

Public space protection orders for anti-social driving

Using public space protection orders (PSPOs) in Bradford to prohibit the anti-social use of motor vehicles.

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Key details

Stage of practice	Untested
Purpose	Reoffending
Topic	Anti-social behaviour Neighbourhood crime Roads policing
Organisation	West Yorkshire Police
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Region	North East
Partners	Police Community safety partnership Government department Local authority
Stage of implementation	The practice is implemented.

Key details

Start date	March 2019
Scale of initiative	Local
Target group	Adults Children and young people Offenders

Aim

This initiative is a partnership response to the community concern of anti-social use of motor vehicles across Bradford, by enforcing public space protection orders.

Intended outcome

The intended outcomes are to:

- reduce the number of anti-social use of motor vehicles incidents
- improve public confidence

Description

In March 2014, the Government enacted new powers contained in the Anti-Social Behaviour, Crime and Policing Act 2014. The intention of the Act is to reduce anti-social behaviour (ASB). The Act also extends to the use of PSPOs, where breaches are subjected to penalties and prosecution before the magistrates court, subject to a fine not exceeding £1000.

The power to create a PSPO specifies an area where activities are taking place that are or may likely be detrimental to the local community's quality of life. A PSPO can impose conditions or restrictions on people using that area. Dangerous, inconsiderate, and anti-social driving can have a significant effect on how safe people feel in Bradford and is regularly flagged as the key ASB concern by residents.

Following a period of Public Consultation on 7 March 2019, Bradford district regulations and appeals committee approved the City of Bradford Metropolitan District Council to proceed with a PSPO to help reduce the levels of dangerous driving and anti-social use of vehicles. The PSPO order was 'sealed' on 18 July 2019 and authorisation then given to West Yorkshire Police (WYP), with delegated powers to enforce any breaches of PSPO. Signage notifying the public was placed in each council ward in the district including key arterial routes.

During the initial order, the majority of 'notices of offence' were issued by police and particularly the steerside enforcement team. Over 70 fixed penalty notices (FPNs) were issued, with three being successfully prosecuted for non-payment each receiving a fine nearing £1000.

Whilst FPN numbers during the first period were relatively low, this was in its infancy and covered the peak periods of the COVID-19 pandemic, over the course of 2021. In 2022, the rate accelerated.

In March 2022, a public consultation was undertaken with regards to a proposed three-year extension to the order. The consultation process revealed:

- a total of 1471 completed online surveys were submitted and 95% of respondents support the extension of the PSPO
- responses were received from all postcode areas. 90% of respondents live in the Bradford district, 24% work in the district and 1.9% were visitors to the district (respondents were asked to tick all that apply)
- 70% of respondents said they feel 'very' or 'fairly' unsafe in Bradford in connection with vehicular nuisance and 82% said there are some parts of the district where they feel less safe than others
- when asked if there are times of the day or night where respondents feel less safe in connection with anti-social use of a vehicle, 58% said yes out of which 74% respondents said between 9pm-midnight and 71% of respondents said they feel less safe between the times of 5pm – 9pm

- respondents were asked to consider a list of several types of vehicular nuisance and state if they thought each was a problem in Bradford. A high proportion of people thought there was a problem across all categories however the category with the highest percentage was 'causing danger to other road users (including pedestrians)' with 63% of people reporting it to be a problem
- 56% of respondents identified as female, 39% male, 4% preferred not to say, and 0.5% nonbinary or other

As a result of this, in 2022 following submission to Bradford District Regulations and Appeals Committee approved a 3-year extension to the vehicle PSPO with the conditions below.

Persons are prohibited from engaging in, promoting, encouraging, permitting or assisting in the carrying out of any activity in or on a public highway, car park and any other land to which the public has access in Bradford and which causes or is likely to cause harassment alarm or distress due to any of the following namely:

- excessive noise
- danger to other road users (including pedestrians)
- damage or risk of damage to private property
- shouting or swearing at, or abusing, threatening or otherwise intimidating (including by the use of sexual language or making sexual suggestions) another person
- any public nuisance to another person
- congregating or loitering as part of a group around (or in) one or more stationary vehicles at any time or as part of a group transiting on the highway or anywhere the public habitually has access to, where such activity causes or is likely to cause noise, harassment, alarm, or distress
- engaging in, promoting, encouraging, or assisting in activities or other vehicle related nuisance causing or likely to cause danger to the public

- causing or permitting excessive amplified music or other noise from vehicles such as to cause or be likely to cause alarm, harassment, or distress as a result of a gathering of persons in or around one or more vehicles on any public road or land to which the public has access

A joint agreement was made that the police would enforce and live time offences and breaches of the PSPO, and that any retrospective enforcements, CCTV/Dash cam submissions would be dealt with by the City of Bradford Metropolitan District Council.

Overall impact

Initial enforcement of the first orders were relatively low. This was a new process, the setting up of portals with the DVLA took time, alongside the impact of the COVID-19 pandemic.

However, following the extension of this order, processes and training across agencies have been embedded and increases have continued, with the below volumes of FPN being issued:

2020 – 40 FPNs Issued

- 29 by police
- 11 council

2021 – 22 FPNs Issued

- 19 police
- 3 council

2022 – 37 FPNs Issued

- 37 police

2023 – 161 FPNs Issued

- 15 police
- 146 council

2024 (May) – 63 FPNs Issued

- 9 police
- 54 council

This is a total of 323 FPN's which have been issued.

Enforcement alone will not resolve the issues, however through regularly promoting the work undertaken, the force sends a clear message that as a partnership they are committed to making the roads of Bradford safer for all.

Learning

Introduction of the orders is swifter with clearer identification of roles and responsibilities. Whilst there was a clear commitment across the partnership that the order was required, there was less confidence in terms of who did what which can create barriers.

A service level agreement was developed which ensured police had responsibility for live time offences, and the local authority would deal with retrospective enforcement. This created a delay in relation to local authorities obtaining access to DVLA data, and the timescales in obtaining a DVLA portal to aid retrospective enforcement.

The community safety partnership has been committed to this initiative and has provided funding to support proactive operations.

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