

**Anti-social Behaviour,
Crime and Policing Act 2014
Part 4, Section 59**

**North West Leicestershire District Council
Public Spaces Protection Order 2024
Vehicle Related Anti-Social Behaviour**

This Order may be cited as **the North West Leicestershire District Council Public Spaces Protection Order Ref: PSPOCD:XXXX**

This Order is made by North West Leicestershire District Council (“the Council”) in exercise of its powers under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 (“the Act”)

1. Duration

This Order shall come into operation on 24 July 2024 and shall have effect for a period of three (3) years thereafter, expiring on 23 July 2027 unless revoked, amended or extended by further orders under the Council’s statutory powers.

2. The Restricted Area

The land in relation to which this Order applies (“the Restricted Area”) is that land in the area of North West Leicestershire District Council which is:

- a) Delineated and shown in red on the map at Schedule One to this Order;
and
- b) Listed as one of the roads in Schedule Two to this Order.

3. Persons to whom this Order applies

This Order applies to all persons within the Restricted Area at all times of the night and day.

4. The Activity

The Activity is a Car Cruise (as defined in Schedule Three to this Order).

The Council is satisfied that the conditions set out in section 59 of the Act have been satisfied and that allowing a Car Cruise within the Restricted Area

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has a detrimental effect on the quality of life of those in the locality. Further, the Council is satisfied that the effect of the Activity is persistent or continuing in nature, is unreasonable and the effect of the Activity justifies the restrictions/prohibitions imposed.

5. Prohibitions

In pursuance of section 59 of the Act, the Council therefore prohibits the following within the Restricted Area:

- a) Any person participating in a Car Cruise (the Activity);
- b) Any person congregating for the purpose of being a spectator at a Car Cruise (the Activity); and
- c) Any person allowing a vehicle, for which they are the registered keeper, to be used in a Car Cruise (the Activity).

6. Offences

It is an offence for a person without reasonable excuse—

- a) to do anything that the person is prohibited from doing by this Order, or
- b) to fail to comply with a requirement to which the person is subject under this Order.

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

7. Fixed Penalty Notices

A constable or a person authorised by the Council may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence in relation to 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 a fixed penalty to the Council.

Failure to pay a fixed penalty notice may lead to prosecution.

8. Appeals

Any challenge to this Order must be made in the High Court by an interested person within six weeks of the Order being made. An interested person is someone who lives in, regularly works in, or visits the Restricted Area. The grounds on which an interested person may apply to the High Court are:

- a) That the Council did not have power to make the Order, or to include particular prohibitions or requirements imposed by the Order; or

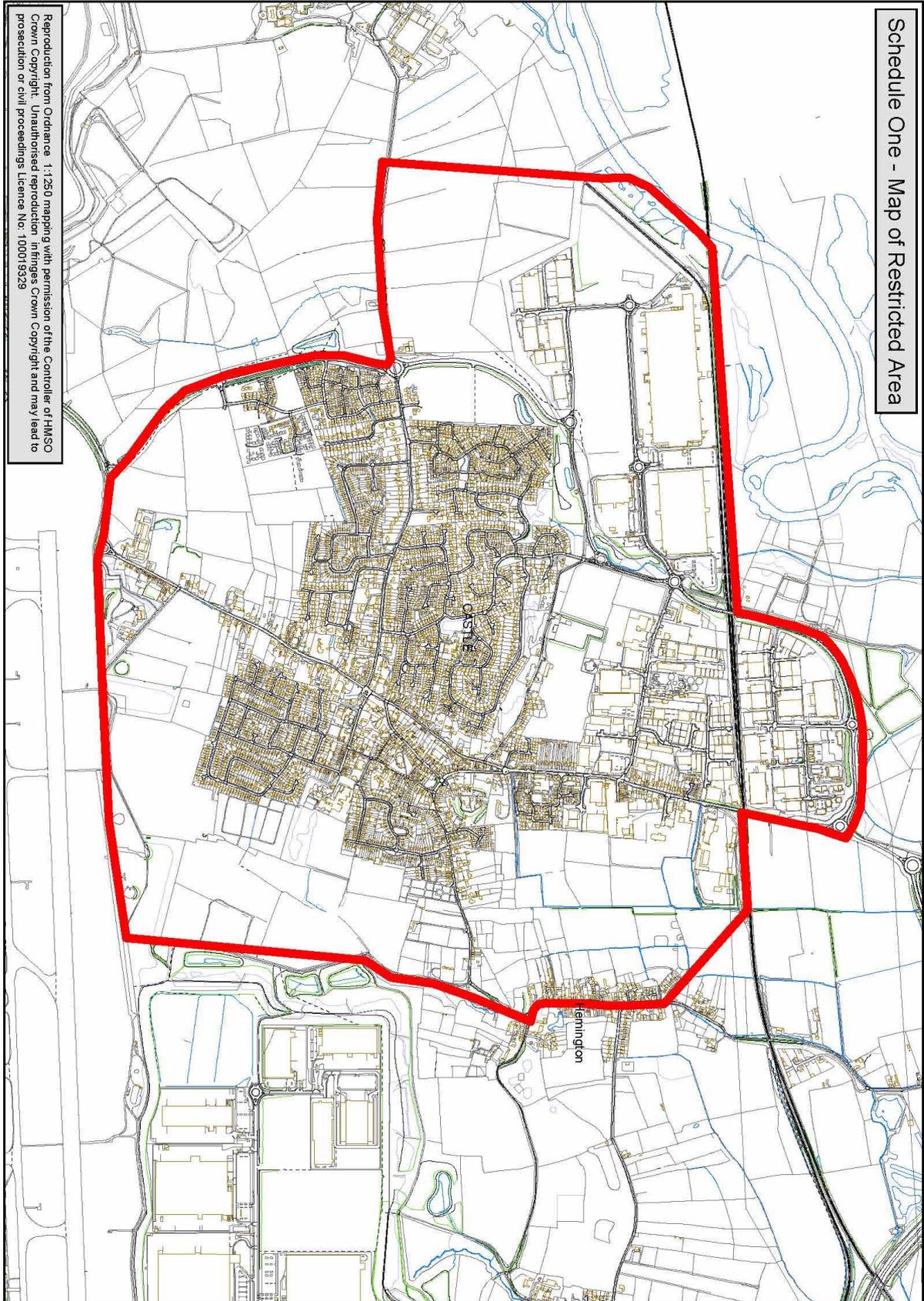
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- b) That the Council did not meet one of the requirements of Chapter 2 of Part 4 of the Act.

The right to challenge also exists where an Order is varied by the Council.

When such an application is made, the High Court can decide to suspend the operation of the Order or any of the prohibitions or requirements of the Order, pending the Court's decision. The High Court also has the power to uphold the Order or quash the Order.

Schedule One – Map of Restricted Area



Schedule Two

The Restricted Area includes any part of any roads within the electoral wards of Castle Donington, North West Leicestershire as shown on the Map above. It includes the following roads and all roads in between them.

- Hilltop
- Diseworth Road
- Station Road
- Broad Brushes
- West Meadow Rise

It includes the following streets of Hemmington

- Hemmington Hill
- Main Street

Schedule Three – Definitions

In this Order:

Car Cruise means

1. a congregation of the drivers and/or passengers of two or more motor vehicles (including motor cycles and quad bikes) at any time during which any such driver and/or passenger performs any of the activities set out at paragraph 2 below, so as, by such conduct, to cause any of the following:
 - (i) excessive noise of any kind;
 - (ii) danger to other road users and pedestrians;
 - (iii) damage or risk of damage to any property;
 - (iv) litter;
 - (v) any nuisance to another person not participating in the ‘Car Cruise’

2. The activities referred to in paragraph 1, above, are:
 - (i) driving at excessive speed;
 - (ii) driving in convoy;
 - (iii) racing other motor vehicles (including motor cycles and quad bikes);
 - (iv) performing stunts in motor vehicles (including motor cycles and quad bikes) including but not limited to drifting, wheel spins, handbrake turns, wheelies ;
 - (v) sounding horns or playing radios;
 - (vi) dropping litter;
 - (vii) shouting or swearing at, abusing or threatening or otherwise intimidating another person.

Participating in a Car Cruise

A person participates in a Car Cruise when he is the driver of, or passenger in a vehicle, to which paragraphs 1 and 2 above apply and the term “participating in a Car Cruise” shall be interpreted accordingly.

Spectating at a Car Cruise

A person is a spectator at a Car Cruise if he or she is within the Restricted Area for the purpose of observing Car Cruising.

“Motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads.

“Drifting” means driving in such a manner as to cause the rear of the vehicle to slide.

“Wheel spins” means using the accelerator to allow the wheels to spin while the car is stationary, producing noise and smoke; or accelerating at speed which causes the wheels to spin whilst failing to gain traction.

“Handbrake turn” using the handbrake to bring the vehicle to an abrupt stop whilst turning the vehicle.

“Wheelies” means a manoeuvre where any vehicle is driven for a period of time with wheels not in contact with the ground.