

# **Anti-social Behaviour, Crime & Policing Act 2014**

## **Public Spaces Protection Order**

### **(Vehicle Related Anti-Social Behaviour) (the 'Order')**

This Order may be cited as Broadland District Council, Public Spaces Protection Order (Vehicle Related Anti-Social Behaviour) Number 01 of 2024.

An order to tackle nuisance driving, racing, riding in motor vehicles used in a dangerous or irresponsible manner and associated antisocial behaviour.

Broadland District Council exercises its powers under Section 59 and 72 of the Anti-social Behaviour, Crime & Policing Act 2014 (the 'Act') and under all other enabling powers, hereby makes the following Order:

1. The Order shall come into operation on 04/04/2024 and shall have an effect for 3 years thereafter, unless extended by further Order under the Councils' statutory powers, and shall apply at all times.
2. The Order relates to public places in the whole of the Broadland District as shown on the attached plan ('the restricted area').
3. Broadland District Council is satisfied that the conditions set out in Section 59 (2) of the Act have been met, namely, that anti-social behaviour and/or criminal activities have been carried out within the restricted area due to vehicle-related anti-social behaviour. These activities have had a detrimental effect on the quality of life of those in the locality, and it is likely that the activities will be carried out within the restricted area and have such effect.
4. Broadland District Council is also satisfied that the conditions set out in Section 59 (3) of the Act have been met. Namely, that the effect or likely effect of the activities is, or is likely to be, of a persistent or continuing nature and that these activities are unreasonable and justify the restrictions imposed by this Order and that it is expedient to make this Order for the purposes of reducing crime and/or anti-social behaviour in a public place.

### **Prohibitions**

Any person(s) within the restricted area are prohibited from:

1. Attending any meeting or gathering within the restricted area involving a mechanically propelled vehicle as an owner, driver, passenger, or spectator where any reasonable person would consider that such activity causes or is likely to cause nuisance or annoyance, harassment, alarm, distress, or detrimental impact in the locality.
2. Attending any meeting or gathering within the restricted area in which the use of a mechanically propelled vehicle is the main focus of attention and any of the following activities are also taking place:

- 2a) Unnecessarily sounding of motor vehicle horns in a manner causing or being likely to cause a nuisance or annoyance to people in the locality.
  - 2b) Playing amplified music in or near, or powered from, a motor vehicle at an excessive volume causing or likely to cause a nuisance or annoyance to people in the locality.
  - 2c) Unnecessary revving of a motor vehicle engine causing or likely to cause a nuisance or annoyance to people in the locality.
  - 2d) Causing danger to other road users including pedestrians.
  - 2e) Causing damage or risk of damage to private property.
  - 2f) Speeding or racing.
  - 2g) Performing stunts including but not limited to performing doughnuts, skidding, drifting, handbrake turns, wheel spinning or burn-outs.
  - 2h) Using loud and / or threatening and / or abusive language causing or likely to cause a nuisance or annoyance to people in the locality.
  - 2j) Throwing down, dropping, or otherwise depositing litter from a motor vehicle and leaving it.
  - 2k) Causing an obstruction of a public highway or public place, whether whilst moving or stationary.
- 3. Driving or riding as a passenger in any mechanically propelled vehicle in circumstances which give a police officer reasonable cause to suspect, whether present at the time or not, that the said vehicle may be used for a purpose that is likely to cause nuisance, annoyance, harassment, alarm or distress to other road users or the public in general or may cause a detrimental impact in the locality.
  - 4. Aiding, abetting, counselling, procuring or taking part in the organisation of the above whether or not any intended event takes place.
  - 5. Obstructing or being abusive to any police officer who is acting in the course of their duties in connection with this order.

#### **Fixed penalty notices and offences**

- 1. It is an offence for a person without reasonable excuse to engage in any activity that is prohibited by this Order.
- 2. In accordance with Section 67 of the Act, a person found to be in breach of this Order is liable to be issued with a Fixed Penalty Notice of £100 or on summary conviction to a maximum penalty of a level 3 fine.

## Appeals

1. In accordance with Section 66 of the Act, any interested person who wishes to challenge the validity of this Order may apply to the High Court within six (6) weeks from the date upon which the Order is made. Any such challenge must be on the grounds that (1) the Council did not have the power to make the Order or to include particular prohibitions or requirements; or (2) that in making the Order, the Council failed to comply with a requirement under the Act.

## Definitions

In this Order the following terms have the meaning given below.

“Mechanically propelled vehicle” means any vehicle which is powered mechanically (for example electrically or by an engine) that is intended or adapted for use on roads. This includes but is not limited to motorcars and motorcycles.

“Doughnuts” means driving around a small area in a repetitive manner.

“Handbrake turns” means using the handbrake to turn the vehicle.

“Drifting” means use of the accelerator when going into a bend causing the tail end of the motor vehicle to slide.

“Wheel spinning” means (1) use of the accelerator when the motor vehicle is stationary and before releasing the handbrake or brake, causing the wheels of the motor vehicle to spin and noise and/or smoke to be produced, and (2) accelerating at a speed which causes the wheels of the motor vehicle to spin in a manner a competent driver would expect not to happen in the normal course of driving

“Burn-outs” means keeping a vehicle stationary or moving only a small distance, whilst spinning its wheels, with the resulting friction causing the tires to heat up and smoke.

## Appendix (attached):

A map showing the restricted area edged in red.

Given under the Common Seal of Broadland District Council

On the 14th day of December 2023

**THE COMMON SEAL of**

**Broadland District Council**

Was hereunto affixed in the

Presence of:

Signed ..... Authorised Officer

Name: *Sinead Carey*

Position: *Deputy Monitoring Officer*







15183

  
Deputy Monitoring Officer



