



WEST OXFORDSHIRE
DISTRICT COUNCIL

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Name and date of Committee	EXECUTIVE - 17 DECEMBER 2025
Subject	PUBLIC SPACES PROTECTION ORDER (PSPO) TO PROHIBIT PONY AND TRAP RACING AND TIME TRIALS ON A SECTION OF THE A40 BETWEEN BURFORD AND WITNEY
Wards affected	<ul style="list-style-type: none">• Witney West,• Burford• Brize and Shilton Ward• Hailey, Minster Lovell and Leafield Ward• Ducklington Ward
Accountable member	Cllr Lidia Arciszewska, Executive Member for Environment Email: Lidia.Arciszewska@westoxon.gov.uk
Accountable officer	Jon Dearing, Executive Director, Operations Email: jon.dearing@westoxon.gov.uk
Report author	Philip Measures, Service Leader, Environmental Protection Email: philip.measures@westoxon.gov.uk
Summary/Purpose	To approve the proposed Public Spaces Protection Order.
Annexes	Annex A – Proposed PSPO Annex B - PSPO consultation Annex C – Equality Impact Assessment Annex D – Sustainability Impact Assessment
Recommendation(s)	That the Executive resolves to: I. Approve the Public Spaces Protection Order, Annex A, which prohibits the use of pony and trap carriage(s) for racing and time trials, as delineated on the plan of the Order in Annex A.
Corporate priorities	<ul style="list-style-type: none">• Putting Residents First• A Good Quality of Life for All

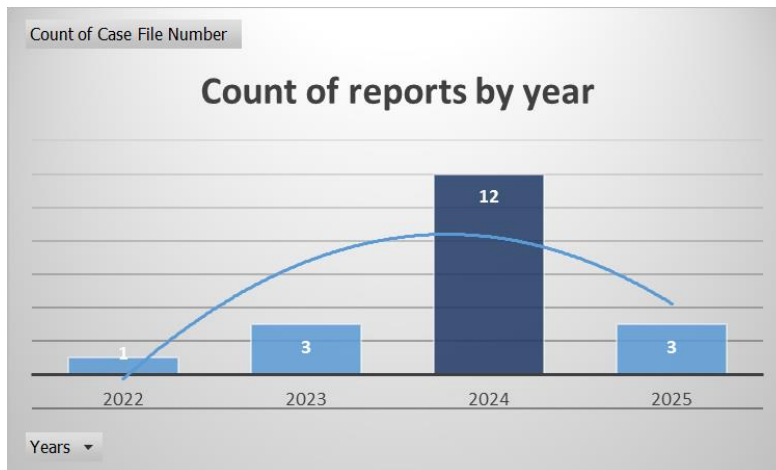
	<ul style="list-style-type: none"> • A Better Environment for People and Wildlife • Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO
Consultees/ Consultation	<p>Public consultation : 10 October 2025 until 21 November 2025 https://www.westoxon.gov.uk/communities-and-leisure/community-safety/anti-social-behaviour/public-space-protection-orders/ Public consultation event at Windrush Church of England Primary School, Witney, on 29th October 2025, between 6 and 9pm. OCC Gypsy & Traveller liaison officer Oxfordshire County Council Highways Office of the Police and Crime Commissioner Witney Town Council Burford Town Council</p>

I. EXECUTIVE SUMMARY

- I.1** The Anti-Social Behaviour Crime and Policing Act 2014 provides the legal framework for the creation of Public Spaces Protection Orders (PSPO's). These control activities within defined areas that –
- Have had a detrimental effect on the quality of life of those in the locality, or it is likely that the activities will take place, and they will have a detrimental effect.
 - The effect of these activities
 - Is, or is likely to be, persistent or continuing in nature
 - Is, or is likely to be, unreasonable
 - Justifies the restrictions being imposed.
- I.2** PSPO's have a duration of 3 years. Prior to expiry they should be reviewed to determine whether they should be extended for an additional period (e.g. a further 3 years).
- I.3** Thames Valley Police, in response to a number of incidents on the A40, involving Pony and Trap racing on a section of the A40 extending from Downs Road Bridge, Witney to Asthall roundabout, near Burford, have requested that West Oxfordshire District Council arrange for the prohibition of this activity by imposing a PSPO. A draft order was made, and a public consultation exercise has been completed. There has been consistent support for the PSPO and the order is now ready for implementation pending approval. The Order is provided in Annex A and a summary of the consultation exercises is provided in Annex B.

2. BACKGROUND

- 2.1** Thames Valley Police have been involved in the policing of pony and trap racing along the A40 in Witney, West Oxfordshire. The organisers and individuals participating pull up in vehicles by the A40 / Downs Road; entrance to Peashell Farm and Centenary Way in Witney to unload their pony and traps before racing along the segment of dual carriageway between Witney and Burford. Alongside this behaviour, these individuals are suspected of engaging in the selling of horses and gambling on the races in the location. Despite the use of pony and trap being legal, the use of pony and trap carriages for racing and time trials poses a significant risk to other road users as well as risk of harm to the rider and the horses. The behaviour of gambling on the races, is however illegal.
- 2.2** Since 01/01/2020 there have been 19 reports to Thames Valley Police regarding Pony and Trap racing on the A40 in Witney. These reports relate to 18 separate incidents of racing, the selling of horses on the roadside before racing and gambling on the horses prior and between races. Most of these (83%) are classified as Road Related Incidents.
- 2.3** Since 01/01/2020 there has only been 2 intelligence reports regarding pony and trap racing on the A40, confirming there is a significant intelligence gap on the issue. There is another significant intelligence gap around the participants due to no names being attached in incidents; this makes it difficult to directly target the perpetrators without further intrusion on the general public. To better tackle the issue there needs to be a greater intelligence picture. This includes intelligence generated by police and partners as well as the public.



2.4 Chart 1. Incidents since 2022, up to month 2025. TVP 2025.

2.5 There were three main options considered to address this behaviour:

- Introducing a Traffic Regulation Order (TRO) banning the exercise of horse. This option has support from Oxfordshire County Council but is a slow process and cannot be introduced quickly enough to prevent expected future incidences. Fixed penalty amounts are less than with PSPO.
- Redesigning this stretch of the road to prevent this activity. This option carries a significant cost and if approved, could take years to come into fruition.
- Public spaces protection order preventing Pony and Trap racing on the A40. This option appears the most reasonable in terms of cost and timescale hence its' selection for consultation. The sole purpose of the PSPO being introduced is to tackle specific anti-social behaviour.

3. PSPO consultation

3.1 The Public Consultation took place between 10 October 2025 until 21 November 2025. The questions for focus were:

- Do you currently live, work, or run a business within West Oxfordshire?
- Before today, were you aware of pony and trap racing incidences taking place on the A40 dual carriageway specifically between Downs Road bridge in Witney and Asthall roundabout, Burford.
- Would you be in favour of a Public Space Protection Order to prevent the use of pony and trap carriages on this stretch of the A40?

3.2 The summary of the consultation is detailed in Annex B.

4. Alternative Options

4.1 The options considered are set out in section 2.5.

5. Conclusion

- 5.1** The results of the consultation are provided in Annex B and the percentage of respondents in favour of the PSPO was 97%. The consultation summary is provided in Annex B and a full copy is available upon request.
- 5.2** The PSPO is drafted with amendments from consultees, but no amendments have been made in response to comments from the 3% against the Order.

6. FINANCIAL IMPLICATIONS

- 6.1** The creation of the PSPO and the administration of any fines and cases for prosecution are the responsibility of the Council and costs would be met from existing resources. The PSPO is specific to the location delineated and it does not have implications for additional work in other wards. There is a cost for signage which has to be placed on Highways Authority land controlled by Oxfordshire County Council that must comply with traffic signage legislation. Oxfordshire County Council will bear the cost of this signage.
- 6.2** Enforcement of the PSPOs will be the responsibility of Thames Valley Police because they have the necessary powers and processes in place to deal with illegal activity on highways. This cost for this enforcement activity would therefore fall to TVP. The Council would bear a resource cost in dealing with the administration and issuing of any fines based on the evidence provided by TVP.

7. LEGAL IMPLICATIONS

- 7.1** The Anti-social Behaviour, Crime and Policing Act 2014 introduced several new tools and powers for use by councils and their partners to address anti-social behaviour (ASB) in their local areas. These tools put victims at the centre of approaches to tackling ASB, focussing on the impact behaviour can have on both communities and individuals, particularly on the most vulnerable. PSPOs are one of the tools available under the 2014 Act. These are wide-ranging and flexible powers for local authorities, which recognise that councils are often best placed to identify the broad and cumulative impact that ASB can have. The Act gives councils the authority to draft and implement PSPOs in response to the particular issues affecting their communities, provided certain criteria and legal tests are met. Councils can use PSPOs to prohibit specific activities, and/or require certain things to be done by people engaged in particular activities, within a defined public area. PSPOs differ from other tools introduced under the Act as they are council-led, and rather than targeting specific individuals or properties, they focus on the identified problem behaviour in a specific location. The legislation provides for restrictions to be placed on behaviour that apply to everyone in that locality (with the possible use of exemptions). Breach of a PSPO without a reasonable excuse is an offence.
- 7.2** The Council would be responsible for issuing any fines and any recovery action for non-payment together with the review of cases submitted by TVP for prosecution.

- 7.3** An interested party can place an appeal against the PSPO to the High Court within six weeks of the approved Order. The definition of an “interested person” is someone who lives in, continually works in, or regularly visits the restricted area.

8. RISK ASSESSMENT

- 8.1** Taking no action carries a significant likelihood of a future incident involving both people and animals. To ignore the risk, despite being fully aware of it, could also expose the council to considerable reputational harm.
- 8.2** Although the alternative options offer potential longer-term solutions, they require medium to long term for implementation. In the meantime, taking no action would leave the council exposed to the risks outlined in section 8.1
- 8.3** The recommendation of the PSPO is proportionate in the circumstances.

9. EQUALITIES IMPACT

- 9.1** Please see Annex C

10. SUSTAINABILITY IMPLICATIONS

- 10.1** The Sustainability Impact Assessment has been completed and no implications are identified. They are summarised in Annex D.

11. BACKGROUND PAPERS

- 11.1** None