

# **PUBLIC SPACES PROTECTION ORDER**

## **THE ANTI SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014**

### **PUBLIC SPACES PROTECTION ORDER CHILWELL RETAIL PARK 2017**

The order takes effect on 17<sup>th</sup> January 2018 and has a duration of 36 months.

WHEREAS Broxtowe Borough Council ("the Authority") is satisfied that activities relating to motor vehicle nuisance have been carried out in the area shown outlined on the map shown in the schedule (this will be known as "The "Restricted Area"), and these activities have had a detrimental effect on the quality of life of those in the locality. It is also likely that such activities will be carried on in a public place within that area and that they will have such an effect. Further it is satisfied that the effect of these activities is or is likely to be of a persistent or continuing nature and is or is likely to be such as to make the activities unreasonable and the effect justifies the restrictions imposed. It is in all circumstances expedient to make an Order under Section 59 of the Anti-social Behaviour Crime and Policing Act 2014 ('the Act'), for the purposes of reducing crime and anti-social behaviour.

**NOW THEREFORE** the Authority in exercise of the powers under Section 59 of the Act, having consulted as required by section 72 of the Act, and all other enabling powers, hereby make the following Order:-

**The Order seeks to prohibit car cruise events where motor vehicles congregate and any of the following activities occur:-**

1. Motor vehicles driven at excessive speed or accelerated aggressively
2. Driving in convoy – whether side by side or in single file
3. Motor vehicles are raced against one another
4. Stunts are performed in motor vehicles
5. Sounding horns (as to cause public nuisance)
6. Revving engines
7. Wheel spins
8. Playing music (as to cause public nuisance), whether from inside or adjacent to a motor vehicle
9. Recording any of the listed activities on any device
10. Advertising or promoting car cruising activity and such events on notice boards buildings, structures, vehicles/trailers or other movable objects on the public highway within the restricted area
11. Using foul or abusive language
12. Using threatening, intimidating behaviour towards another person
13. Causing obstruction on a public highway or in a publicly accessible place, or private land, whether moving or stationary
14. Creating excessive noise
15. Creating a danger or risk of injury to road users including pedestrians
16. Causing damage or risk of damage to property
17. Creating significant risk of harm
18. Creating significant public nuisance
19. Creating significant annoyance to the public
20. Engaging in anti-social behaviour covered by any existing legislation
21. Committing any traffic offence covered by existing legislation
22. Congregating to spectate the above activities
23. Engaging in any other activity that a reasonable person would consider it to be 'car cruising'.

**A person participates in a car cruise if:-**

- He or she is the driver of a motor vehicle engaged in the activities described above.
- He or she is a passenger in a motor vehicle engaged in the activities described above
- He or she is a spectator of a motor vehicle engaged in the activities described above

**The Council therefore under Section 59 (4) of the Act prohibits:-**

1. Participating in car cruising activity as a passenger or driver of a vehicle within the area designated in the Public Spaces Protection Order
2. Congregating in the area to spectate cruising activity undertaken by vehicles in the area designated in the Public Spaces Protection Order.

**Offence:-**

- Failure without reasonable excuse, to comply with the prohibitions or requirements imposed by this Order is a summary offence under section 67 of the 2014 Act. A person guilty of an offence under section 67 is liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- A constable or an authorised person may under section 68 of the 2014 Act issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 in relation to this Order.

This Order shall take effect on the  
**THE COMMON SEAL** of )  
**BROXTOWE BOROUGH COUNCIL** )  
was hereunto affixed in )  
the presence of :- )

2018 for a period of three years.

*Halimah G. Khalid* Mayor  
*B. Brongton*

Duly Authorised Officer



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SCHEDULE

