

## **PUBLIC SPACE PROTECTION ORDER**

### **THE ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014 (PART 4 CHAPTER 2 SECTIONS 59-75)**

The London Borough of Hillingdon, in exercise of its powers under section 59-75 of the Anti-Social Behaviour, Crime and Policing Act 2014 ('the Act') and under all other enabling powers hereby makes the following Public Spaces Protection Order('the Order'):

1. This Order ('the Order') applies to the public places shown on the plans attached to the Order ("the Restricted Areas") which includes the following wards:
  - Botwell
  - Pinkwell
  - Uxbridge South
  - West Ruislip
  - Townfield
  - Yiewsley
  - Yeading
2. The Order may be cited as the Street Racing Public Spaces Protection Order ("the Order") and came into force on 14<sup>th</sup> August 2018 for a duration of 3 years
3. In making this Order the London Borough of Hillingdon is satisfied on reasonable grounds that:-
  - (i) activities carried on in a public place within the authority's area have had a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried on in a public place within that area and they will have such an effect;
  - (ii) the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, is or is likely to be such as to make the activities unreasonable, and justifies the restrictions imposed by the Order.
4. The London Borough of Hillingdon is also satisfied that the prohibitions and requirements set out within this Order are reasonable:-
  - (i) to prevent the detrimental effect on the quality of life of those in the locality continuing, occurring or recurring; or
  - (ii) to reduce that detrimental effect or to reduce the risk of its continuance, occurrence or recurrence.
5. Before the expiry of this Order the London Borough of Hillingdon may extend, vary or

"Street Racing" Public Spaces Protection Order 14<sup>th</sup> August 2018

discharge it in accordance with the provisions of the Act.

#### **THE ACTIVITIES CARRIED OUT ARE AS FOLLOWS**

6. The activities (which have resulted in complaints from local residents and elected members of public nuisance, danger and distress) carried out on the Restricted Areas are as follows:
- (i) Large numbers of individuals have been gathering in motor vehicles and/or motorcycles in the Restricted Areas in the evenings causing noise, public nuisance and annoyance.
  - (ii) Persons having control of vehicles have been using the Restricted Areas to display and race motor vehicles and motorcycles on public roads and places and are a danger to other road users and pedestrians.
  - (iii) Persons having control of vehicles have been using their motor vehicles and motorcycles in the Restricted Areas with excessive levels of noise nuisance, and engaging in street races and/or performance of stunts.
  - (iv) Persons having control of vehicles are causing obstruction on a public highway or in a publicly accessible place, or private land whether moving or stationary.
  - (v) Persons having control of vehicles are committing road traffic offences covered by existing legislation.
  - (vi) Persons having control of vehicles are engaging in any other activities that a reasonable person would consider to be 'car cruising'.

#### **BY THIS ORDER**

7. The effect of the Order is to impose the following prohibitions in the restricted areas at all times:-
- (a) To participate in 'Car Cruising' anywhere within the Restricted Areas outlined in the plans annexed to this Order. Participating in 'Car Cruising' means being the driver of, or being carried in or on a motor vehicle, when two or more vehicles (including motorbikes) being on a highway, or a publicly accessible place, at which any such vehicle, or occupant of a vehicle, performs any of the activities listed below:
- (i) Speeding
  - (ii) Driving in Convoy
  - (iii) Racing
  - (iv) Performing stunts
  - (v) Sounding horns or playing music as to cause nuisance
  - (vi) Using foul or abusive language
  - (vii) Using threatening, intimidating behavior towards another person
  - (viii) Causing obstruction on a public highway, whether moving or stationary.
- (b) Participating in any activity stated in clause 6 as a passenger or driver of a vehicle

within the Restricted Areas.

- (c) Congregating in the Restricted Areas to spectate in any activity stated in clause 6.
- (d) Using any water outlet for the purpose of flooding the road to facilitate performing stunts in the Restricted Areas.
- (e) To promote, organize or publicise, via email, the internet, Facebook, Twitter or similar social media, or any publication or broadcast any 'car cruising' within the Restricted Areas

**8. OFFENCE**

8.1 Any person who fails without reasonable excuse to comply with any of the prohibitions stated in Clause 7 of this Order shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

**9. FIXED PENALTY**

9.1 A constable or an authorised person of the London Borough of Hillingdon may issue a fixed penalty notice to any person he or she believes has committed an offence.

9.2 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 London Borough of Hillingdon.

**General**

An authorised officer means a Local Authority Employee, a person designated by the Local Authority, a Police Officer or Police Community Support Officer. The Council is satisfied that the conditions set out in sections 59, 64 & 72 of the Act have been satisfied and that it is in all the circumstances expedient to make this order for the purposes of reducing anti social behaviour in the restricted areas. The Council makes the order because anti social behaviour in the restricted areas has had a detrimental effect on the quality of life of those in the locality. The effect or likely effect of this is of a persistent or continuing nature such as to make this unreasonable, and justifies the restrictions imposed in this order. 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.

Signed:.....  
Designation:  
Deputy Chief Executive and Corporate Director Residents Services  
(The officer appointed for the purpose)

Date: 14<sup>th</sup> August 2018