

TITLE: Public Space Protection Order (PSPO) – Vehicle Related Anti-Social Behaviour

Committee: Operational Services

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Author: Communities and Partnerships Manager and Neighbourhood and Community Safety Team Leader

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Contact officer: Lewis Bage, Communities and Partnerships Manager
Lewis.bage@eastcambs.gov.uk, 01353 616340, room 001, The Grange, Ely

1.0 Issue

- 1.1. To consider a draft Public Space Protection Order (PSPO) to address Vehicle Related Anti-Social Behaviour and agree to public consultation on the proposed PSPO.

2.0 Recommendations

- 2.1. Members are requested to:
 - i. Approve the draft Public Space Protection Order (PSPO) to address Vehicle Related Anti-Social Behaviour at appendix 1.
 - ii. Approve the proposals for public consultation on the draft PSPO as set out in paragraphs 4.13 and 4.14

3.0 Background/Options

- 3.1 For a number of years the Council and local police teams have received numerous reports of vehicle-related anti-social behaviour, either on the public highway or involving gatherings at business parks and similar places.
- 3.2 Examples of anti-social behaviours reported have included drag-style street racing posing a risk of injury to spectators and crashes, stunt driving such as doughnuts and hand-break turns, excessive engine revving causing engines to back-fire, and excessive noise from stereos.
- 3.3 A variety of interventions aimed at reducing vehicle related ASB incidents have been implemented and/or considered. A full list of these interventions is located at Appendix 2. However, these have not resolved the problem.
- 3.4 The issue has been discussed by the East Cambs Problem Solving Group (PSG), a multiagency operational subgroup of the East Cambridgeshire Community Safety Partnership Board (CSP), which works towards targeting high demand service users who impact service delivery for partners and explores robust action (criminal or otherwise) to prevent unnecessary demands on public services from high demand users that harm the community by their unlawful or unnecessary use of public services.

- 3.6 The PSG agreed that the best course of action to tackle the above issues is to implement a district wide PSPO to address vehicle related anti-social behaviour. The CSP agreed that a PSPO request should be submitted to ECDC for consideration as a tool to tackle vehicle related anti-social behaviour.
- 3.7 A PSPO Request Form has been submitted by the police to the council, which includes details of specific incidents.
- 3.8 Reasons for the PSG proposing a PSPO are that, as set out in Appendix 2, all other options have either been considered and dismissed, and/or implemented without success, and the issues are having a high demand on services, and reports of such activity are now all year round. As well as causing a nuisance to communities, the activities are also causing a serious public safety issue. South Cambridgeshire District Council is also working towards tackling this issue which could displace issues occurring there to East Cambridgeshire, thus worsening the existing problem. A PSPO is an enforceable deterrent that has robust consequences if breaches occur.

4.0 Arguments/Conclusions

- 4.1 There is currently limited legislation available to Local Authorities to enforce vehicle related anti-social behaviour and the alternative enforcement options available to the Police are limited and rely on dedicated policing resources and therefore can generally only be resourced intermittently.
- 4.2 The Anti-social Behaviour, Crime and Policing Act 2014 provides for simpler, more effective powers to tackle anti-social behaviour that provide better protection for victims and communities. One of the powers introduced is the Public Space Protection Order (PSPO).
- 4.3 A PSPO allows local authorities to tackle anti-social behaviour happening in public places such as car parks, parks, streets, recreation grounds and play areas. It can be used to tackle behaviour that most reasonable people would think is not appropriate in a public place.
- 4.4 A breach of a PSPO is an offence which is punishable by a fine in the form of a fixed penalty notice or prosecution through the Magistrates' Court.
- 4.5 This Council is familiar with making PSPOs, having recently renewed one in relation to dog fouling.
- 4.6 Before making a PSPO the Council must be satisfied that the activity has a detrimental effect on the quality of life of those in the locality (or it is likely that activities will take place and have such an effect); is (or is likely to be) persistent or continuing in nature; is (or is likely to be) unreasonable and justifies the restrictions being imposed. The review of the PSPO statutory tests can be found at appendix 3.
- 4.7 Based on discussions with the police and the evidence detailed above, it is proposed that the Council adopts a district wide PSPO to address vehicle related anti-social behaviour, to prevent this activity from occurring and where it does, to give the police and the Council the powers to tackle it.

- 4.8 Without a PSPO creating specific offences, there are limited circumstances where a fixed penalty notice may be offered, or the council or police being able to prosecute in appropriate cases.
- 4.9 Based on the engagement with the police and the evidence detailed above, it is proposed that the behaviours that will fall within the proposed PSPO include street racing, stunts and car meets as well as vehicle related noise and anti-social behaviour. A full list of proposed prohibitions can be found in the draft PSPO at Appendix 1.
- 4.10 Where individuals or groups are found to undertaking any activity that is prohibited by the PSPO the police can issue these individuals with a fine of £100.
- 4.11 Consultation requirements
- 4.12 From a statutory perspective, the Council is required to consult with the Chief Officer of Police, the Police & Crime Commissioner, and other community representatives as appropriate. The next stage is to carry out a public consultation involving an online survey made available through the Council website, with targeted communications to key contacts including the Chief Officer of Police, the Police & Crime Commissioner, Parish Councils, local Councillors, the MP, and other key stakeholders.
- 4.13 The Consultation will run for 6 weeks between 12 January 2026 and 23 February 2026 (dates subject to change) and will ask questions relating to the whether consultees support the council in this approach and whether there are any other prohibitions they would like considered for inclusion in the PSPO for Vehicle Related Anti-Social Behaviour. In relation to privately owned public car parks, whilst landowner consent is not needed, it is proposed that the landowners of car parks where vehicle related anti-social behaviour is more prominent (such as Elean Business Park, Ely Leisure Village, Sainsbury's in Ely, and Soham Railway Station), plus others (where reasonably practicable), are consulted to establish whether they agree with the PSPO and its necessity, as well as asking whether there are any other prohibitions they would like considered for inclusion in the PSPO.
- 4.14 Following consultation, a report will be brought to this committee, summarising the main points raised during the public consultation and presenting a recommendation as to whether or not the PSPO should proceed.

5.0 Additional Implications Assessment

5.1

Financial Implications NO	Legal Implications NO	Human Resources (HR) Implications NO
Equality Impact Assessment (EIA) NO	Carbon Impact Assessment (CIA) NO	Data Protection Impact Assessment (DPIA) NO

(a) Financial implications

There are no financial implications at this stage, however it is estimated that set up costs, including signage, will cost around £2,000. If the PSPO is to be implemented a bid will be submitted to access grant funding from the Office of Police and Crime Commissioner (OPCC) to cover these costs.

- 5.2. Any income received by the Council through the payment of FPNs will be used to offset any costs incurred, including set up costs.

(b) Legal Implications

- 5.3. If approved, the Council will be required to make the PSPO using its powers under Section 59 and 72 of the Anti-social Behaviour, Crime & Policing Act 2014 (the 'Act') and under all other enabling powers. Legal officers will be required to take individuals who do not pay their FPNs to court.
- 5.4. An Equality Impact Assessment and Data Protection Impact Assessment will be required if the PSPO is to be implemented.

6.0 Appendices

Appendix 1: Draft Public Space Protection Order (PSPO) Vehicle Related Anti-Social Behaviour

Appendix 2: PSPO Vehicle Related Anti-Social Behaviour Supporting Evidence

Appendix 3: PSPO Statutory Tests Review

7.0 Background documents

Public Space Protection Order (PSPO) Request Form