

The Anti-Social Behaviour, Crime and Policing Act 2014, Section 59

South Kesteven District Council (Vehicle Nuisance and Anti-social Behaviour) Public Spaces Protection Order 2023

South Kesteven District Council (in this Order called "the Council") in exercise of its powers under Section 59 of the Anti-social Behaviour, Crime and Policing Act 2014 ("the Act") hereby makes the following Order:

The Order is made on the _____ and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

General provisions:

1. This Order applies to all land in the Restricted Areas 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.
2. The Council is satisfied that both of the conditions set out in Section 59 of the Act are satisfied, because the activity, identified in paragraph 5 of this Order, which is carried on in a public place ("the Restricted Area") has a detrimental effect on the quality of life of those in the locality and this effect is or is likely to be of a persistent or continuing nature, such as to make the activities unreasonable and justifies the restrictions imposed by this Order.
3. The Order is available for inspection on the Council's website and also by appointment, at the offices of South Kesteven District Council. Appointments can be made by contacting 01476 406080 or emailing neighbourhoods@southkesteven.gov.uk
4. If any interested person desires to question the validity of this Order on the grounds that the Council had no power to make it or that any requirement of the Act has not been complied with in relation to this Order, he or she may apply to the High Court within six weeks from the date on which this Order is made.

Prohibitions:

5. Vehicle related nuisance and Anti-Social Behaviour

The activities which are to be controlled are:

- a) Within the Restricted Area specified in the Schedule to this Order, anyone being the driver of a vehicle (motorised or otherwise) performs any of the following activities
 - i. Revving of engine(s) as to cause a public nuisance
 - ii. Sudden and/or rapid acceleration as to cause a public nuisance
 - iii. Repeated sudden and/or rapid acceleration as to cause a public nuisance
 - iv. Racing by two or more vehicles
 - v. Performing stunts as to cause a public nuisance
 - vi. Sounds horns as to cause a public nuisance
 - vii. Playing music from a vehicle as to cause a public nuisance

Vehicle includes a pedal cycle; power assisted pedal cycle; pedal cycle (in combination with a trailer constructed or adapted for carrying one or more passengers); scooters and electric scooters.

- b) Acting in a manner that causes or is likely to cause harassment, alarm or distress

For the purpose of this Order:

- (a) Restricted Area means the land designated in the Schedule to this Order
- (b) An "authorised officer" means an officer who is authorised in writing by the Council for the purposes of giving directions under the Order or a police constable or a community support officer designated under the Police Reform Act 2002.

Penalty

A person who fails to comply with any obligation imposed by this Order is guilty of an offence and liable to a fine on summary conviction not exceeding level 3 on the standard scale.

An authorised officer may issue a fixed penalty notice (currently £100) to a person who they reasonably believe has breached the requirements of this Order. A fixed penalty notice offers the recipient the opportunity to discharge the liability to conviction for the offence by paying the fixed penalty notice within 14 days of issue of the notice.

Date Order Made:

Executed as a DEED by affixing the)

COMMON SEAL of SOUTH KESTEVEN)

DISTRICT COUNCIL)

In the presence of:

Schedule

This Order applies to land which is within the administrative area of South Kesteven District Council, edged red in the attached plans, which is open to the air (which includes land which is covered, but open to the open air on at least one side) and to which the public are entitled or permitted to have access (with or without payment).

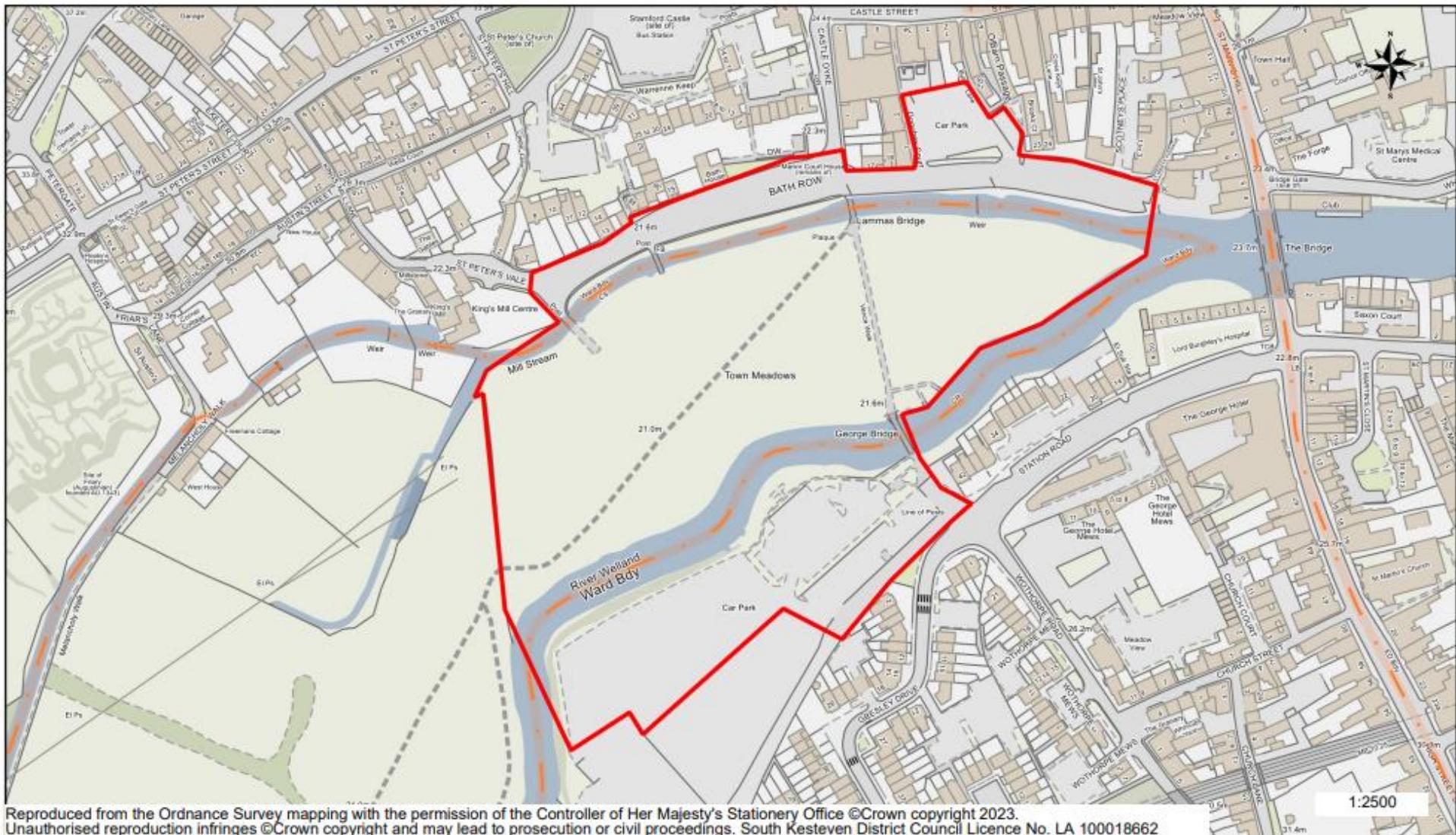


SOUTH
KESTEVEN
DISTRICT
COUNCIL

Station Road (Cattle Market) Car Park, The Meadows and Bath Row, Stamford



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DISTRICT
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