

NORWICH CITY COUNCIL

PUBLIC SPACES PROTECTION ORDER No. 1 OF 2023

VEHICLE RELATED ANTI-SOCIAL BEHAVIOUR

1. This Order may be cited as the Norwich City Council Public Spaces Protection Order No.1 of 2023.

2. The Norwich City Council (hereafter referred to as “the Council”) makes this Order under its powers contained in section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 (hereafter referred to as “the Act”), being satisfied on reasonable grounds that the activities set out in paragraph 5 of this Order which are taking place or which are likely to take place in the locations described in paragraph 4 of this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality. The Council is also satisfied 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, justify the restrictions imposed by this Order and that it is in all the circumstances expedient to make this Order for the purpose of reducing vehicle related anti-social behaviour in a public place.

3. This Order comes into force at midnight on 26 July 2023 for a period of three years thereafter, unless extended by further order under the Council’s statutory powers.

4. This Order applies to all public places within the Council’s administrative boundary which boundary is shown outlined in red on the plan attached to this Order and which satisfy the definition of public place set out in this paragraph (such public places being jointly “the restricted area” over which this Order has effect). A public place is any place to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of express or implied permission. Public places include but are not limited to the following examples: car parks (including those provided for customers of a business), sports fields and playing fields and their attached facilities, parks and recreation grounds, public highways including footway

and verge, footpaths and bridleways, public open space land and communal open space owned by the Council or other landowner.

5. Subject to paragraph 6 below, no person shall carry out or assist or encourage any other person to carry out any of the actions specified in 5(a) to (k) below at any time in any part of the restricted area:

5(a) Driving a motor vehicle at an excessive speed causing or being likely to cause a nuisance and/or a danger to persons in the locality of that part of the restricted area.

5(b) When driving a motor vehicle, causing repeated sudden and rapid acceleration and deceleration of the motor vehicle causing or being likely to cause a nuisance and/or a danger to persons in the locality of that part of the restricted area.

5(c) Racing with other motor vehicles, causing or being likely to cause a nuisance and/or a danger to persons in the locality of that part of the restricted area.

5(d) Performing stunts using a motor vehicle causing or being likely to cause a nuisance and/or a danger to persons in the locality of that part of the restricted area. "Performing stunts" includes but is not limited to doughnutting, drifting, handbrake turns, and wheel spins. Definitions of doughnutting, hand brake turns, drifting and wheel spins are set out in the Schedule to this Order.

5(e) Sounding motor vehicle horns (otherwise than in accordance with the Highway Code) in a manner causing or being likely to cause a nuisance to persons in the locality of that part of the restricted area.

5(f) Playing amplified music in or near or powered from a motor vehicle at an excessive volume, causing or being likely to cause a nuisance to persons in the locality of that part of the restricted area.

5(g) Causing rapid deceleration of a motor vehicle accompanied by the skidding of the motor vehicle, causing or being likely to cause a nuisance and / or a danger to persons in the locality of that part of the restricted area.

5(h) Excessively revving the engine of a motor vehicle, causing or being likely to cause a nuisance to persons in the locality of that part of the restricted area.

5(i) Congregating in a group of at least three persons in or around two or more stationary motor vehicles, causing or being likely to cause a nuisance to persons in the locality of that part of the restricted area.

5(j) Carrying out any action not specified in paragraphs 5(a) to 5(i) above which involves the use of a stationary or moving motor vehicle and which causes or is likely to cause a nuisance to persons in the locality of that part of the restricted area.

5(k) During an activity specified in paragraphs 5(a) to 5(j) of this Order using loud and/or threatening and/or abusive language causing or being likely to cause a nuisance to persons in the locality of that part of the restricted area.

6. An activity or behaviour which is authorised by the owner of that part of the restricted area where the activity or behaviour is taking place is not a breach of this Order.

7. Section 67 of the Act states that it is an offence for a person without reasonable excuse:

- (a) To do anything that the person is prohibited from doing by a public spaces protection order or,
- (b) To fail to comply with a requirement to which the person is subject under a public spaces protection order.

A person guilty of an offence under section 67 of the Act is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

A person does not commit an offence under section 67 of the Act by failing to comply with a prohibition or requirement that the local authority did not have power to include in the public spaces protection order.

A fixed penalty notice can be issued for a breach of this Order which if it remains unpaid could lead to prosecution for the offence for which the fixed penalty notice was issued.

Challenging the validity of orders

Any interested person may apply to the High Court to question the validity of this Order and an interested person means an individual who lives in the restricted area or who regularly works in or visits that area. Any such interested person may apply to the High Court within six weeks from the date on which this Order was made on the grounds that the Council did not have the power to make the Order or to include particular prohibitions or requirements imposed by the Order or that a requirement under Chapter 2 of the Act was not complied with in relation to this Order.

SCHEDULE

Definitions: in this Order the following terms have the meaning given below.

“motor vehicle” means a mechanically propelled vehicle, intended or adapted for use on roads. This includes but is not limited to motorcars and motorcycles.

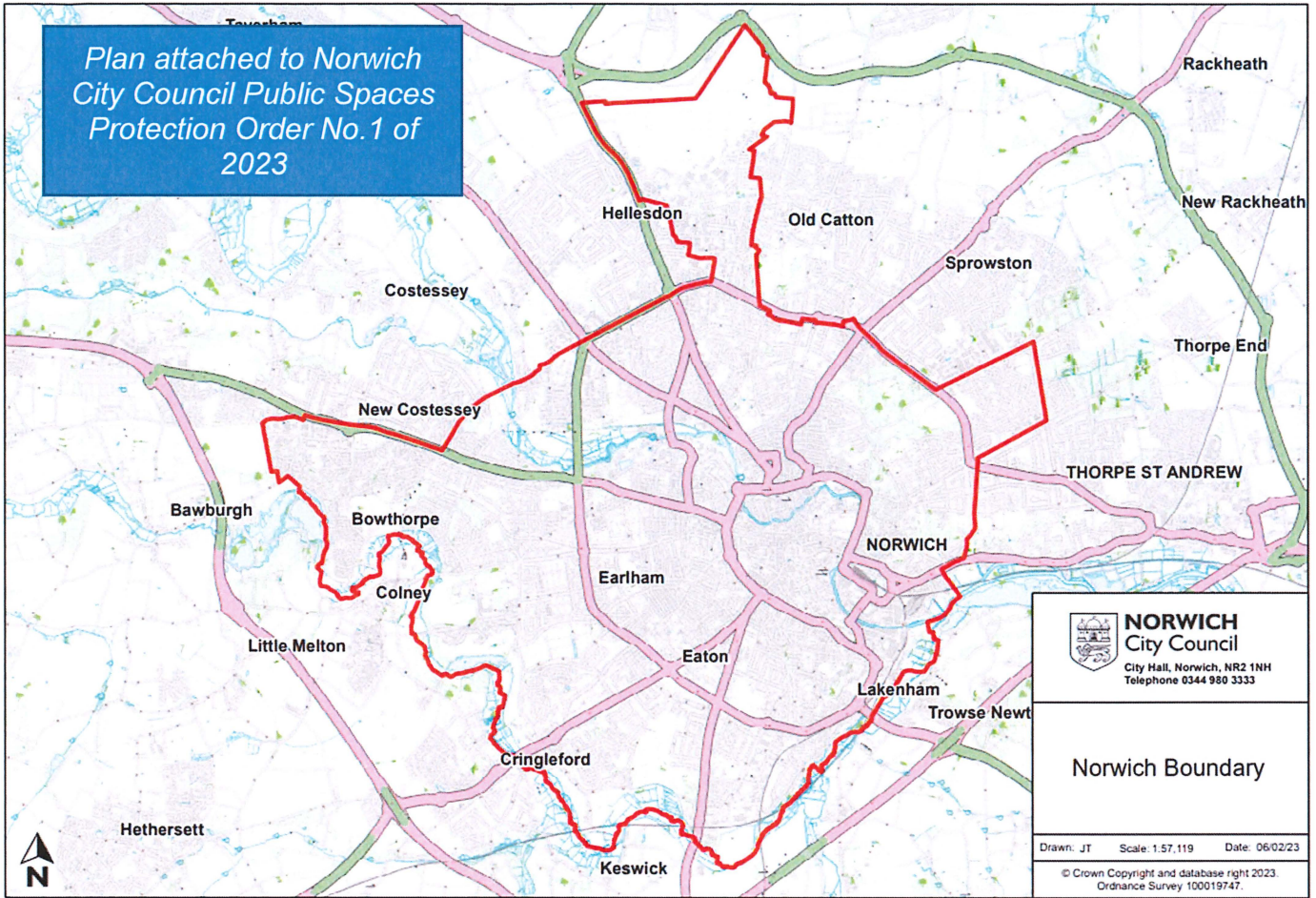
Doughnutting – means driving around a small area in a repetitive manner.

Hand brake 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 spins 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

Wheelies – means a trick or manoeuvre whereby a motorcycle or other motor vehicle is ridden for a short distance with the front wheel or wheels raised off the ground.



The Corporate Seal of the City Council of Norwich was hereunto affixed on this day 26 July 2023 in the presence of

[Handwritten signature]

Authorised Officer



H-20230604