



**WEST OXFORDSHIRE DISTRICT COUNCIL
ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014
PART 4, SECTION 59
A40 PUBLIC SPACE PROTECTION ORDER (2025)**

This Order is made by West Oxfordshire District Council ('the Council') under the Anti-Social Behaviour, Crime and Policing Act 2014, Section 59 ('the Act').

1. This Order applies to the specified area of the A40 delineated by a pink line on the Schedule of Land on the plan attached to the Order. Within this Order the area shall be referred to as ("The Restricted Area"), being a public place in the Council's area to which the Act applies:

2. The Council is satisfied that the condition as set out in Section 59(3) of the Act has been met in that:

- (a) the activities carried out within the "Restricted Area" described below have had a detrimental effect on the quality of life of those in the locality, and that it is likely that these activities will continue and that the activities are unreasonable and that the prohibitions imposed by this Order are justified.
- (b) the prohibitions set down by this Order are reasonable to impose to prevent the detrimental effect of these activities from continuing, occurring or recurring, or to reduce the detrimental effects or to reduce the risk of its continuance, occurrence or recurrence

3. The following activity shall be prohibited within the "Restricted Area" from the date of this Order.

- (i) Use of pony and trap carriage(s) for racing and time trials

4. Any person who, without reasonable excuse, fails to comply with the requirements of this Order commits an offence and shall be liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

(a) This Order applies to all times of the day and night

(b) This Order comes into force on **1st January 2026** and will remain in force for a period of 3 years from that date.

5. Timeframes

(a) This Order applies to all times of the day and night

(b) This Order comes into force on **1st January 2026** and will remain in force for a period of 3 years from that date.

6. Obstruction of Authorised Person

- (a) Any person who attempts to obstruct an Authorised Person in carrying out their duties under this Public Space Protection Order shall commit an offence.
- (b) Obstruction includes, but is not limited to, giving false information, physically obstructing an Authorised Person, and refusing to comply with any reasonable instruction given to ensure compliance with this PSPO.

7. Definitions

The following words/phrases within the Order can be defined as follows:

- (a) "The Council" refers to West Oxfordshire District Council
- (b) "Anti-social behaviour" means conduct that has caused or is likely to cause nuisance, annoyance, harassment, alarm or distress to any person.
- (c) "Pony and trap" refers to a two or four wheeled horse or pony drawn carriage
- (d) "Authorised Person" means police officers, police community support officers (PCSOs), authorised contractors of the Council, or other persons authorised in writing by the Council.
- (e) "Restricted Area" refers to the area of the A40 delineated in pink within the Schedule of Land.

8. Criminal Offence

Section 67 of the Anti-Social Behaviour Crime and Policing Act 2014 states that it is a criminal offence for a person without reasonable excuse –

- (a) To do anything that the person is prohibited from doing by a public space protection order or
- (b) To fail to comply with a requirement to which the person is subject under a public space protection order

9. Penalty

A person found guilty of an offence under this Order shall be liable to a £100.00 Fixed Penalty Notice, or upon summary, conviction to a fine not exceeding level 3 (£1,000) on the standard scale.

10. Challenging the Validity of the Order

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

An interested person is someone who lives in, regularly works in, or visits the restricted area. An application must be made to the High Court within 6 weeks beginning with the date on which the Order is made.

Interested persons can challenge the validity of the PSPO on two grounds. Those grounds are that the:

- (a) Council did not have the power to make the Order, or to include prohibitions or requirements (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.

Date:

Signed:

Position:

**THE COMMON SEAL of
WEST OXFORDSHIRE DISTRICT COUNCIL)**

was affixed to this document)
which is executed as a deed by order)
of the Council in the presence of:)

.....
Nominated Officer

For and on behalf of

Schedule of Land

Restricted Area – area of A40 delineated in pink below



