

This report is public	
Wroxton Motocross Article 4 Direction	
Committee	Executive
Date of Committee	5 October 2026
Portfolio Holder presenting the report	Deputy Leader - Planning and Enforcement, Councillor Chris Aramini-Brant
Date Portfolio Holder agreed report	23 September 2026
Report of	Assistant Director Planning, David Peckford

Purpose of report

To extend the delegated authority powers required in order to make an Article 4 Direction restricting temporary use permitted development rights at Wroxton Motocross (as may be amended). This is necessary following representations received subsequent to the Executive resolution on 16 June 2026.

1. Recommendations

The Executive resolves to:

- 1.1. Note the extent of the delegated powers in respect of the proposed non-immediate Article 4 Direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.2. Agree to extend the delegated powers in order to facilitate the process of securing the making of the non-immediate Article 4 Direction under Article 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015.
- 1.3. Delegate authority to the Assistant Director for Planning and Development, in consultation with the Portfolio Holder for Planning and Enforcement and the Monitoring Officer:-
 - (a) to finalise the wording of the Article 4 Direction, including by amending the terms of the direction which has previously resolved upon by the Council Executive, following further legal review and/or following a review of representations which have or may in future be received and/or in light of additional or new evidence.
 - (b) to give effect to and to undertake all necessary procedural steps to give effect to the Direction (including following amendments made in accordance with recommendation 1.3 above), including by issuing the

Direction, undertaking statutory consultation and notifying the Secretary of State.

2. Executive Summary

- 2.1. Following the Executive resolution of 16 June 2026 to make a non-immediate Article 4 Direction at Wroxton Motocross, representations were received on behalf of the landowners and operators raising concerns regarding the scope, evidence base and procedural approach associated with the proposed Direction.
- 2.2. It is considered that some amendments are necessary to address these representations.
- 2.3. This report briefly explains the representations and sets out the extended delegated authority powers required in order to enable the officers to make amendments to the Direction. The Assistant Director for Planning and Development in consultation with the Executive Portfolio Holder, and the Monitoring Officer will confirm the Article 4 Direction.

Implications & Impact Assessments

Implications	Commentary
Finance	The non-immediate Article 4 direction did not result in any financial implications, unlike an immediate direction could have done. The implementation, possible defence of any legal challenge and future enforcement of the direction (if confirmed) will have to be met from existing budgets. Approving the recommendations included in this report will help to minimise these risks. Michael Furness, Assistant Director of Finance, 23 September 2026
Legal	The Article 4 direction should be limited to that which is necessary to protect local amenity or the well-being of the area and should in all cases be supported by a robust evidence basis and apply to the smallest area required to mitigate the evidenced harm. Kim Maher, Planning Lawyer, 23 September 2026
Risk Management	There is a potential risk of legal challenge and associated financial, reputational and resource implications. These risks will be mitigated through appropriate legal advice, a robust evidence base, statutory consultation and clear decision-making. Risks will continue to be monitored through the service operational risk and escalated to the Council's Corporate Risk Register as and when deemed necessary. Celia Prado-Teeling, Performance & Insight Team Leader, 22 September 2026

Impact Assessments	Positive	Neutral	Negative	Commentary
Equality Impact		☒		There are no implications arising from these decisions. Celia Prado-Teeling, Performance & Insight Team Leader, 22 September 2026
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		☒		Not applicable
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		☒		Not applicable
Climate & Environmental Impact		☒		Environmental considerations form part of the planning assessment set out in this report.
ICT & Digital Impact		☒		Not applicable
Data Impact		☒		Not applicable
Procurement & subsidy		☒		Not applicable
Council Priorities	Business plan priorities for 2025-2026: • Housing that meets your needs • Supporting environmental sustainability • An enterprising economy with strong and vibrant local centres • Healthy, resilient and engaged communities			
Human Resources	N/A			
Property	N/A			
Consultation & Engagement	Cllr C Aramini-Brant, Portfolio Holder for Planning and Enforcement			

Supporting Information

3. Background

- 3.1. On 16 June 2026, the Council Executive voted to introduce a non-immediate Article 4 Direction at the Wroxton motocross track, a planning tool used to remove certain permitted development rights.
- 3.2. Without an Article 4 Direction, some temporary motocross events can take place as permitted development without the need for an express grant of planning permission. Subject to confirmation, the Direction would give the council greater control of future events at the site and help manage impacts on local communities and the environment.
- 3.3. Representations were received on behalf of the landowners and operators shortly ahead of the June Executive Meeting, challenging several aspects of the Council's approach (Appendix 1). Additional representations were received on 7 September 2026 (Appendix 2).
- 3.4. Following review of these representations, it is recommended that the Executive agree to extend the delegation to enable officers to make amendments to the Article 4 Direction where necessary, including to address matters raised in the representations which have been received. Such amendment may involve changes to the terms of the direction resolved upon by the Executive on 16 June 2026. It is considered that for officers to be given this wider authority represents the most efficient way to address the representations received as well as other matters and to efficiently progress the direction through its statutory processes.

4. Details

Summary of material landowner/operator representations

- 4.1. Representations were received on behalf of the landowners and operators challenging several aspects of the proposed Article 4 Direction. These included representations as to the lawfulness of the proposed Event Management Plan mechanism, the adequacy of the evidence base supporting the 120-rider threshold, the Council's approach to paragraph 54 of the National Planning Policy Framework, allegations of procedural unfairness and disproportionality, and concerns regarding potential compensation and costs arising from the proposed Direction.
- 4.2. Further representations were received on 7 September 2026. These reiterated concerns regarding the proposed use of an Event Management Plan and questioned whether Article 4 powers can lawfully be used to regulate the manner in which permitted development rights are exercised, rather than simply removing those rights. The representations contend that the proposed approach would amount to the imposition of planning conditions outside the planning application process and therefore falls outside the scope of the Council's powers under Article 4. The correspondence also requested confirmation that appropriate legal advice

had been obtained. Separately, it was asserted that the requirements of the extant Enforcement Notice have been satisfied and a request was made for the Notice to be withdrawn.

- 4.3. The legal and evidential points raised in the representations have been reviewed. As a result, officers consider that, before the Direction is made, it is appropriate to amend the terms of the Direction which was resolved upon by the Executive on 16 June 2026 in respect of the requirement for an Event Management Plan.
- 4.4 It is considered that, moving forward, the currently proposed amendments (and any further such amends as may be found to be required before the Direction is made and while consultation is undertaken) are most efficiently made by officers acting under delegated powers. This report seeks, in the interests of expediency, to extend and confirm powers of delegation to ensure officers have the necessary powers to enable the Article 4 process to progress effectively.

5. Alternative Options and Reasons for Rejection

- 5.1. The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: Not to grant the extended delegated authority to officer's as recommended in this report.

This option would not be advisable because it would mean that each time there is a representation which has impactions it will need to be brought to the executive and that would not be in the interests of expediency.

6. Conclusions and Reasons for Recommendations

- 6.1. It is proposed that the Executive resolves to extend the delegated powers in accordance with paragraphs 1.3 and 1.4 above in order to enable officers to make the targeted, non-immediate Article 4 Direction.

Decision Information

Key Decision	Yes
Subject to Call in	N/A – This report seeks extensions to the delegated authority and decisions made under that delegated authority can be called in.
If not, why not subject to call in	N/A
Ward(s) Affected	Wroxton, Hornton, Shenington with Alkerton

Document Information

Appendices	
Appendix 1	Representation Letter 16 June 2026
Appendix 2	Representation Letter 7 September 2026
Background Papers	None
Reference Papers	None
Report Author	Sean Tilbury, Planning Enforcement Team Leader
Report Author contact details	Sean.tilbury@cherwell-dc.gov.uk 01295 221503
Executive Director Approval (unless Executive Director or Statutory Officer report)	Ian Boll, Executive Director Place & Regeneration 22 September 2026