

ANTI-SOCIAL BEHAVIOUR CRIME AND POLICING ACT 2014

SECTION 59 - PUBLIC SPACES PROTECTION ORDER

South Gloucestershire (Area Wide) Public Space Protection Order 2024 – Car Cruises vehicle and related anti-social behaviour

SOUTH GLOUCESTERSHIRE COUNCIL (the Council) in exercise of its powers under section 59 of the Anti-Social Behaviour Crime and Policing Act 2014 (the Act), being satisfied that the anti-social behaviour arising from car cruise gatherings and related anti-social behaviour, has or will have a detrimental effect on the quality of life of those in the locality, makes the following order;

1. Persons are prohibited from participating in a car cruise, whether pre-planned or as a spontaneous event – “Car Cruising” can be defined as motor vehicles (including motorbikes) being on a highway or a public place, where the registered keeper, driver or insured party, performs either sequentially or simultaneously with two or more other registered keepers, drivers or insured parties, any of the prohibited activities as below, namely;
 - Causing a danger or risk of injury to other road users, including pedestrians, by speeding or racing
 - Causing damage or risk of damage to property
 - Speeding or racing on the public highway
 - Performing stunts, including but not limited to, doughnuts, manoeuvre drifting, skidding, handbrake turns or wheel spinning
 - Sounding horns or the playing of loud music so as to cause a nuisance
 - Revving of engines so as to cause a nuisance
 - Causing obstruction on a public highway or publicly accessible land.

2. This Order applies to all land;
 - which is open to the air (including land which is covered but open to the air on at least one side)
 - to which the public are entitled or permitted to have access, with or without payment and by express or implied permission
 - which is within the South Gloucestershire boundary

3. Offence

Any person who without reasonable excuse participates in any car cruise event or commits an act that is prohibited by this Order (as per 1 to 4 above), on land to which this Order applies, commits an offence.

4. Penalty

In accordance with Section 67 of the Act, a person who commits an offence if at any time and without reasonable excuse they engage in any activity prohibited by this Order.

A Police Officer or Council Officer may issue a Fixed Penalty Notice to any person they have reasonable cause to believe has committed an offence under this Order.

A Fixed Penalty Notice is a Notice offering the person to whom it is issued the opportunity of discharging any liability to conviction for the offence by payment of the Fixed Penalty to the Council.

Where a person is issued with a Fixed Penalty Notice under this Order the amount of the Penalty shall be £100 (reduced to £50 if paid within 10 days). If the Fixed Penalty is paid within 14 days the offender will not be prosecuted.

A person who is guilty of an offence under this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1000).

5. Special Dispensations

This Order carries a special dispensation in respect of owners and drivers of vehicles when specifically engaged as a member of an event which is regulated by the Motor Vehicle (Competition and Trials) Regulations 1969, the Auto Cycle Union, Motorsport UK, Federation of British Historic Vehicles Clubs, Trail Riders Fellowship, Green Lane Association, or any other member organisation of LARA (Motoring Organisations' Land Access & Recreation Association) or NMC (National Motorcyclists Council).

6. Appeals

Any challenge to this Order must be made to the High Court by an interested person within 6 weeks from the date the Order is made. An interested person is someone who lives in, regularly works in or visits the area.

In accordance with Section 66 of the Act interested persons can challenge the validity of the Order on two grounds; that the Council did not have the power to make the Order or to include particular prohibitions or requirements, or that a requirement of the Act was not complied with.

7. This Order shall come into effect on 18th October 2024 and shall have an effect for 3 years thereafter, unless extended by further Orders under the statutory powers.