

Public Spaces Protection Order
London Borough of Waltham Forest

Notice is hereby given that Waltham Forest Council ("the Council") on 22 July 2024 determined to create a boroughwide Public Spaces Protection Order ('Order') pursuant to Part 4, Chapter 2, section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ('ASBCPA 2014') for a period of 3 years commencing from 7th October 2024.

The Council being satisfied that activities have been carried out in this Restricted Area have had a detrimental effect on the quality of life of those in the locality. Further, it is satisfied that the effect of these activities is or is likely to be of a persistent or continuing nature and is or is likely to be such as to make the activities unreasonable and the effect justifies the restrictions imposed under the Order.

The Order relates to the whole borough of the London Borough of Waltham Forest, as shown edged red on the attached map. This will be known as "The designated Area".

The effect of the Order

The Council therefore under section 59 (4) prohibits the following:

I. Any person is prohibited from congregating for the purpose of being a participant or spectator, as a passenger or driver of a vehicle, in a vehicle cruising activity that is likely to cause a nuisance to persons in the locality of the restricted area by:

- Driving a motor vehicle at excessive speed
- Revving of engines
- Sudden or rapid acceleration / deceleration
- Driving in convoy
- Idling
- Performing stunts
- Sounding horns
- Playing amplified music
- Displaying
- Causing obstruction

2. A vehicle cruising activity is defined as: Groups of vehicle (motorised or otherwise) and motorcycle owners congregating, by either participating or spectating, within a specific and designated location for the purpose detailed above.

3. The Council also stipulates the following requirements:

Any person directed to leave an area by any officer authorised to make such a direction by the Council or Police, shall do so. Such a direction may be given where the officer is satisfied that the person concerned has breached this order either by:

- a. Engaging in any of the activities in the manner described in paragraph I above; or
- b. by behaving in a manner which is likely to cause harassment, alarm, distress or annoyance.

Offences

It is an offence under section 67 of the 2014 Act for a person without reasonable excuse to engage in an activity that is prohibited by this Order in the restricted area. A person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine.

A constable or an authorised Council Officer or persons authorised by the Council may under section 68 of the 2014 Act issue a fixed penalty notice to anyone he or she has reason to believe has committed an offence under section 67 in relation to this Order.

In making this Order the Council had particular regard to the rights of freedom of expression and freedom of assembly set out in Articles 10 and 11 of the European Convention on Human Rights.

The Order shall come into operation on 7th October 2024 and shall have effect for a period of 3 years thereafter, unless extended by further orders under the Councils statutory powers.

An interested person may apply to the High Court within six weeks of the date that this Order is made to question the validity of this Order or a future variation of this Order on the grounds that:

- (i) The Council did not have the power to make the order or variation, or to include particular prohibitions or requirements imposed by the Order (or by the Order as varied);
- (ii) A requirement under Chapter 2 of the Anti-Social Behaviour, Crime and Policing Act 2014 was not complied with in relation to the Order or variation.

An “interested person” means an individual who lives in the restricted area or who regularly works in or visits that area.

Signed:

Designation:

Dated: