



**Braintree District Council
Public Spaces Protection Order (Nuisance Vehicles) Order 2026
Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014**

This Order is made by Braintree District Council ("the Council") under Section 59 of Anti-Social Behaviour Crime and Policing Act 2014 (hereinafter "the Act") after undertaking a consultation as required by Section 72 of the Act.

The Council makes the order, being satisfied on reasonable grounds, that:

- Activities carried out, or likely to be carried out, in a public place within the restricted area have had, or are likely to have, a detrimental effect on the quality of life of those in the locality; and,
- The effect, or likely effect, of the activities is persistent or continuing in nature, is unreasonable, and justifies the restrictions imposed by this Order.

This Order may be cited as the Braintree District Council Public Spaces Protection Order (Nuisance Vehicles) Order 2026. This order shall come into force at midnight on 29th May 2026 and shall have effect for a period of three (3) years unless extended or discharged by further Order in accordance with the Act.

1. Restricted Area

The restricted area to which this Order applies the public highways and the public places within the whole of the Braintree District, the area outlined on the map attached to this Order (the "Restrictive Area").

2. Definitions

For the purpose of this Order, the following definitions will apply:

- **Car cruising** means the congregation of two or more motor vehicles (including motorcycles and EAPCs) on the public highway or in public places where one or more of the prohibited activities is taking place, whether such activities are pre-planned or spontaneous, and where such behaviour causes, or is likely to cause, harassment, alarm, distress, or nuisance to the public.
- **Motor vehicle** has the meaning given by section 185 of the Road Traffic Act 1988.
- **Nuisance** is defined as including but not limited to any the of the following consequence:

Excessive Noise

Danger or risk of injury to road users (including pedestrians)

Damage of significant risk of damage to property

Significant risk of harm

Significant annoyance to the public

- **Interested Person** means an individual who lives in the Restricted Area or who regulatory works in or visits that area
- **Public place** means any place to which the public or any section of the public has access, on payment or otherwise as of right or by virtue of express or implied permission

3. Prohibitions

a. The Council therefore under section 59(4) prohibits:

1. engaging in, promoting, encouraging, or assisting in the carrying out of any activity connected to the use of a motor vehicle, inclusive of motorbikes on a public highway, public car park or any other land to which the public has access in the restricted area and which causes or is likely to cause harassment, alarm, or distress.
2. Car meets, Car Cruising congregating or loitering as part of a group surrounding or within one or more stationary vehicles at any time where such activity causes noise, exhaust fumes, harassment, alarm, or distress.
3. causing or permitting excessive amplified music or vehicular noise, and/or excessive emissions of exhaust fumes where such activity causes harassment, alarm, or distress.
4. Driving motor vehicle in a convoy in such a manner causing or being likely to cause a nuisance to persons in the locality of the restricted area.
5. Performing stunts using a motor vehicle in a manner causing or being likely to cause a nuisance to persons in the locality of the restricted area. Stunts include but not limited to; Handbrake turns; drifting; wheelies; wheel spins and doughnuts.
6. Causing obstruction on a public highway, whether moving or stationary causing or being likely to cause a nuisance to persons in the locality of the restrict area.

b. Additionally, the Council under Section 59(4) imposes the following requirements:

1. **Disperse When Directed** - Any person must leave the area immediately when instructed to do so by a Police Officer, or authorised Council Officer, and must not return to the same location within a period specified by the officer (up to 24 hours).
2. **Switch Off Engines and Music When Stationary** - Drivers must switch off engines and any amplified music or sound systems when vehicles are parked, or stationary, in public spaces, unless in lawful use (e.g. queuing in traffic).

3. Dispose of Waste Responsibly - All individuals must properly dispose of litter or waste in bins or remove it from the area. Dumping of rubbish, car parts, or food packaging in public spaces is prohibited.
4. Comply With Officer Instructions - All individuals must comply with any reasonable directions given by Police, or authorised Council Officers to reduce nuisance, prevent anti-social behaviour, or mitigate environmental damage.

4. Fixed Penalty Notices and Offences

Under section 67 of the Act, it is an offence for a person without reasonable excuse to:

- Do anything that the person is prohibited from doing by this Order, or
- Fail to comply with a requirement imposed by this Order.

A person guilty of such an offence is liable on summary conviction to a fine not exceeding level 3 on the standard scale (currently £1,000) or may be issued with a Fixed Penalty Notice of up to £100.

5. Authorised Officers

The following are authorised to enforce this Order:

- Police Officers
- Authorised Officers of the Council.

6. Appeals

In accordance with Section 66 of the Act interested person who wishes to challenge the validity of this Order may apply to the High Court, within 6 weeks from the date this Order is made, any such challenge must be on the ground that

1. The Council did not have the power to make the Order to include particular prohibitions or requirement, or;
2. That in making the Order the Council has failed to comply with a requirement under the Act.

Dated this 27th day of May 2026

The COMMON SEAL of
BRAINTREE DISTRICT COUNCIL
Was here unto affixed in the presence of

)
)
)

[Redacted Signature]

Authorised Signatory



Braintree District Council
Public Spaces Protection Order (Nuisance Vehicles) Order 2026
Section 59 of the Anti-Social Behaviour Crime and Policing Act 2014

Order Map

The restricted area to which this Order applies is the whole of the Braintree District as shown edged red on the Order map.

