of the petitioners Mr David Bell 20a Alexander Drive Old Scotby Road Scotby and saw for myself a location that apparently is being used for motor cycle scrambling .

It is obvious that the unauthorised use of the area concerned constitutes a noise nuisance and a significant interference with the comfort and amenity of the residents adjacent to the site.

In view of the background history of action taken by the complainants, this issue calls for a "multi agency " approach involving the land owners who have their security fence breached to allow access, the community police team who have been most supportive and are actively pursuing the extent of their powers and interests in this specific issue. Quite obviously our own development control supported by your department will be the lead agency.

I will leave this issue in your hands for a month with a view to presenting to the "Limes" action committee the findings and action being taken.

**I am informed that the land owners of the site, Messrs Hewden Plant Hire ; their Mr Colin Steele advises that his company own the land and have erected security fencing to keep trespassers from their property, however despite repeatedly repairing the damage to the fencing resulting from forced entry the problem continues.**

**I could possibly be going against the wishes of the complainants, but feel that if this waste area could be made available at nominated times.....say Saturday afternoons at fixed hours, we would as an authority have assisted in the provision of recreational land for the youth of the area who by having this facility would be less likely to be involved in other anti social activities.**

**Yours Sincerely**

**Don Joscelyne**

**CC. Cllr Geoff Prest. Development Control Portfolio  
Inspector Coates Community Police Brampton area.  
Alan Eales Chief Planning Officer  
Messrs Hewden Plant Hire Colin Steele  
Wetheral PC.**

**COPY**