

ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING

ACT 2014, PART 4, SECTION 59

PUBLIC SPACES PROTECTION ORDER (PSPO) 2021

This Order may be cited as the Public Spaces Protection (Royal Borough of Kensington and Chelsea) Order 2021.

The Royal Borough of Kensington and Chelsea ("the Council") makes this Order, being satisfied on reasonable grounds that the activities set out at paragraph 1 in the location described in paragraph 2 of this Order have had or are likely to have a detrimental effect on the quality of life of those in the locality, or it is likely that activities will be carried out within that area and have such an effect. The Council is also satisfied that the effect, or likely effect, of the activities is, or is likely to be, of a persistent or continuing nature, and these activities are unreasonable and justify the restrictions imposed by the notice and that it is in all the circumstances expedient to make this Order for the purpose of reducing anti-social behavior in a public place.

This Order comes into force at midnight on 26 November 2021 for a period of 3 years thereafter, unless extended by further orders under the Council's statutory powers.

The Royal Borough of Kensington and Chelsea hereby requires by way of this Order that:

1. The activities described below are hereby prohibited as from the date of this Order.

Between the hours of 12 noon and 6am In the location described in paragraph 2 of this Order anyone being the driver of a vehicle (motorised or otherwise} performs any of the following activities:

- (a) Revving of engine(s) (as to cause a public nuisance)
- (b) Sudden and/or rapid acceleration (as to cause a public nuisance)
- (c) Repeated sudden and/or rapid acceleration (as to cause a public nuisance)
- (d) Racing by two or more vehicles
- (e) Performing stunts (as to cause a public nuisance)
- (f) Sounding horns (as to cause a public nuisance)
- (g) Playing music from a vehicle (as to cause a public nuisance)
- (h) Using threatening, intimidating behaviour towards another person
- (i) Causing obstruction on a public highway, whether moving or stationary, including driving in convoy

'Vehicle' includes a pedal cycle, which includes a power assisted pedal

cycle, or a pedal cycle in combination with a trailer constructed or adapted for carrying one or more passengers

2. The land in relation to which this Order applies is that land within the boundary of the Royal Borough of Kensington and Chelsea namely which
 - a) As briefly described in the schedule to this order
3. It is an offence for a person without reasonable excuse to engage in an activity that is prohibited by this Order. A person found to be in breach of this Order is liable on summary conviction to a maximum penalty of a level 3 fine or to a Fixed Penalty Notice up to £100. Enforcement of the offence can be undertaken by either a police officer or an authorised officer of the council. An offence can be observed either in person at the time of the breach or via a recording captured on an authorised acoustic enforcement camera installed in a street within the PSPO area.

Dated: 25th November 2021

SCHEDULE

Including ALL publicly maintain streets within the boundary of the Royal Borough of Kensington and Chelsea

CHALLENGING THE VALIDITY OF ORDERS

An Interested person may apply to the High Court to question the validity of-

- a) This Order, or
- b) A future variation of this Order.

“Interested Person” means an individual who lives in the restricted area or who regularly works in or visits that area.

An Interested person may apply to the High Court within six weeks from the date in which the Order is made, on the grounds that:

- a) 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).
- b) 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