

Circular to affected villagers

1. In 2024 Alex Thistlethwayte bought the freehold of the Airfield and Circuit from Henry Pelham and commenced a substantial programme of works. The aim would appear to be to shape it into a significant airfield, racing circuit, and leisure facility. Recently AT bought back ownership and control of the racing circuit lease with the British Automobile Racing Club (BARC) has held and operated for many years. Changes are afoot, but the extent of these changes are not yet clear to outsiders, not least because they have not been finalised by Alex Thistlethwayte and his team.

The legal position

2. Noise generated from activities at a nearby property will affect the utility and amenity value of an individual's land. This impact may be the subject of a claim under the tort of (private) nuisance. (Public nuisance is a separate matter and does not arise here). The law of nuisance is concerned with maintaining a balance between the conflicting rights of landowners: 'between the right of an occupier to do what he likes with his own land and the right of his neighbour not to be interfered with'. The underlying principle is reasonableness between neighbours, the principle of 'give and take'. The law gives priority to "the general and ordinary use of land over more particular and uncommon uses". Motor racing, festivals, etc are not general and ordinary uses of land. They are, therefore, the more susceptible to restriction by court injunction.

3. That does not mean that people who are seriously affected by noise-making activities at the Circuit and Airfield may prevent noise making activities altogether, but it does mean that the extent of such activities may be controlled by the courts and limited to what is reasonable in all the circumstances.

Background history and recent changes

4. Thruxton was originally built in 1941 to serve as a base for the Royal Air Force and the United States Army Air Forces during World War II. It played a significant role in the D-Day landings, hosting troop-carrying aircraft and gliders. The airfield was declared surplus in 1946, and motorcycle racing began in 1950, utilizing the runways and perimeter roads. Although motorcar racing followed in 1952, the unsuitable conditions for cars led to a halt in four-wheeled racing, although motorcycle racing and testing (by Norton Villiers) continued.

5. By 1968 a new circuit had been constructed which enabled motorcar racing to resume. The subsequent use of the circuit resulted in a very considerable increase in noise which affected the surrounding villages. In 1968 the Governors of Kimpton School obtained a High Court injunction to restrict the amount of racing and testing at Thruxton Circuit during normal school hours.

6. Outside school hours however, and particularly at week-ends, the noise continued with local residents suffering an appreciable loss of amenity. The Thruxton and District Protection Society ("TDPS") was formed to represent the villages affected by noise from Thruxton Circuit (the Circuit). TDPS covered Thruxton, Kimpton, Fyfield, Shipton Bellinger, Ampert, Quarley, Grateley and Monxton. Consultation and liaison took place with (i) the villages through their Parish Council Chairmen (and/or Clerks) from time to time (ii) Kimpton School Governors and Head Teacher and (iii) the Rector of the Benefice of Thruxton, Kimpton, Appleshaw, and Fyfield, as Sunday services at these churches were significantly affected.

7. It was not possible to reach agreement with the then users of the Circuit and TDPS brought a claim in the High Court of Justice, Chancery Division, (1970-G-No 1319) for an injunction. This claim was

resisted by the users of the Circuit and was listed for trial on 6 June 1972. At the door of the court however the Circuit users indicated a willingness to compromise, an agreement was negotiated, and the Circuit users gave undertakings in lieu of injunction restricting the number of race days, Norton Villiers days, and Driving days each year at the circuit.

8. In 1995 The British Automobile Racing Club (BARC) produced a document entitled “Thruxton Circuit : A proposal for the future” in which it was proposed to increase the number of days the Circuit could be used for racing and testing. The basis of the proposal was that new control of noise emissions and provision of earth bunds around the Circuit protected the surrounding villages from the noise on which the 1972 agreement was based. TDPS was reconstituted and began consultation with villages and also with TVBC (Sarah Newman, Environmental Health; Sean Herbert and Bob Gregory, Planning).

9. During 1997 noise monitoring was carried out both by TVBC Environmental Health (Sarah Newman) and Acoustic Technology Limited, a company engaged by TDPS. It was evident from the monitoring that the claims made by BARC that changes in the control of noise emissions since the agreeing of the undertaking, and the construction of earth bunds, had had a “marked effect on reducing noise transfer to the surrounding villages” could not be sustained. TDPS therefore declined to agree to BARC’s proposal for increased days at the circuit.

10. There then followed several years of fruitless discussions between solicitors. In 2000 the deadlock was broken by Henry Pelham (the owner of the Airfield and Circuit) who invited TDPS to a meeting (without lawyers). TDPS representatives (Jonathan Gray and Edward Bailey) met Henry Pelham and were able to reach agreement to replace the terms of the 1972 injunction. Part of the agreement was that the original Plaintiffs to the action would be replaced by Jonathan Gray and Edward Bailey as representatives of TDPS. It was also agreed that there should be annual meetings at which either party could raise concerns as to the running of the circuit with the other. Annual consultations began in 2001. In 2002 the Circuit requested that there be an increase in road silenced days from 90 to 120 days pa with noise monitoring of every relevant activity (by those at the Circuit) and that TVBC be asked not to allow anything in planning consent which would conflict with this agreement (any existing consent to be amended if necessary). TVBC granted conditional planning consent to implement increased activity for a monitored 2-year period after which consent would be given conditionally or unconditionally.

11. In 2006 TDPS were informed that a planning application had been made for the construction of further noise-reducing bunds. These were subsequently constructed with some beneficial effects. Annual meetings between the Circuit and TDPS continued, and although residents had a variety of complaints, these were all dealt with.

The approach of TDPS

12. TDPS have always recognised that motor racing will be permitted at the Circuit. But the extent of that racing should be limited to what is reasonable taking into consideration the loss of amenity to local residents resulting from the resultant noise.

13. On 13 July 2026 the TDPS committee held a meeting with Alex Thistlethwayte and representatives of his team. It was a cordial meeting, at which Ben Taylor (previously of BARC now with Alex Thistlethwayte) presented a draft (and as yet incomplete) Racing Schedule for 2027. There was discussion over this Schedule, to be resumed later in the year when the Schedule is complete. As to recent noisy events there was an acceptance that the Truck event in May was a “debacle” and that the application for Thursday – Sunday late night alcohol licences throughout the year caused real concern

among villagers. Alex Thistlethwayte assured TDPS that he wanted to be a good neighbour while improving the quality of what was being offered at Thruxton.

14. The present position is that the Circuit team will be having consultations with the licensing team, the Police, and others but wanted the dust to settle. It will not be until the end of August that they will have made decisions on the licensing they will apply for, and TDPS were assured that they will not make applications to TVBC before holding local consultation. Asked about future intentions Alex Thistlethwayte stated that he was not (1) considering Formula 1, (ii) music festivals, or (iii) housing development, but that he did want to use the site more outside race days. He gave the examples of County Fairs and Wedding activities. "Whatever we do will be done sensitively and we will talk to you".

15. With regard to testing during school days it was recognised that recent testing had disturbed teaching staff and that as no testing during school hours was in the planning consent the circuit were breaking their planning permission in having such testing. The Circuit Team agreed that no further vehicle testing will take place during school hours.

With regard to the forthcoming Airshow the organisation was out of the Circuit's hands as the Circuit had 'rented' the land to the Air Show organisers (Montserrat Events). The Circuit appreciated that they might well suffer collateral damage in this respect, particular as the organisers had gone ahead without a proper presentation to the three villages most affected let alone residents of other local villages. A presentation on the Airshow by Montserrat is planned on 17 August and it is intended that this will be held in Thruxton Memorial Hall for all interested parties. More details will be circulated confirming details. TDPS can only hope that lessons have been learned for the future.

16. In short matters are presently up in the air. There will undoubtedly be mixed feelings about increased activity at the Circuit. Much will depend on the extent to which any such activity results in a loss of amenity to local residents, whether in their gardens during summer afternoons or in the evenings with increased road traffic and music into the night. All we can do at TDPS is keep abreast of proposals, join in consultations, and do what is reasonable to ensure that the spirit of the present agreement is not significantly breached.

17. Those residents who are apprehensive about the possible change in the nature of operations at the Airfield and Circuit are invited to contact TDPS, share their concerns, and show their support. They are entitled to join TDPS (membership being open to all local residents who are concerned about loss of amenity) and express their views.

17 July 2026