

Anti-social Behaviour, Crime and Policing Act 2014
Public Spaces Protection Order
Vehicle Related Anti-Social Behaviour
Carmarthenshire County Council (North Dock, Llanelli) Public Spaces Protection
Order [2027]

1. Making of the Order

Carmarthenshire County Council (“the Council”) makes this Public Spaces Protection Order (“the Order”) under sections 59, 60, 62, 63, 66, 67, 68 and 72 of the Anti-social Behaviour, Crime and Policing Act 2014 (“the Act”) and all other enabling powers.

This Order may be cited as the **Carmarthenshire County Council (North Dock, Llanelli) Public Spaces Protection Order [2027]**.

This Order comes into force on **[insert date]** and will remain in force for **three years**, unless it is extended, varied or discharged by the Council in accordance with the Act.

2. Area covered by the Order

This Order applies to the public places within North Dock, Llanelli shown **[insert map link here]**.

For the purposes of this Order, a “public place” means any place to which the public, or any section of the public, has access. This includes access by right, by payment, or by express or implied permission.

The Restricted Area includes highways, roads, access roads, car parks, parking areas, footways, public open spaces and other public areas within the boundary shown on the map, unless expressly excluded.

3. Why the Order is being made

The Council is satisfied on reasonable grounds that vehicle related anti-social behaviour has taken place, or is likely to take place, within the Restricted Area.

The Council is also satisfied that this behaviour has had, or is likely to have, a detrimental effect on the quality of life of people in the locality.

The Council considers that the effect of this behaviour is, or is likely to be:

- persistent or continuing in nature;
- unreasonable; and
- such that it justifies the restrictions imposed by this Order.

The purpose of this Order is to help prevent and reduce nuisance driving, vehicle gatherings and associated anti-social behaviour at North Dock, Llanelli. It is intended to

support the safe and reasonable use of the area by residents, visitors, businesses and the wider community.

This Order is not intended to prevent responsible driving, lawful parking, ordinary access to the area, or legitimate use of North Dock, Llanelli.

4. Consultation and rights considered

Before making this Order, the Council has consulted with Dyfed Powys Police, Local Councillors, Llanelli Town Council, local residents, local businesses and other persons or bodies considered appropriate.

In making this Order, the Council has had regard to the rights and freedoms set out in the European Convention on Human Rights, including freedom of expression and freedom of assembly. The Council considers that the restrictions in this Order are necessary and proportionate to prevent and reduce anti-social behaviour.

5. Prohibited activities

A person must not, without reasonable excuse, do any of the following within the Restricted Area.

5.1 Vehicle gatherings causing nuisance or harm

A person must not attend, organise, encourage or take part in a meeting or gathering involving one or more mechanically propelled vehicles where the activity causes, or is likely to cause, nuisance, annoyance, harassment, alarm, distress, danger, obstruction, or a detrimental impact on people in the locality.

This applies whether the person is a driver, rider, passenger, owner, organiser, participant or spectator.

5.2 Vehicle use as the focus of anti-social behaviour

A person must not attend, organise, encourage or take part in a meeting or gathering where the use of a mechanically propelled vehicle is the focus of attention and any of the following activities take place:

- a. unnecessary or repeated sounding of vehicle horns;
- b. playing amplified music from, in, near, or powered by a vehicle at a volume which causes, or is likely to cause, nuisance or annoyance;
- c. unnecessary revving of a vehicle engine;
- d. speeding, racing or competitive driving;
- e. driving in a way that causes, or is likely to cause, danger to pedestrians, cyclists, other road users, residents, visitors or members of the public;

- f. performing stunts, including doughnuts, drifting, skidding, handbrake turns, wheel spinning or burn-outs;
- g. driving or riding in a way that causes, or is likely to cause, damage or risk of damage to public or private property;
- h. using threatening, abusive, aggressive or offensive language or behaviour connected to vehicle related activity;
- i. throwing, dropping or otherwise depositing litter from a vehicle and leaving it;
- j. causing an obstruction of a highway, car park, access road, footway, public place, entrance or exit, whether the vehicle is moving or stationary;
- k. using a vehicle in a way that causes excessive noise, smoke, fumes or disturbance.

5.3 Anti-social driving or riding

A person must not drive, ride, be carried as a passenger, or otherwise be a passenger on or in a mechanically propelled vehicle, including a motorcycle or moped, where the circumstances give a police constable or authorised person reasonable grounds to believe that the vehicle is being used, or is likely to be used, in a way that causes, or is likely to cause:

- nuisance or annoyance;
- harassment, alarm or distress;
- danger to other road users or pedestrians;
- obstruction;
- damage or risk of damage to property; or
- a detrimental impact on the locality.

5.4 Organising or encouraging prohibited activity

A person must not aid, abet, counsel, procure, organise, advertise, encourage or take part in the organisation of any activity prohibited by this Order.

This applies whether or not the intended activity takes place.

5.5 Obstruction of officers

A person must not obstruct, threaten or abuse a police constable, Police Community Support Officer, authorised Council officer, or other authorised person who is acting in connection with this Order.

6. Enforcement

A police constable, Police Community Support Officer, authorised Council officer, or other person authorised by the Council may take enforcement action where they reasonably believe that a person has breached this Order.

Enforcement should be proportionate and should take account of the circumstances of each case. The purpose of the Order is to prevent and reduce anti-social behaviour, not to interfere with responsible use of the area.

Where appropriate, a person may be given advice or a warning before formal enforcement action is taken. However, formal action may be taken without a warning where this is necessary and proportionate.

7. Offences and penalties

It is an offence for a person, without reasonable excuse, to do anything prohibited by this Order.

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

Payment of a Fixed Penalty Notice within the required period prevents prosecution for that offence.

8. Reasonable excuse

A person does not commit an offence if they can show that they had a reasonable excuse for failing to comply with this Order.

Examples of a reasonable excuse may include emergency situations, lawful directions from emergency services, or other circumstances where the conduct was necessary and proportionate.

9. Exemptions

This Order does not apply to:

- a. emergency service vehicles being used for emergency or operational purposes;
- b. vehicles being used by or on behalf of the Council or its contractors for lawful Council functions;
- c. vehicles being used in connection with authorised works, maintenance, events or activities approved by the Council;

d. vehicles being used where the driver or passenger is acting in accordance with a lawful instruction from a police constable, authorised Council officer, traffic authority, or emergency service.

10. Definitions

For the purposes of this Order:

“Authorised person” means a person authorised by the Council for the purposes of enforcing this Order.

“Mechanically propelled vehicle” means any vehicle powered mechanically, including by engine or electric motor, and intended or adapted for use on roads or other land. This includes, but is not limited to, cars, motorcycles, mopeds, vans and other motor vehicles.

“Doughnuts” means driving a vehicle around a small area in a repetitive circular manner.

“Drifting” means using acceleration and steering in a way that causes the rear of the vehicle to slide.

“Handbrake turn” means using the handbrake, or similar braking action, to turn the vehicle sharply.

“Wheel spinning” means using acceleration in a way that causes the wheels to spin unnecessarily, often producing noise, smoke or marks on the road surface.

“Burn-out” means keeping a vehicle stationary, or moving only a short distance, while spinning the wheels so that friction causes smoke, noise or tyre marks.

“Vehicle related anti-social behaviour” includes the use of a mechanically propelled vehicle in a way that causes, or is likely to cause, nuisance, annoyance, harassment, alarm, distress, danger, obstruction, damage, excessive noise, or detrimental impact in the locality.

“Restricted Area” means the area shown edged red on the map attached at Schedule 1.

11. Publication and signage

The Council will publish this Order in accordance with the Act.

Signs will be placed in or near the Restricted Area to inform the public that this Order is in force and to explain the main restrictions.

A copy of this Order and the map showing the Restricted Area will be made available on the Council’s website.

12. Review

The Council may review this Order during the period it is in force. The Council may vary, extend or discharge the Order if it considers it appropriate to do so and the legal requirements are met.

13. Appeals

Any interested person who wishes to challenge the validity of this Order may apply to the High Court within six weeks from the date on which the Order is made.

An interested person means someone who lives in, regularly works in, or regularly visits the Restricted Area.

A challenge may only be made on the grounds that:

- a. the Council did not have power to make the Order, or to include particular prohibitions or requirements; or
- b. the Council failed to comply with a requirement of the Act when making the Order.

14. Execution

**THE COMMON SEAL of
Carmarthenshire County Council
was hereunto affixed in the presence**

of:

Head of Law Governance and Civil Services