

Prohibition of inconsiderate and inappropriate vehicle use related to Antisocial Behaviour.

Executive Summary

The Council in conjunction with our partners are proposing to introduce four new public space protection orders (PSPOs) within the North Norfolk District to prohibit inconsiderate and inappropriate vehicle use related to antisocial behaviour. This is part of a wider control strategy involving the Norfolk Constabulary and local authority partners to curb this style of behaviour.

It is widely known that the ASB issues specified above are a cross-boundary issue and in some circumstances with perpetrators travelling extensive distances to attend meeting events. With other authorities establishing control measures, perpetrators are prepared to travel to avoid restrictions and frequently target those areas that have no controls.

The purpose of these PSPOs will be to support the Constabulary and establish a consistent approach with our partners and reduce the likelihood of this form of ASB occurring in our district.

These orders when approved will be in force for a period of 3 years, after which time the Council will be required to review and approve once more.

The Council launched a 6-week consultation that concluded on the 11th of December 2024 to determine the views of residents and interested parties. During the consultation 7 responses were received from the public and all were unanimous in their support.

Options considered

Essentially there are two options:

- Endorse the proposals and bring NNDC in line with neighbouring local authority partners and Norfolk Constabulary. Create a PSPO in each of the named locations.
- Turn down the proposal and do not endorse the proposals.

Consultation(s)	The Council launched a 6-week consultation that concluded on the 11th of December 2024 to determine the views of residents and interested parties. During the consultation 7 responses were received from the public and all were unanimous in their support.
Recommendations	It is the officer's recommendation that the proposals are accepted in full.
Reasons for recommendations	<ul style="list-style-type: none"> • Fulfil the council's contribution to Operation Octane (refer to appendix 2) and support the Norfolk Constabulary initiative. • Support our local authority partners and maintain consistency regarding enforcement. • Provide additional enforcement powers to NNDC regarding this type of ASB.
Background papers	Please refer to the operation octane briefing statement for members (appendix 2) and the PSPO order (appendix 1)

Wards affected	Cromer Town Suffield Park Stalham North Walsham West North Walsham East North Walsham Market Cross Lancaster North Lancaster South
Cabinet member(s)	Cllr Ringer
Contact Officer	James Ashby or Emily Capps (after 29 th of Jan 2025)

Links to key documents:	
Corporate Plan:	"Developing Our Communities"
Medium Term Financial Strategy (MTFS)	It is not anticipated that this work will have implications for the MTFS. Short term may have marginal implications for financial spend on signage.

Council Policies & Strategies	Corporate Enforcement Policy
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Corporate Governance:	
Is this a key decision	
Has the public interest test been applied	Yes
Details of any previous decision(s) on this matter	None

1. Purpose of the report

The purpose of this report is to present the Councils proposals to introduce 4 new public space protection orders (PSPOs) in Fakenham, North Walsham, Cromer, and Stalham. The introduction of these orders is to support the Norfolk Constabulary and in particular the multi-agency operation entitled Op Octane. To enhance enforcement powers to deal with antisocial driving activities. As part of this process a 6-week public consultation was launched and was concluded on the 11th of Dec 2024. During the consultation, 7 responses were received from the public and all were unanimous in their support for these proposals.

2. Introduction & Background

Gatherings of modified car enthusiasts have always been a popular way for those with a shared interest to socialise and view each other's vehicles. However, increasingly in Norfolk we are seeing large groups of vehicles travelling between cross boundary locations causing multiple incidents of anti-social behaviour (ASB) and committing various other driving offences.

Car meets can involve over 300 vehicles and over 500 people. Vehicles will drive on our road network or congregate in industrial estates, retail parks, other car parks or residential areas. The actions of some drivers, such as racing, speeding, performing 'doughnuts' or 'burnouts and inappropriate parking can cause serious disruption in the local area and put themselves, spectators and other road users at risk. In other force areas, there have been several serious multiple injuries and some fatal collisions at and associated with car meets.

There is also often a significant impact on the wider community, such as noise, damage to road surfaces, verbal abuse, litter etc., and this is reflected in the number of complaints received by the Constabulary from the public, which have averaged nearly 40 per month over the last two years.

In view of the above in conjunction with Norfolk Constabulary, North Norfolk District Council have drafted 4 proposed public space protection orders for North Walsham, Cromer, Fakenham and Stalham see appendix 1 for a map showing the applicable areas. These areas were highlighted by the Constabulary as high-risk areas based upon intelligence data.

The Public Space Protection Orders will include the following restrictions:

- driving at excessive speed
- sudden and/or repeated acceleration and deceleration
- street racing
- stunts (including, but not limited to, dough-nutting, handbrake turns, drifting, and burnouts)
- continuous engine revving while stationary
- unnecessary use of the horn
- amplified music
- littering from a vehicle
- threatening, abusive or intimidating language or behaviour associated with vehicle use

3. Proposals and Options.

There are essentially two options to consider. Firstly, to endorse the proposals and bring NNDC in line with local authority partners and Norfolk Constabulary or alternatively to turn down the proposal and do not endorse the proposals.

4. Corporate Priorities

These proposals will help to safeguard and protect the communities against Anti-Social Behavior.

5. Financial and Resource Implications

There may be some minor and short-term implications regarding financial spend with the provision of signage for each area, however staffing resource will be within the confines of existing budgets.

Comments from the S151 Officer:

Supports the proposals and no specific comments to make.

6. Legal Implications

These PSPO's are being established on behalf of Norfolk Constabulary. It is anticipated that enforcement will be conducted primarily by the Constabulary, as such legal implications for NNDC will be minimal.

Comments from the Monitoring Officer

Supports proposals no comments required

7. Risks

There are no anticipate significant risks by accepting the report recommendations. Failure to adopt the PSPO would carry a greater degree of risk, primarily reputational but also there may be implications for the Council and Constabulary's ability to manage this form of anti-social activity.

8. Net ZeroTarget

Effective enforcement powers will prevent large gatherings of motor vehicles, although minor, this would have marginal impact of carbon emissions and local air pollution.

9. Equality, Diversity & Inclusion

The proposals have been examined regarding the Councils Equality, Diversity and Inclusion Policy, and appears to be consistent principles set out in this document.

10. Community Safety issues

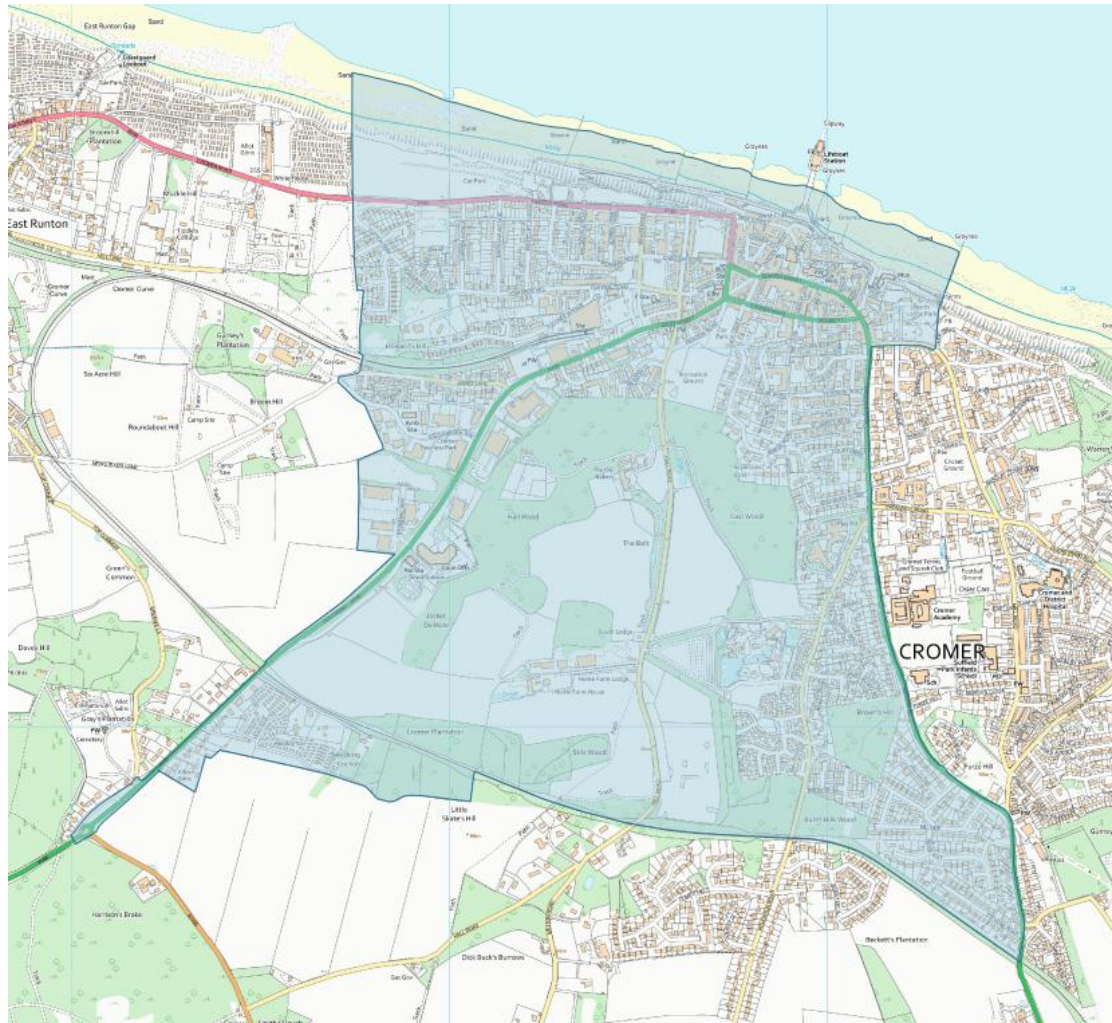
One of the primary goals of these proposals are to enhance community safety. The very nature of antisocial activities involving motor vehicles are such that they present dangers to the perpetrators, other road users and pedestrians. Nationally a number of deaths and injuries have been reported in association with large car meets and drag racing activities in urban areas. The addition of these powers will ensure that this risk can be mitigated, and tragic incidents prevented.

Conclusion and Recommendations

It is the recommendation that the proposal for these PSPOs powers be endorsed and accepted by cabinet.

Appendix 1:

Cromer



The Anti-Social Behaviour, Crime and Policing Act 2014
Public Space Protection Order:
Inappropriate and Inconsiderate Vehicle Use
Cromer Order: NNDC053
North Norfolk District Council 2024

North Norfolk District Council (“the Council”) hereby makes the following Order:

This Order comes into force on 20th August 2024 for a period of 3 years.

This Order is made by North Norfolk District Council ("the council") in exercise of its powers under Section 59 and Chapter 2 of Part 4 of the Anti-social Behaviour Crime and Policing Act 2014 ("the Act"). The council is satisfied that the activities, namely:

- Inappropriate and inconsiderate vehicle use causing vehicle related Anti-Social Behaviour

Occurring within Cromer ("the public place") has had a detrimental effect on the quality of

life of those in the locality and that such activities are:

- a) is, or is likely to be, of a persistent or continuing nature,
- b) is, or is likely to be, such as to make the activity unreasonable, and
- c) and the restrictions imposed by this notice are justified.

1. DURATION OF THE ORDER

This Order comes into force on 10th August 2024 for a period of 3 years, unless extended by further orders under the council's statutory powers.

2. THE RESTRICTED AREA

2.1-Cromer

This order relates to all public space shown within the restricted area shown in **Schedule 1** defined by the shaded area including the highway and highway boundary which the shaded area runs through and, to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of expressed or implied permission. **Schedule 1** covers the Town of Cromer all land within.

3. THE RESTRICTIONS

A person may not carry out, assist, or encourage, any of the activities below, at any time within the area covered by this Public Space Protection Order:

- a) a motor vehicle at excessive speed
- b) driving a motor vehicle causing unnecessary and/or repeated acceleration and deceleration.
- c) racing other motor vehicles or street racing or gathering for the purpose of street racing.
- d) performing stunts in or on a motor vehicle (examples include, but not limited to; dough-nutting, handbrake turns, J - turns, drifting, wheel spinning/burnouts, wheelies).
- e) repeatedly or continuously rev the engine of a motor vehicle unnecessarily while the vehicle is stationary.
- f) unnecessarily sounding the horn of a motor vehicle.
- g) while in a public car park, play amplified music in or powered from a vehicle which can be heard beyond the boundaries of the car park, or which causes or is likely to cause a nuisance to others.
- h) enter any public car park within schedule 1 by persons in motor vehicles between the hours of 7pm and 6am for the purpose of vehicle display or racing.
- i) throws down, drops or otherwise deposits litter from a motor vehicle and leaves it.
- j) using threatening/abusive/intimidating language or behaviour associated with the use of a vehicle.

4. DEFINITIONS

- Public space - for the purposes of this order is defined as per section 2.1 above
- Motor vehicles - for the purposes of this order is a motor vehicle as defined by the
- Road Traffic Act 1988

- Emergency Vehicle - for the purposes of this order as defined by the Road Traffic Act
- 1988
- Vehicle Horn - for the purposes of this order as defined by the Highway Code (latest edition), Road Traffic Act 1988 & Control of Pollution Act 1974 Part 3, Section 62 (2(a))
- The responsible person for a breached of the order which has occurred under the terms of paragraph 3.f.g & i shall be, either the person responsible for the offence or the registered keeper/owner of that vehicle (registered keeper is whom the vehicle is registered by the DVLA).

5. EXEMPTIONS

Anti-social Behaviour, Crime and Policing Act 2014

Section 3.a & b does not apply to an emergency vehicle which at that material time is being use in the course of its operational duty.

Section 3.f. permitted use of a vehicle horn as set out within the Highway Code or Control of Pollution Act 1974 (emergency vehicles and Ice Cream vans)

Section 3.i - The registered keeper of the vehicle shall not be liable for an offence where the vehicle is either a -

- a) A public service vehicle or other form of public transport i.e. community bus/transport.
- b) A licensed hackney carriage or private hire vehicle and the person acting in the contravention under this section is a passenger in that vehicle.

6. Offence of failing to comply with order - Anti-social Behaviour, Crime and Policing Act 2014 -Chapter 2 Section 67

(1) 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.

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

(3) A person does not commit an offence under this section 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.

7. Fixed penalty notices - Anti-social Behaviour, Crime and Policing Act 2014 -Chapter 2 Section 68

(1) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 or 67 in relation to a public spaces protection order.

(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 a local authority specified in the notice.

8. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER

It is an offence for a person who, without reasonable excuse, does anything that the person is prohibited from doing by this order or fails to comply with a requirement of the order. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Pursuant to section 68 of the Anti-Social Behaviour, Crime and Policing Act 2014:

- i. A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 in relation to a public space's protection order.
- ii. A fixed penalty notice is a notice offering the person to whom it is issued the of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice.

9. RIGHT TO APPEAL

Any interested person wishing to challenge the validity of this order must do so within 6 weeks beginning with the date on which this order is made or, if applicable, varied. An application under section 66 Anti-social Behaviour, Crime and Policing Act 2014 is to the High Court.

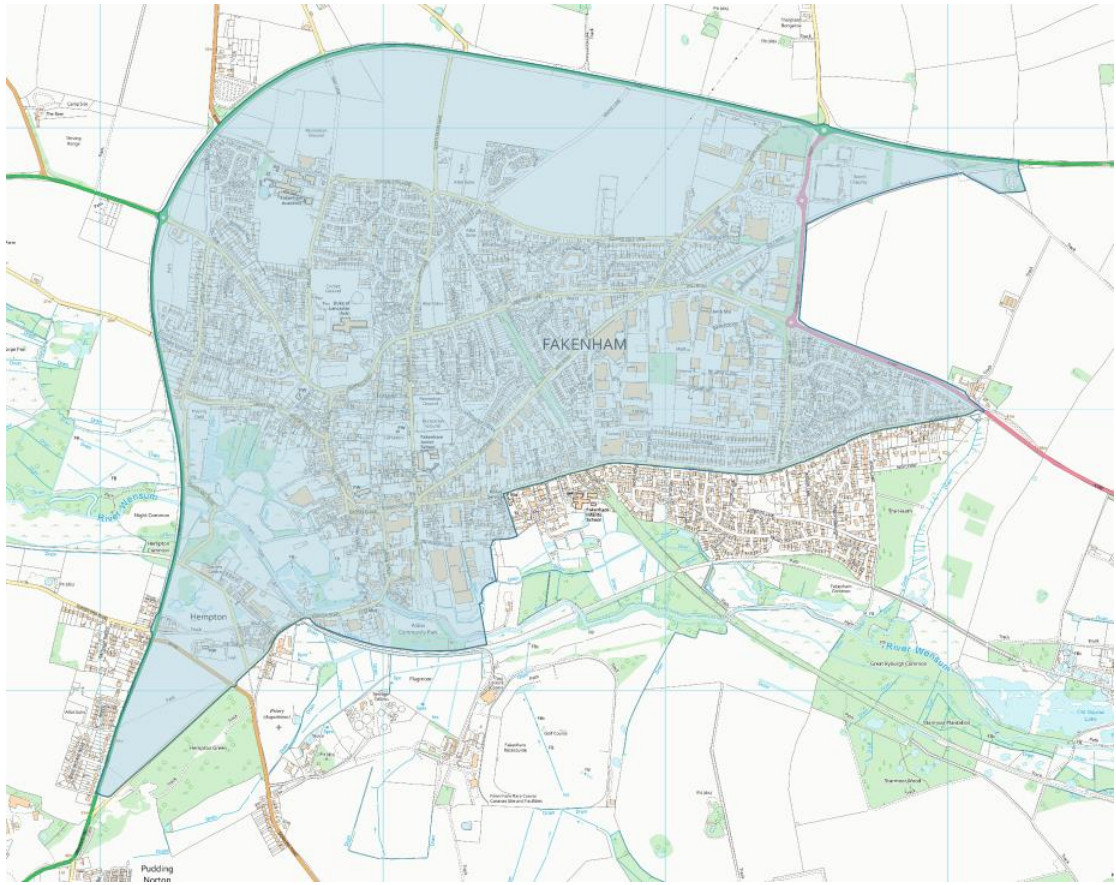
Date this of

**THE COMMON SEAL of NORTH
NORFOLK DISTRICT COUNCIL**

**Was hereunto affixed in the
presence of**

Duly Authorised Signatory

Fakenham:



The Anti-Social Behaviour, Crime and Policing Act 2014
Public Space Protection Order:
Inappropriate and Inconsiderate Vehicle Use
Fakenham Order: NNDC054
North Norfolk District Council 2024

North Norfolk District Council ("the Council") hereby makes the following Order:

This Order comes into force on 20th August 2024 for a period of 3 years.

This Order is made by North Norfolk District Council ("the council") in exercise of its powers under Section 59 and Chapter 2 of Part 4 of the Anti-social Behaviour Crime and Policing Act 2014 ("the Act"). The council is satisfied that the activities, namely:

- Inappropriate and inconsiderate vehicle use causing vehicle related Anti-Social Behaviour

Occurring within Fakenham ("the public place") has had a detrimental effect on the quality of

life of those in the locality and that such activities are:

- d) is, or is likely to be, of a persistent or continuing nature,
- e) is, or is likely to be, such as to make the activity unreasonable, and
- f) and the restrictions imposed by this notice are justified.

1. DURATION OF THE ORDER

This Order comes into force on 10th August 2024 for a period of 3 years, unless extended by further orders under the council's statutory powers.

2. THE RESTRICTED AREA

2.1-Fakenham

This order relates to all public space shown within the restricted area shown in **Schedule 1** defined by the shaded area including the highway and highway boundary which the shaded area runs through and, to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of expressed or implied permission. **Schedule 1** covers the Town of Fakenham all land within.

3. THE RESTRICTIONS

A person may not carry out, assist, or encourage, any of the activities below, at any time within the area covered by this Public Space Protection Order:

- k) a motor vehicle at excessive speed
- l) driving a motor vehicle causing unnecessary and/or repeated acceleration and deceleration.
- m) racing other motor vehicles or street racing or gathering for the purpose of street racing.
- n) performing stunts in or on a motor vehicle (examples include, but not limited to; dough-nutting, handbrake turns, J - turns, drifting, wheel spinning/burnouts, wheelies).
- o) repeatedly or continuously rev the engine of a motor vehicle unnecessarily while the vehicle is stationary.
- p) unnecessarily sounding the horn of a motor vehicle.
- q) while in a public car park, play amplified music in or powered from a vehicle which can be heard beyond the boundaries of the car park, or which causes or is likely to cause a nuisance to others.
- r) enter any public car park within schedule 1 by persons in motor vehicles between the hours of 7pm and 6am for the purpose of vehicle display or racing.
- s) throws down, drops or otherwise deposits litter from a motor vehicle and leaves it.
- t) using threatening/abusive/intimidating language or behaviour associated with the use of a vehicle.

4. DEFINITIONS

- Public space - for the purposes of this order is defined as per section 2.1 above
- Motor vehicles - for the purposes of this order is a motor vehicle as defined by the
 - Road Traffic Act 1988
- Emergency Vehicle - for the purposes of this order as defined by the Road Traffic Act
 - 1988

- Vehicle Horn - for the purposes of this order as defined by the Highway Code (latest edition), Road Traffic Act 1988 & Control of Pollution Act 1974 Part 3, Section 62 (2(a))
- The responsible person for a breached of the order which has occurred under the terms of paragraph **3.f.g & i** shall be, either the person responsible for the offence or
- the registered keeper/owner of that vehicle (registered keeper is whom the vehicle is registered by the DVLA).

5. EXEMPTIONS

Anti-social Behaviour, Crime and Policing Act 2014

Section 3.a & b does not apply to an emergency vehicle which at that material time is being use in the course of its operational duty.

Section 3.f. permitted use of a vehicle horn as set out within the Highway Code or Control of Pollution Act 1974 (emergency vehicles and Ice Cream vans)

Section 3.i - The registered keeper of the vehicle shall not be liable for an offence where the vehicle is either a -

- c) A public service vehicle or other form of public transport i.e. community bus/transport.
- d) A licensed hackney carriage or private hire vehicle and the person acting in the contravention under this section is a passenger in that vehicle.

6. Offence of failing to comply with order - Anti-social Behaviour, Crime and Policing Act 2014 -Chapter 2 Section 67

(1) It is an offence for a person without reasonable excuse—

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

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

(3) A person does not commit an offence under this section 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.

7. Fixed penalty notices - Anti-social Behaviour, Crime and Policing Act 2014 -Chapter 2 Section 68

(3) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 or 67 in relation to a public spaces protection order.

(4) 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 a local authority specified in the notice.

8. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER

It is an offence for a person who, without reasonable excuse, does anything that the person is prohibited from doing by this order or fails to comply with a requirement of the order. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Pursuant to section 68 of the Anti-Social Behaviour, Crime and Policing Act 2014:

- iii. A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 in relation to a public space's protection order.
- iv. A fixed penalty notice is a notice offering the person to whom it is issued the of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice.

9. RIGHT TO APPEAL

Any interested person wishing to challenge the validity of this order must do so within 6 weeks beginning with the date on which this order is made or, if

applicable, varied. An application under section 66 Anti-social Behaviour, Crime and Policing Act 2014 is to the High Court.

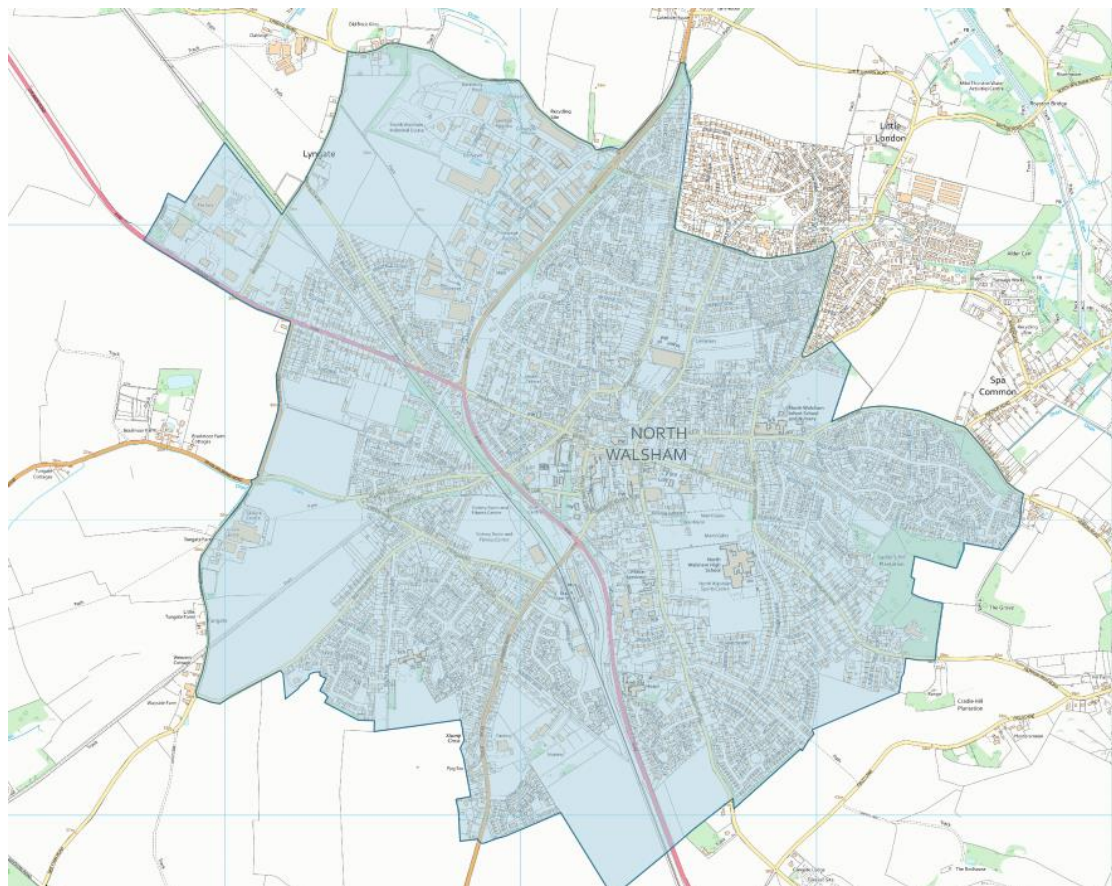
Date this of

**THE COMMON SEAL of NORTH
NORFOLK DISTRICT COUNCIL**

**Was hereunto affixed in the
presence of**

Duly Authorised Signatory

North Walsham:



The Anti-Social Behaviour, Crime and Policing Act 2014
Public Space Protection Order:
Inappropriate and Inconsiderate Vehicle Use
North Walsham Order: NNDC056
North Norfolk District Council 2024

North Norfolk District Council (“the Council”) hereby makes the following Order:

This Order comes into force on 20th August 2024 for a period of 3 years.

This Order is made by North Norfolk District Council ("the council") in exercise of its powers under Section 59 and Chapter 2 of Part 4 of the Anti-social Behaviour Crime and Policing Act 2014 ("the Act"). The council is satisfied that the activities, namely:

- Inappropriate and inconsiderate vehicle use causing vehicle related Anti-Social Behaviour

Occurring within North Walsham ("the public place") has had a detrimental effect on the quality of

life of those in the locality and that such activities are:

- g) is, or is likely to be, of a persistent or continuing nature,
- h) is, or is likely to be, such as to make the activity unreasonable, and
- i) and the restrictions imposed by this notice are justified.

1. DURATION OF THE ORDER

This Order comes into force on 10th August 2024 for a period of 3 years, unless extended by further orders under the council's statutory powers.

2. THE RESTRICTED AREA

2.1-North Walsham

This order relates to all public space shown within the restricted area shown in **Schedule 1** defined by the shaded area including the highway and highway boundary which the shaded area runs through and, to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of expressed or implied permission. **Schedule 1** covers the Town of North Walsham all land within.

3. THE RESTRICTIONS

A person may not carry out, assist, or encourage, any of the activities below, at any time within the area covered by this Public Space Protection Order:

- u) a motor vehicle at excessive speed
- v) driving a motor vehicle causing unnecessary and/or repeated acceleration and deceleration.
- w) racing other motor vehicles or street racing or gathering for the purpose of street racing.
- x) performing stunts in or on a motor vehicle (examples include, but not limited to; dough-nutting, handbrake turns, J - turns, drifting, wheel spinning/burnouts, wheelies).
- y) repeatedly or continuously rev the engine of a motor vehicle unnecessarily while the vehicle is stationary.
- z) unnecessarily sounding the horn of a motor vehicle.
- aa) while in a public car park, play amplified music in or powered from a vehicle which can be heard beyond the boundaries of the car park, or which causes or is likely to cause a nuisance to others.

bb) enter any public car park within schedule 1 by persons in motor vehicles between the hours of 7pm and 6am for the purpose of vehicle display or racing.

cc) throws down, drops or otherwise deposits litter from a motor vehicle and leaves it.

dd) using threatening/abusive/intimidating language or behaviour associated with the use of a vehicle.

4. DEFINITIONS

- Public space - for the purposes of this order is defined as per section 2.1 above
- Motor vehicles - for the purposes of this order is a motor vehicle as defined by the
- Road Traffic Act 1988
- Emergency Vehicle - for the purposes of this order as defined by the Road Traffic Act
- 1988
- Vehicle Horn - for the purposes of this order as defined by the Highway Code (latest
- edition), Road Traffic Act 1988 & Control of Pollution Act 1974 Part 3, Section 62 (2(a))
- The responsible person for a breach of the order which has occurred under the
- terms of paragraph 3.f.g & i shall be, either the person responsible for the offence or
- the registered keeper/owner of that vehicle (registered keeper is whom the vehicle is
- registered by the DVLA).

5. EXEMPTIONS

Anti-social Behaviour, Crime and Policing Act 2014

Section 3.a & b does not apply to an emergency vehicle which at that material time is being used in the course of its operational duty.

Section 3.f. permitted use of a vehicle horn as set out within the Highway Code or Control of Pollution Act 1974 (emergency vehicles and Ice Cream vans)

Section 3.i - The registered keeper of the vehicle shall not be liable for an offence where the vehicle is either a -

- e) A public service vehicle or other form of public transport i.e. community bus/transport.
- f) A licensed hackney carriage or private hire vehicle and the person acting in the contravention under this section is a passenger in that vehicle.

6. Offence of failing to comply with order - Anti-social Behaviour, Crime and Policing Act 2014 -Chapter 2 Section 67

(1) It is an offence for a person without reasonable excuse—

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

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

(3) A person does not commit an offence under this section 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.

7. Fixed penalty notices - Anti-social Behaviour, Crime and Policing Act 2014 -Chapter 2 Section 68

(5) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 or 67 in relation to a public spaces protection order.

(6) 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 a local authority specified in the notice.

8. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER

It is an offence for a person who, without reasonable excuse, does anything that the person is prohibited from doing by this order or fails to comply with a requirement of the order. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Pursuant to section 68 of the Anti-Social Behaviour, Crime and Policing Act 2014:

- v. A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 in relation to a public space's protection order.
- vi. A fixed penalty notice is a notice offering the person to whom it is issued the of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice.

9. RIGHT TO APPEAL

Any interested person wishing to challenge the validity of this order must do so within 6 weeks beginning with the date on which this order is made or, if applicable, varied. An application under section 66 Anti-social Behaviour, Crime and Policing Act 2014 is to the High Court.

Date this of

THE COMMON SEAL of NORTH

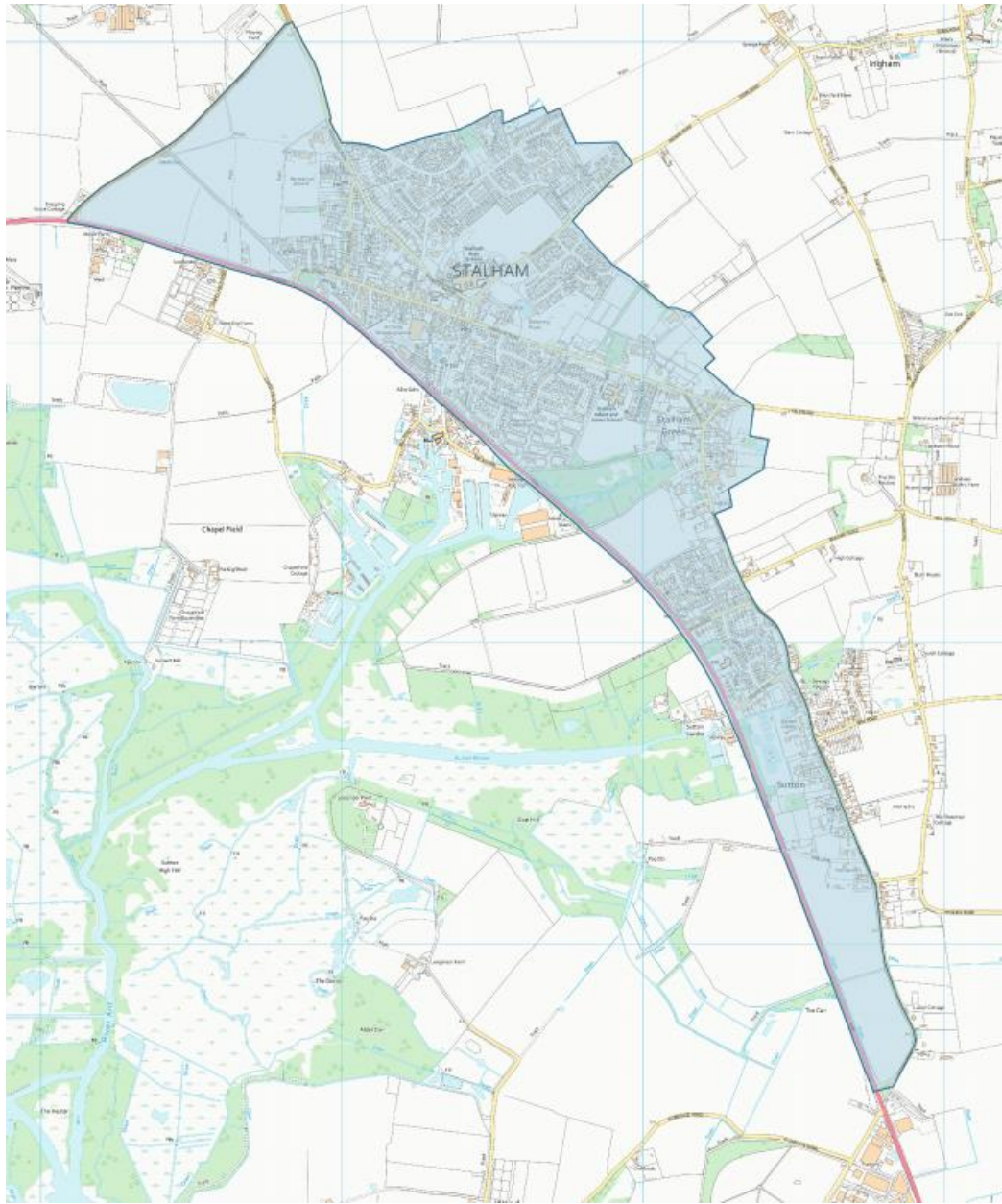
NORFOLK DISTRICT COUNCIL

Was hereunto affixed in the

presence of

Duly Authorised Signatory

Stalham:



The Anti-Social Behaviour, Crime and Policing Act 2014

Public Space Protection Order:

Inappropriate and Inconsiderate Vehicle Use

Stalham Order: NNDC057

North Norfolk District Council 2024

North Norfolk District Council (“the Council”) hereby makes the following Order:

This Order comes into force on xxxxxx for a period of 3 years.

This Order is made by North Norfolk District Council ("the council") in exercise of its powers under Section 59 and Chapter 2 of Part 4 of the Anti-social Behaviour Crime and Policing Act 2014 ("the Act"). The council is satisfied that the activities, namely:

- Inappropriate and inconsiderate vehicle use causing vehicle related Anti-Social Behaviour

Occurring within Stalham ("the public place") has had a detrimental effect on the quality of

life of those in the locality and that such activities are:

- j) is, or is likely to be, of a persistent or continuing nature,
- k) is, or is likely to be, such as to make the activity unreasonable, and
- l) and the restrictions imposed by this notice are justified.

1. DURATION OF THE ORDER

This Order comes into force on 10th August 2024 for a period of 3 years, unless extended by further orders under the council's statutory powers.

2. THE RESTRICTED AREA

2.1-Stalham

This order relates to all public space shown within the restricted area shown in **Schedule 1** defined by the shaded area including the highway and highway boundary which the shaded area runs through and, to which the public or any section of the public has access, on payment or otherwise, as of right or by virtue of expressed or implied permission. **Schedule 1** covers the Town of Stalham all land within.

3. THE RESTRICTIONS

A person may not carry out, assist, or encourage, any of the activities below, at any time within the area covered by this Public Space Protection Order:

- ee) a motor vehicle at excessive speed
- ff) driving a motor vehicle causing unnecessary and/or repeated acceleration and deceleration.

- gg) racing other motor vehicles or street racing or gathering for the purpose of street racing.

- hh) performing stunts in or on a motor vehicle (examples include, but not limited to; dough-nutting, handbrake turns, J - turns, drifting, wheel spinning/burnouts, wheelies).

- ii) repeatedly or continuously rev the engine of a motor vehicle unnecessarily while the vehicle is stationary.

- jj) unnecessarily sounding the horn of a motor vehicle.

- kk) while in a public car park, play amplified music in or powered from a vehicle which can be heard beyond the boundaries of the car park, or which causes or is likely to cause a nuisance to others.

- ll) enter any public car park within schedule 1 by persons in motor vehicles between the hours of 7pm and 6am for the purpose of vehicle display or racing.

- mm) throws down, drops or otherwise deposits litter from a motor vehicle and leaves it.

- nn) using threatening/abusive/intimidating language or behaviour associated with the use of a vehicle.

4. DEFINITIONS

- Public space - for the purposes of this order is defined as per section 2.1 above

- Motor vehicles - for the purposes of this order is a motor vehicle as defined by the
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- Emergency Vehicle - for the purposes of this order as defined by the Road Traffic Act
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- Vehicle Horn - for the purposes of this order as defined by the Highway Code (latest edition), Road Traffic Act 1988 & Control of Pollution Act 1974 Part 3, Section 62 (2(a))
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5. EXEMPTIONS

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Section 3.a & b does not apply to an emergency vehicle which at that material time is being use in the course of its operational duty.

Section 3.f. permitted use of a vehicle horn as set out within the Highway Code or Control of Pollution Act 1974 (emergency vehicles and Ice Cream vans)

Section 3.i - The registered keeper of the vehicle shall not be liable for an offence where the vehicle is either a -

- g) A public service vehicle or other form of public transport i.e. community bus/transport.
- h) A licensed hackney carriage or private hire vehicle and the person acting in the contravention under this section is a passenger in that vehicle.

6. Offence of failing to comply with order - Anti-social Behaviour, Crime and Policing Act 2014 -Chapter 2 Section 67

(1) It is an offence for a person without reasonable excuse—

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

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

(3) A person does not commit an offence under this section 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.

7. Fixed penalty notices - Anti-social Behaviour, Crime and Policing Act 2014 -Chapter 2 Section 68

(7) A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 or 67 in relation to a public spaces protection order.

(8) 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 a local authority specified in the notice.

8. WHAT HAPPENS IF YOU FAIL TO COMPLY WITH THIS ORDER

It is an offence for a person who, without reasonable excuse, does anything that the person is prohibited from doing by this order or fails to comply with a requirement of the order. A person guilty of an offence is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

Pursuant to section 68 of the Anti-Social Behaviour, Crime and Policing Act 2014:

- vii. A constable or an authorised person may issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 63 in relation to a public space's protection order.
- viii. A fixed penalty notice is a notice offering the person to whom it is issued the of discharging any liability to conviction for the offence by payment of a fixed penalty to a local authority specified in the notice.

9. RIGHT TO APPEAL

Any interested person wishing to challenge the validity of this order must do so within 6 weeks beginning with the date on which this order is made or, if

applicable, varied. An application under section 66 Anti-social Behaviour, Crime and Policing Act 2014 is to the High Court.

Date this of

**THE COMMON SEAL of NORTH
NORFOLK DISTRICT COUNCIL**

**Was hereunto affixed in the
presence of**

Duly Authorised Signatory

Appendix 2



Introduction

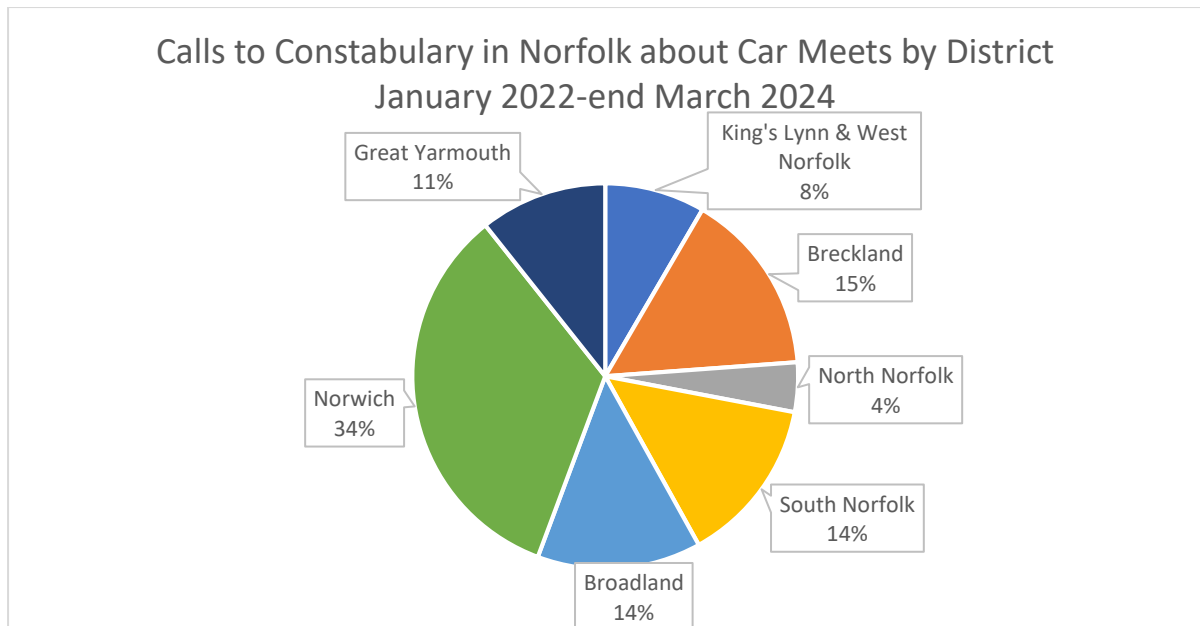
Meets of modified car enthusiasts have always been a popular way for those with a shared interest to socialise and view each other's vehicles. However, increasingly in Norfolk we are seeing large groups of vehicles travelling between numerous locations causing multiple incidents of anti-social behaviour (ASB) and committing various driving offences.

Car meets can involve over 300 vehicles and over 500 people. Vehicles will drive on our road network or congregate in industrial estates, retail parks, other car parks or residential areas. The actions of some drivers, such as racing, speeding, performing 'doughnuts' or 'burnouts' and inappropriate parking can cause serious disruption in the local area and put themselves, spectators and other road users at risk. In other force areas, there have been several serious multiple injury and some fatal collisions at and associated with car meets including this example shown [here](#). ****WARNING-CONTAINS GRAPHIC FOOTAGE OF A COLLISION AT A CAR MEET IN STEVENAGE IN JULY 2019****

There is also often a significant impact on the wider community, such as noise, damage to road surfaces, verbal abuse, litter etc., and this is reflected in the number of complaints received by the Constabulary from the public, which have averaged nearly 40 per month over the last two years.

Locations

The issue affects the whole county, although over the last two years around a third of all the calls were in Norwich District. There are 'hotspots' in all districts, often on retail parks or industrial estates, or on the highway, but can be in or nearby residential areas, which impact most significantly on the community.



Operation Octane

Local councils and Norfolk Constabulary have adopted a problem-solving response to address this issue. This is to ensure there is a consistent approach across all districts, minimising the risk of displacement from one area to another. In October 2023, Operation Octane was launched as a partnership response between Constabulary and local authorities and has the following aims;

- To address incidents of poor driving associated with car meets, thereby reducing the risk of road deaths and serious injury collisions and improving road safety.
- To reduce the impact on communities of vehicle-related and general antisocial behaviour associated with car meets.
- To adopt a consistent, effective county-wide approach to addressing car meets.

Operation Octane does not target genuine law-abiding car enthusiasts and positive engagement with and education of those attending car meets by officers is encouraged. However, those choosing to commit more serious offences will face appropriate interventions. This could include robust enforcement of Public Spaces Protection Orders (where they exist) and prosecution of other offences as appropriate which may result in criminal convictions, disqualification and vehicles being seized.

For lower level offending, an escalation model has been implemented where initial warning letters can be sent by Operational Partnership Teams (OPTs) following a first incident of attendance at a car meet where one of the following criteria applies;

- A call or complaint is received from a member of public.

- Constabulary witness and evidence ASB e.g. inappropriate driving, such as excessive revving, wheel spinning, noise, litter etc.
- A Traffic Offence Report (TOR) or a Section 59* is issued by Constabulary at a car meet or to a vehicle associated with a car meet. (*Section 59 of the Constabulary Reform Act 2002 gives Constabulary the power to stop, warn and seize vehicles in some circumstances where they are being used in an anti-social manner.)
- A breach of a Public Spaces Protection Order is witnessed or believed to have occurred.

Further incidents or attendance at car meets, by those with a first warning letter, would result in OPTs issuing a second warning letter. Stage one and two letters include reference to active PSPOs.

Those in receipt of stage two warnings, who are identified as participating in a further incident, can then be served with Community Protection Warnings (CPW) and Notices (CPN) under the Anti-Social Behaviour, Crime and Policing Act 2014. The OPT sergeants retain discretion to issue a CPW without prior warnings. Those breaching CPNs commit an offence and a Criminal Behaviour Order or injunction could be applied for.

Between the start of this escalation process in early 2023 and the end of March 2024, over 550 stage one warning letters had been sent. Just over 52 stage two letters have also been issued, alongside 24 CPWs, and just two CPNs, with no CPN breaches yet recorded. Following extensive consultation with internal stakeholders, partners and by examining good practice from other force areas, a process for the constabulary to Constabulary car meets has been established. Officers pocket guides have also been printed encouraging them to following the new protocol, which includes;

- Recording any intelligence relating to car meets or attendees and if urgent, contacting the Contact and Control Room (CCR), Road Policing and Armed response (RAPT) or Duty Sergeant.
- CCR and supervisors should consider appropriate resourcing for any meet, including RAPT and if necessary drones and other specialist resources. If the timeliness of the intelligence allows, partners are always advised, and invited to attend.
- Officers always use Body Worn Video (BWV) and record as many registration numbers of cars attending and capture evidence of ASB for the OPT escalation process.
- Officers are encouraged to engage with, educate and deter attendees. An Operation Octane flyer is available to distribute encouraging responsible behaviour (attached).
- Officers should deal with any offences positively by Section 59s, TORs etc. Seized stickers are available for those cars seized at meets. They should consider what CCTV or dashcam footage is available, including for retrospective investigations.

- Details of those who are offending or who have undisclosed modifications can be passed onto their insurers which may affect their premiums and may lead to policy cancellation or refusal.
- There is a communications strategy for any significant meets or positive action taken at a meet, with several high profile reports being covered on social media and in local media outlets.
- Local officers have identified at risk sites and give target hardening guidance to prevent car meets (First Principle leaflet attached-‘Car Meets Advice for Businesses’). Impact statements can be captured to support action using ASB tools.

Partnerships

Operation Octane involves working in partnership with Norfolk County Council, local district councils and National Highways, who have been and continue to meet regularly to provide a cohesive approach to improving and maintaining community safety. Public Space Protection Orders (PSPOs) have been in place in parts of [Great Yarmouth](#) and [King's Lynn and West Norfolk](#) over several years. Recently, [Norwich City Council](#) and [Broadland District Council and South Norfolk Council](#) have all made PSPOs to cover their entire demographic areas. Breaches of the PSPO are usually dealt with by the local authority issuing a fixed penalty notice, which are rarely challenged.

For more serious cases, court prosecutions can be sought with significant sentences on conviction. For example, in August 2023 the borough council of King's Lynn and West Norfolk prosecuted a case of a driver who in September 2022 had repeatedly 'drifted' his vehicle in a town centre car park. He nearly clipped a steel railing installed to protect a street lamp and left tyre marks on the car park surface. He pleaded guilty and was fined £500, ordered to pay a contribution towards prosecution costs of £700 and a victim surcharge of £200.

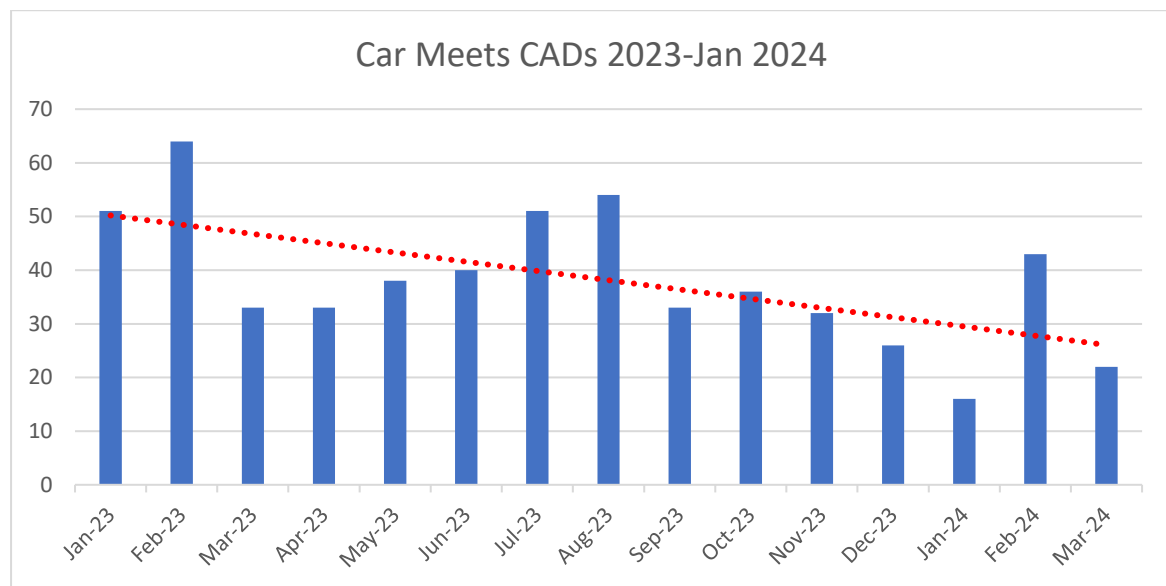
How Can You Help?

- Reassure your communities that your council is working in partnership with the Constabulary and other key stakeholders to address the issue of road safety and ASB linked to car meets in Norfolk.
- Encourage residents and businesses to report concerns about car meets in their locality.
- Urge business to 'target harden' hotspots to prevent disruptive car meets (specific constabulary material is available to assist).
- Support the introduction or extension of PSPOs designed to prevent ASB linked to inappropriate vehicle use.
- Consider how you and your council can support the reduction of risks and ASB associated with car meets.

Impact of Operation Octane

The introduction of Operation Octane means the constabulary, with its partners, now has a consistent and effective county-wide approach to policing car meets. The approach has been recognised as good practice by other forces who are replicating the process in other parts of the country.

It may be too early to fully assess the impact of Operation Octane, but initial data is promising, when the number of reported incidents is considered over the last 13 months, the trend is on a downward trajectory. The constabulary will continue to work to reduce the risks associated with poor driving at car meets and minimise the impact of ASB associated with them.



Community Safety Superintendent Phill Gray said: “Our focus isn’t and never will be genuine car enthusiasts. This operation directly targets those who are a threat to the safety of themselves, those who congregate around them and the communities in which they carry out their dangerous activities.

These individuals make up a very small percentage of those who attend car meets but the disruption they cause is felt by many.

Taking risks behind the wheel will not be tolerated in Norfolk. Operation Octane will continue to work to prosecute those who drive to a poor standard in our county and prevent them from interrupting appropriately organised car meets.”

Julie Johnson, Norfolk Constabulary Problem Solving Team

