

CABINET

DATE	14 th January 2026
REPORT OF	Councillor Shepherd - Portfolio Holder, Safer and Stronger Communities
RESPONSIBLE OFFICER	Carolina Borgstrom, Director of Economy, Environment and Infrastructure
SUBJECT	Public Spaces Protection Order (PSPO) for Nuisance Vehicles
STATUS	Open
FORWARD PLAN REF NO.	CB 01/26/06

CONTRIBUTION TO OUR AIMS

This report contributes to the strategic priorities of the Council to promote a Stronger Economy and Stronger Communities and is directly linked to the Council Plan, namely:

- Attractive and vibrant town centres
- Happy visitors and great leisure
- Safe and clean streets and open spaces
- Looking after parks and open spaces

EXECUTIVE SUMMARY

Public Spaces Protection Orders (PSPO) are intended to deal with persistent Anti-Social Behaviour (ASB) in a local area that is detrimental to the community's quality of life. They do so by imposing conditions on the use of that area to ensure everyone can use and enjoy public spaces without experiencing nuisance and annoyance. A PSPO is intended to support a wider intelligence-led place-based problem-solving approach to address ASB in defined geographical locations.

In 2019 a Cabinet decision supported the proposal to develop 9 new Public Spaces Protection Order's (PSPO) including seven to curb recurring and unreasonable ASB within small defined areas, and two borough wide PSPOs to cover dog fouling and dog control zones. These were successfully renewed in July 2025 for a further 3 years.

Despite the existing PSPOs in place across the borough, there remains an issue with mechanically propelled motor-vehicle related Anti-social behaviour (ASB) which continues to have a negative impact on our communities and neighbourhoods. The use of 'off-road' and electronic motorbikes in our parks and open spaces not only causes annoyance to members of our community but often puts the public at risk of harm.

As a result, North East Lincolnshire Council are proposing exploring the implementation of a new borough-wide Public Spaces Protection Order (PSPO) to address persistent ASB involving motorbikes and similar vehicles. This PSPO would focus on areas identified as priority hotspots for motorbike-related ASB, crime and disorder. A PSPO if implemented would be introduced for a maximum of three years and may be extended beyond this for further three-year period(s) where certain criteria are met.

RECOMMENDATIONS

It is recommended that Cabinet:

1. Authorises the commencement of statutory and public consultation, in accordance with Sections 59, 60 and 72 of the Anti-Social Behaviour, Crime and Policing Act 2014 on the draft Public Spaces Protection Order in relation to the introduction of a borough wide PSPO for nuisance vehicles.
2. Agrees to receive a further report around Summer 2026 with recommendations based on the findings of the consultation.

REASONS FOR DECISION

Reducing ASB in public spaces improves the quality of the physical environment, allowing residents the benefits of using the space positively for physical health and wellbeing. This will increase residents' feeling of safety within their own neighbourhoods and improve their quality of life.

Approving the required stakeholder consultation will enable the Council to make an informed decision on whether or not it is appropriate and proportionate to introduce a borough wide PSPO for nuisance motor vehicles. This will provide reassurance to communities that their concerns are being listened to and that appropriate action is being taken.

1. BACKGROUND AND ISSUES (CONTEXT)

- 1.1 A mechanically propelled vehicle is a motor vehicle driven by petrol, oil, steam or electricity as identified through section 185 Road Traffic Act 1988 or section 136 Road Traffic Regulation Act 1984.
- 1.2 The nuisance that is caused by mechanically propelled vehicles varies, however the loud noises that these vehicles generate is probably the most aggravating factor that is reported. Another recurring issue is the damage that these vehicles cause to public land. Often the Council are made aware of paths and parks that are no longer able to be used as intended due to the damage that they have caused. These issues demonstrate the detrimental effect that this behaviour can have on people's quality of life.
- 1.3 Over the past few years, we have seen a significant increase in the use of off-road. electric motorcycles and e-scooters on our roads and open spaces. Between 01/10/2023 and 25/11/2025, North East Lincolnshire Council received 166 reports of vehicular ASB with the Borough.
- 1.4 Humberside Police use The Humber-Talking social media forum as their main consultation method; this has shown that vehicle related ASB is a key issue

within North East Lincolnshire. Humberside Police data in respect of reported vehicular ASB related issues between January and October 2025 show there were 1212 reports of nuisance motorbikes/vehicles; behind general ASB and Road Safety issues, this is the 3rd highest reported issue in our area.

- 1.5 The unlawful use of off-road and electric motorcycles can be addressed using legislation from The Road Traffic Act 1988, but this can only be enforced if the offences are committed on a road or public highway. A proposed PSPO will provide powers to prosecute for prohibited behaviour conducted in parks and open spaces.
- 1.6 The proposed PSPO if introduced following the necessary due diligence would complement the existing 7 area based ASB PSPOs issued under **Section 59** of the Anti-social Behaviour Crime and Policing Act 2014 to curb anti- social behaviour within designated areas across the Borough.
- 1.7 **Section 59(4)** of the ASB Crime and Disorder Act 2014 authorises a Police Constable or authorised person to request any individual, or group of people engaged in or being party to any of the listed behaviours in the PSPO, to leave the restricted area and not return within a designated period not exceeding 24 hours.
- 1.8 **Section 68** of the ASB Crime and Policing Act 2014 authorises a Police Constable or authorised person who is satisfied there is sufficient evidence that an individual has committed one or more of the prohibited behaviours outlined in the PSPO without reasonable excuse under section 67 of the act may cause that individual to receive a fixed penalty fine of £100 or be reported for a summary offence where upon conviction is liable to a fine not exceeding level 3 on the standard scale.
- 1.9 It is prudent to explain at this stage that if the PSPO was introduced, incidents where a child under the age of 18 was in breach of the PSPO, a different pathway would be followed. Firstly, this process, under the NELC ASB strategy, would follow the 4 tenets of a child first model
 - See children as children: This tenet emphasizes that children should be viewed as children first, not as offenders. It involves prioritizing their needs and rights, acknowledging their individual capacities, and recognizing the structural barriers they face.
 - Build a pro-social identity: The focus is on helping children build a positive identity by developing their strengths and capacities. This helps them to move away from offending and make positive contributions to society.
 - Collaborate with children: This involves ensuring meaningful participation and engagement from the child and their parents or carers. It recognizes that children should be active partners in their own support and intervention plans.
 - Divert from stigma: The aim is to minimize contact with the criminal justice system through prevention, diversion, and minimal intervention. This approach seeks to prevent children from developing a stigmatized identity associated with offending, which can lead to worse outcomes.
- 1.10 Any child found breaching the PSPO if introduced would NOT, in any circumstance, be issued with a Fixed Penalty Notice. A referral into the Youth Justice / Engagement Prevention pathway will be submitted by the Officer in the Case (OIC). This referral will be assessed, and an appropriate intervention will be

provided. This will involve educational interventions to prevent any further re offending.

- 1.11 **Local Enforcement** – The ASB related prohibitions within this proposed PSPO will be enforced by Humberside Police with dedicated Operation Yellowfin officers within North East Lincolnshire.
- 1.12 **Evidence Collated** – – There are current intelligence gaps around those that are responsible for activities in regard to the riding of the illegal vehicles on and off road. The idea being that if the PSPO was implemented and publicised explaining the conditions, and the fact that we are actively targeting these issues, we are likely to see an increase in reporting to Police resulting in more actionable intelligence, be that through date/time mapping, or specifically naming offenders. This can already be seen following a recent Home Office funded operation over the summer period (2025), where reports for Police increased following publication of Police activity and a request for more residents to report. Following Police action, this led to a reduction in reported incidents as the Police acted upon reports and removed offenders access to vehicles.
- 1.13 An ASB problem profile has been developed, dated between 01-04-2023 and 31-10-2025. In this period the below detail has been identified.
 - All ASB 23-24 (2,088), 24-25 (2,157), 25-26 (1,230).
 - Youth ASB 23-24 (845), 24-25 (718), 25-26 (482).
 - Nuisance Motorbikes 23-24 (681), 24-25 (553), 25-26 (495).
- 1.14 This above data shows that Nuisance Motorbikes is an average of 33% of all ASB across the previous 3 years.
- 1.15 The expected outcomes from of the proposed borough wide PSPO will be as below.
 - Recorded breaches of the PSPO.
 - Recorded section 59 Police Reform Act notifications given to offenders.
 - Recorded section 165 Road Traffic Act notifications provided.
 - Recorded number of prevention interventions adults.
 - Recorded number of prevention interventions delivered to young people and adults.
 - No of gates of vehicle inhibitors fitted in priority areas.
- 1.16 **Conditions and Prohibitions** – The proposed conditions and prohibitions that will be consulted on have been prepared in close consultation with Humberside Police and NELC Legal Services.
- 1.17 The following proposed prohibitions will be detailed within the consultation process.
 - Any unauthorised use of a mechanically propelled vehicle in or on footpaths, pavements, grass verges, parks and open spaces.
 - Any performance of stunts (including but not limited to performing doughnuts, skidding, handbrake turns, wheel spinning)
 - Any sudden or excessive acceleration or braking.
 - Racing involving two or more vehicles.

- Leaving engines idle for extended periods.
- Revving engine to cause a nuisance to people in the locality
- Sounding motor vehicle horns other than in accordance with the Highway Code in such a manner as to cause a nuisance to people in the locality.
- Making or allowing excessive noise from an exhaust in such a manner as to cause a nuisance.

1.18 Consultation Process

- 1.19 Before formally approving a PSPO, Councils must consult with the local Police (section 72(3) and 72(4) of the ASB Crime and Policing Act 2014). The Act also stipulates that councils must consult with the local community on any proposed PSPO.
- 1.20 If approved by Cabinet, there will be a full NELC communications plan to support the consultation period. It will clearly explain the rationale for the proposed PSPO and provide a background to the issues caused in our parks and open spaces.
- 1.21 The public consultation will be undertaken over a period of 8 weeks. The consultation process will be developed and delivered by NELC Insights service and will involve distribution through a consultation mailing list (over 5000 contacts), the NELC web site "Have your say" page and the involvement of community partners through VCSE, elected members and Parish Counsellors.
- 1.22 If approved, the consultation period will commence 22nd January 2026, allowing the post Cabinet call in period to conclude (5 working days). The consultation period will conclude 19th March, this being before any Pre Election period. The intention is for this proposed PSPO to be in place before the summer period 2026 as this is the busiest period of the year.
- 1.23 **Humberside Police** – Humberside Police have been involved in the development of the proposal and have been consulted with from the outset through direct discussions with relevant officers. The direct Police enforcement needed to support the proposed PSPO was also approved via the Community Safety Partnership tasking arrangements.
- 1.24 **Police and Crime Commissioner** - Feedback from the Office of the Police & Crime Commissioner indicates support for a '*Placed Based*' approach with appropriate conditions.

2 RISKS AND OPPORTUNITIES

- 2.1 The place-based approach to deal with issues that are relevant to a locality gives a real opportunity to intervene earlier with individuals and use additional enforcement powers to reduce ASB within our public open spaces.
- 2.2 The decision to consult on a proposed PSPO may have a negative media impact, however it also has the ability to be viewed positively as it demonstrates that the Council are listening to community concerns and are willing to explore appropriate enforcement solutions.

- 2.3 The ongoing risk is that of public expectation. Humberside Police have agreed that they will enforce the PSPO if approved, their capacity will not allow them to be present all the time and attend every incident due to their competing demands.

3 OTHER OPTIONS CONSIDERED

The ASB demand in the hot spot areas continues to be managed via a multi-agency approach with all current tools and powers used to best effect. Whilst this has had some impact, it is felt that the additionality of further powers via a proposed PSPO to effectively deal with those individuals engaged in this type of behaviour would enhance the current partnership tasking arrangements and the impact felt in the community.

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

- 4.1 The proposed PSPO if implemented will evidence to the communities of North East Lincolnshire that we are listening to their concerns and taking appropriate action as this issue was raised through the recent consultation in 2025 used to refresh all of the current ASB PSPO's.
- 4.2 The introduction of a PSPO will build public confidence in Police, Council and statutory agencies. Partnership working will utilise the existing joined up approach to ensure that benefits of multi-agency working are harnessed.
- 4.3 Reducing ASB in public spaces improves the quality of the physical environment, allowing residents the benefits of using the space positively for physical health and wellbeing. This will increase residents' feeling of safety within their own neighbourhoods and improve their quality of life.
- 4.4 Ongoing Communications are essential to ensure that the public understand the nature of the PSPO, the conditions and at times the limitations surrounding Police availability and their capacity. This in turn will help manage expectations around enforcement so that communities are realistic around the response and understand it in the context of wider demands placed on the Police which are assessed based on threat risk and harm.

5. FINANCIAL CONSIDERATIONS

- 5.1 Any revenue generated through Fixed Penalty Notices will be retained by the Council. Certain legal costs are likely to be incurred if an individual fails to pay a Fixed Penalty Notice fine.
- 5.2 NELC along with support from Humberside Police have successfully secured funding from the Office of the Police and Crime Commissioner for Humberside to the value of £34,876. The funding will support direct costs for the below resources:-
- Estimated costs for the design, purchase and installation of the signage needed for the borough. There will be increased signage within the designated areas identified as priority and less signage for the other areas of the borough. Signage is needed to make the PSPO legally enforceable.
 - Support for the procurement of a number of vehicle inhibitors which prevent access of illegal motor vehicles to parks and open spaces in areas of concern.

- 5.3 The PSPO signage is robust and has a shelf life of many years, there is however the element of weather erosion and also theft of signage, we have built this into the number of signs needed so there will always be a stock of signs to replace. The fixtures such as the motorbike inhibitor gates are robust permanent fixtures which will not require maintenance once installed.

6. CONSULTATION WITH SCRUTINY

This report will be presented to the Communities Scrutiny Panel on Thursday 8th January 2026 with any feedback where appropriate incorporated into the research and consultation phase ahead of Cabinet decision around Summer 2026.

7. FINANCIAL IMPLICATIONS

- 7.1 The costs for implementing the PSPO are covered by external funding, so there is no significant new financial burden on the council.
- 7.2 Any income from Fixed Penalty Notices will be kept by the council and reinvested into service delivery. Ongoing costs are expected to be low, as existing staff and systems will handle enforcement, and infrastructure.
- 7.3 No additional budget or reserves are required, and the proposal makes use of current resources and funding.

8. LEGAL IMPLICATIONS

- 8.1 Section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 permits a local authority to make a Public Spaces Protection Order (PSPO) in the areas where a particular nuisance or problem occurs which is detrimental to the local community's quality of life.
- 8.2 The Council is required to carry out the necessary consultation before making a PSPO and this must include consulting with the police and the local community, including parish councils and those who own or occupy the land within the restricted areas.
- 8.3 Before reaching a decision in relation to the making of the PSPO Cabinet must conscientiously consider the results of the consultation and decide if the conditions are satisfied for the making of such an order and therefore a further report outlining the findings is prudent.

9. HUMAN RESOURCE IMPLICATIONS

There are no direct HR implications arising from the contents of this report.

10. WARD IMPLICATIONS

Applies to all wards within the Borough. However, those wards with high calls for service for nuisance vehicles will be prioritised.

11. BACKGROUND PAPERS

none

12. CONTACT OFFICERS

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